



EMERGENCY ORDER NO. 2022-14

**ORDER RELATING TO THE TEMPORARY USE
OF STORAGE CONTAINERS ON RESIDENTIAL PROPERTY**

WHEREAS, on September 23, 2022, Florida Governor Ron DeSantis issued Executive Order Number 22-218, declaring a state of emergency in Brevard, Broward, Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Miami Dade, Monroe, Okeechobee, Osceola, Palm Beach, Pasco, Pinellas, Polk, Sarasota, and St. Lucie Counties; and

WHEREAS, on September 24, 2022, Governor DeSantis issued Executive Order Number 22-219, amending Executive Order Number 22-218 to declare a state of emergency in the entire State of Florida; and

WHEREAS, Florida Statutes Section 252.38(3)(a) gives authority to public subdivisions to declare and enact a state of local emergency for a period of up to seven (7) days and to take certain measures that are in the interest of the public health, safety, and welfare; and

WHEREAS, on September 25, 2022, the City Commission of the City of North Port, Florida adopted Ordinance No. 2022-30, declaring a state of local emergency due to Hurricane Ian; and

WHEREAS, Ordinance No. 2022-30 conferred on the City Manager or designee the power and authority set forth in Florida Statutes Section 252.38(3)(a); and

WHEREAS, pursuant to Florida Statutes Section 252.46, the City Manager has the power to issue emergency orders with the force of the law; and

WHEREAS, Section 53-265(A)(2) of the Unified Land Development Code exempts the use of certain storage containers from requiring a temporary use permit; and

WHEREAS, expanding the size of and duration for the use of temporary storage containers on residential property is necessary for emergency management purposes and to ensure the health, safety, and welfare of the community.

THEREFORE, IN HIS EMERGENCY AUTHORITY, THE CITY MANAGER OF THE CITY OF NORTH PORT, FLORIDA ORDERS:

1. A property owner whose residential property has sustained damage due to the impact of Hurricane Ian may use storage pods, shipping containers, and transport containers (collectively,

“storage containers”) for on-site storage of household goods and materials necessary for repairs to the property without obtaining a permit or paying a fee.

2. The use of storage containers pursuant to this order is limited as follows:
 - a. A maximum of two (2) storage containers may be located on the residential property at any time;
 - b. A storage container may not exceed 126 square feet in area or eight (8) feet in height; and
 - c. A storage container must not be connected to an electrical source or be electrified in any way.
3. All storage containers in use pursuant to this order must be removed from a residential property by the earlier of:
 - a. Ten (10) business days of the City’s Building Official or designee’s determination that sufficient repairs to the property have been completed, eliminating the need for use of the storage container(s); or
 - b. October 1, 2023.
4. This order does not suspend or waive any other regulations related to the use of a storage pod, shipping container, or transport container used for on-site storage of household or other goods on residential property.
5. To the extent this order conflicts with any provision of the Unified Land Development Code, this order controls.

This order is effective immediately. Unless otherwise terminated or extended, this order expires the earlier of October 1, 2023 or simultaneously with the expiration of the state of local emergency.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF NORTH PORT, FLORIDA ON NOVEMBER 1, 2022 AT 11:27 A.M./P.M. BY


A. JEROME FLETCHER II, ICMA-CM, MPA
CITY MANAGER