



The City of Liberty City Council

Special Called Meeting

~ Agenda ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

April Gilliland
City Secretary
936-336-3684

Tuesday, December 16, 2025

4:30 PM

City Council Chambers

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Mayor John Hebert, Jr.				
Mayor Pro Tem Tommy Brents				
Council Member Ed Seymour				
Council Member Ross Ward				
Council Member Debbie Dugger				
Council Member Bruce Bell				
Council Member Nick Dennis				

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

III. REGULAR AGENDA

A. Regular Session

1. DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 3 OF THE CITY'S CODE OF ORDINANCES BY ADDING ARTICLE 3.15 REGULATING THE USE AND PLACEMENT OF PORTABLE STORAGE CONTAINERS, SHIPPING CONTAINERS, AND PORTABLE BUILDINGS; PROVIDING FOR SEVERABILITY.

IV. ADJOURNMENT

A. Motion To: Adjourn

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 10th day of December 2025. This notice will remain posted continuously for at least three (3) business days preceding the scheduled day of said meeting in accordance with Chapter 551 of the Texas Government Code.

April Gilliland
April Gilliland, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, _____.

CITY OF LIBERTY

City Council Agenda Item Form

Meeting Date: December 16, 2025

Agenda Wording: DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 3 OF THE CITY'S CODE OF ORDINANCES BY ADDING ARTICLE 3.15 REGULATING THE USE AND PLACEMENT OF PORTABLE STORAGE CONTAINERS, SHIPPING CONTAINERS, AND PORTABLE BUILDINGS; PROVIDING FOR SEVERABILITY.

Department: Administration

Subject: Regulating the use and placement of portable storage containers, shipping containers, and portable buildings.

Background: Attached are two versions of the ordinance regulating the use and placement of portable storage containers, shipping containers, and portable buildings for the city council to review. The slight difference is for commercial usage of storage containers.

Funding Source: n/a

Staff Recommendation:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 3 OF THE CITY'S CODE OF ORDINANCES BY ADDING ARTICLE 3.15 REGULATING THE USE AND PLACEMENT OF PORTABLE STORAGE CONTAINERS, SHIPPING CONTAINERS, AND PORTABLE BUILDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Liberty, Texas, finds that portable storage containers, shipping containers, and portable buildings are increasingly being placed on private property within the city; and

WHEREAS, the City Council recognizes that such structures, if not properly regulated, can create safety hazards, interfere with traffic, cause aesthetic impacts, or be used inappropriately for habitation or commercial activity; and

WHEREAS, the City Council desires to ensure that such structures are used safely and in a manner consistent with the health, safety, and welfare of the community; and

WHEREAS, the City Council desires to amend chapter 3 of the Code of Ordinances by creating and adding a new article 3.15 regulating the use and placement of portable storage containers, shipping containers, and portable buildings; and

WHEREAS, the City Council has determined it is necessary to establish clear regulations regarding the condition, placement, duration of use and permissible uses of portable storage containers, shipping containers, and portable buildings within the corporate limits of the City of Liberty.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS THAT:

Section 1. The findings set forth above are hereby found as fact and incorporated herein.

Section 2. An ordinance regulating portable storage containers, shipping containers, and portable buildings is hereby adopted using the language set forth in **Exhibit A**, and said ordinance shall be codified within the City of Liberty's Code of Ordinances.

Section 3. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Liberty, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part.

Section 5. This Ordinance shall take effect in accordance with the laws governing penal ordinances.

Section 6. The City Secretary is authorized to publish a summary or the Caption of this Ordinance as required by law.

PASSED AND APPROVED in Liberty, Texas this ____ day of December, 2025.

CITY OF LIBERTY, TEXAS

By: _____
John Hebert, Mayor

ATTEST:

City Secretary

EXHIBIT

A

ARTICLE 3.15 Portable Storage Containers, Shipping Containers, and Portable Buildings

§ 3.15.001. Applicability.

The provisions of this article shall apply to portable storage containers, shipping containers, and portable buildings that are intended for human habitation, long-term storage, or placement on private property within the corporate limits of the City of Liberty, Texas.

§ 3.15.002. Definitions.

Portable Storage Container. A container, typically of metal or metal-framed construction, designed and used for the storage of personal or business property of a non-hazardous nature that can be moved from location to location. Containers are typically rented or leased to property owners or occupants for temporary use and are delivered and removed by truck. Sample proprietary companies include, but are not limited to, PODS, PACK-RAT, UPack, and SMARTBOX.

