

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STOCKTON ADDING CHAPTER [XX] TO THE STOCKTON MUNICIPAL CODE TO REGULATE THE SECURED STORAGE OF PALLETS BY COMMERCIAL ESTABLISHMENTS

WHEREAS

the unsecured outdoor storage of pallets on commercial properties presents a significant public safety risk, including fire hazards and unauthorized use as shelter; and

WHEREAS, the City of Stockton has the authority under its police powers and Government Code sections 38771-38773.5 to protect public health, safety, and welfare through appropriate regulations; and

WHEREAS, it is the intent of the City Council to require that pallets be stored in a manner that prevents unauthorized access, reduces visual blight, and minimizes safety hazards;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKTON DOES ORDAIN AS FOLLOWS:

SECTION 1. ADDITION OF CHAPTER [XX] - SECURED STORAGE OF PALLETS

Section [XX].010 - Definitions

"Pallet" means any wooden, composite, or plastic platform used for the storage or transport of goods, whether active, idle, or discarded.

"Commercial Property" means any property zoned for or occupied by a business or industrial use.

"Secured Storage" means storage that is enclosed by a locked fence, gated enclosure, **or secured with a chain or cable and lock**; or indoor facility not accessible to the general public.

Section [XX].020 - Secured Storage Requirement

A. All commercial or industrial establishments must store pallets in a secured storage area, **or alternatively, pallets may be secured with a chain or cable and lock to prevent unauthorized access, misuse, or fire hazards.**

B. No pallets may be left in areas accessible to the public, including alleys, driveways, loading docks, or any unfenced portions of a parcel, outside of active loading or unloading operations.

C. Pallets shall not remain in unsecured areas for longer than ninety (90) consecutive minutes during normal business hours unless they are actively being used for loading or unloading.

Section [XX].030 - Visibility from the Public Right-of-Way

Pallets shall not be stored in locations visible from public streets, sidewalks, or alleys unless fully screened and secured in accordance with Section [XX].020.

Section [XX].040 - Exceptions

This Chapter shall not apply to:

1. Pallets **may be** stored indoors or within fully enclosed and locked dock bays, **may be secured with a chain or cable and lock; or if quantity exceeds more than 50 stored pallets, in accordance with section 315.7 - 315.7.7 and Chapter 32 of the California Fire Code, and the SMC15.12.050,** provided such storage complies with all applicable fire and building codes **requirements**, including ~~California Fire Code requirements for~~ **those governing** egress, clearance, and combustible storage;
2. Construction sites with active building permits, provided the pallets are associated with on-site construction materials;
3. Emergency situations authorized by the City Manager or Fire Marshal.

Section [XX].050 - Enforcement and Penalties

A. Violations of this Chapter are subject to administrative citations pursuant to Chapter 1.36 of the Stockton Municipal Code.

B. Penalties shall be assessed as follows:

1. First violation: written warning and seven (7) calendar days to correct;
2. Second violation: \$250 administrative fine;
3. Third and subsequent violations: fine beginning at \$500, increasing by \$500 for each additional violation thereafter (i.e., \$1,000 for the fourth, \$1,500 for the fifth, and so on).

C. Each day a violation continues shall constitute a separate violation.

Section [XX].060 - Enforcement Authority

The City Manager and Code Enforcement Division are authorized to enforce this Chapter through administrative citations. The Fire Marshal may refer observed violations of this Chapter, identified during fire inspections or permit reviews, to the appropriate enforcement agency. Nothing in this Chapter shall be construed to expand the enforcement authority of the Fire Department beyond the powers granted under the California Fire Code (Title 24, Part 9) and Stockton Municipal Code Title 15.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions.

SECTION 3. EFFECTIVE DATE

This ordinance shall become effective thirty (30) days after its adoption. Businesses shall have ninety (90) days from the effective date to comply with its provisions.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Stockton at a regular meeting held on the ____ day of _____, 2025.