Shipping Container. An industrial container with structural integrity sufficient to withstand continuous shipment, storage, and handling of materials, goods, or products by ship, rail, or truck.

Portable Building. A prefabricated or transportable structure designed or constructed to be moved from one location to another, including modular buildings, prefabricated cabins, sheds, or similar structures, that is not permanently affixed to a foundation. Portable buildings are intended primarily for storage and/or accessory use and are not designed or approved as permanent/temporary dwellings.

§ 3.15.003. Condition and Maintenance.

Portable storage containers, shipping containers, and portable buildings shall be delivered and maintained in good condition, free from rodents, insects, rust, graffiti, and obscene words or images. Maintenance of each structure shall be the responsibility of both the property owner or occupant and the supplying company.

§ 3.15.004. Placement and Duration of Use.

1. **Temporary Residential Use (Short-Term Needs).** Portable storage containers and shipping containers placed on residential property for temporary loading, unloading, or moving may remain on a driveway or other approved surface for up to thirty (30) days. Extensions may be granted by the City for good cause shown.

2. **Location Restrictions.** Portable storage containers, shipping containers, and portable buildings shall not be placed in or block any public right-of-way, access easement, or sidewalk and may not impair traffic visibility.

§ 3.15.005. Permit requirements and Use Restrictions

1. **Residential Use Prohibited.** Portable storage containers, shipping containers, and portable buildings shall not be used, occupied, or converted for residential dwelling purposes, including sleeping, living quarters, or any form of human habitation.
2. **Commercial Use Limits.**
 - a. Portable storage containers, shipping containers, and portable buildings may not be used for any public rental storage operation or for storage units offered for rent to the public but may be used for private on-site commercial storage where otherwise permitted.
 - b. A business located on a property may use portable storage containers, shipping containers, or portable buildings for its own on-site commercial storage needs, provided that:
 - i. The structure is not used for public storage rental, and
 - ii. The structure is placed behind a fenced, screened, or otherwise visually obscured area so that it is shielded from public view from streets and adjacent residential properties.
 - c. Portable storage containers and shipping containers may not be used to construct a permanent commercial building and may not be used to operate or house any commercial business, other than for on-site commercial storage as previously allowed in this ordinance.
3. Structures used in violation of this section are subject to immediate removal at the property owner's expense and enforcement actions under City code.

§3.15.006. Temporary Construction Site.

Portable storage containers and shipping containers may be used at temporary construction sites within the city for the duration of the construction project, provided they comply with all applicable building codes and safety requirements. However, in no event shall the containers be allowed to stay for longer than one hundred eighty days (180) days.

§ 3.15.007. Enforcement and Penalties.

Violations of this article shall be subject to enforcement under the City of Liberty Code of Ordinances. Each day a violation occurs shall constitute a separate offense. Penalties may include fines, removal of the structure, or other remedies as authorized by law.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 3 OF THE CITY'S CODE OF ORDINANCES BY ADDING ARTICLE 3.15 REGULATING THE USE AND PLACEMENT OF PORTABLE STORAGE CONTAINERS, SHIPPING CONTAINERS, AND PORTABLE BUILDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Liberty, Texas, finds that portable storage containers, shipping containers, and portable buildings are increasingly being placed on private property within the city; and

WHEREAS, the City Council recognizes that such structures, if not properly regulated, can create safety hazards, interfere with traffic, cause aesthetic impacts, or be used inappropriately for habitation or commercial activity; and

WHEREAS, the City Council desires to ensure that such structures are used safely and in a manner consistent with the health, safety, and welfare of the community; and

WHEREAS, the City Council desires to amend chapter 3 of the Code of Ordinances by creating and adding a new article 3.15 regulating the use and placement of portable storage containers, shipping containers, and portable buildings; and

WHEREAS, the City Council has determined it is necessary to establish clear regulations regarding the condition, placement, duration of use and permissible uses of portable storage containers, shipping containers, and portable buildings within the corporate limits of the City of Liberty.

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Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Liberty, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part.

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By: _____
John Hebert, Mayor

ATTEST:

City Secretary

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 - b. A business located on a property may use portable storage containers, shipping containers, or portable buildings for its own on-site commercial storage needs, provided that:
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 - ii. The structure is placed behind a fenced, screened, or otherwise visually obscured area so that it is shielded from public view from streets and adjacent residential properties.
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