

5.33.010 - Purpose of provisions.

It is the intent of this chapter to regulate the term and frequency of personal property sales within residential areas so that the residential environment of such areas is not disturbed or disrupted, and prohibit the infringement of any businesses into such established areas. It is not the intent of this chapter to seek control of sales by individuals selling a few of their household or personal items. (Ord. 1030 § 1 (part), 1972: prior code § 5-1401)

5.33.020 - Definitions.

For the purpose of this chapter, the term "garage sale," "yard sale," "basement sale" and "rummage sale," including any similar terms such as "attic sale," "lawn sale," "flea market sale," etc., means any sale of tangible personal property, whether used, secondhand, damaged or discarded, not otherwise regulated in the ordinances of the city, advertised by any means whereby the public at large is or can be aware of such sale. (Ord. 1030 § 1 (part), 1972: prior code § 5-1402)

5.33.030 - License required.

It is unlawful for any person, organization, corporation, partnership or association of whatever description, to conduct, advertise or promote any sales of used, secondhand, damaged or discarded property of whatever description upon any property, public or private, within the city unless properly licensed as provided by Section 5.78.010 of this code, or as further permitted in this chapter. (Ord. 1030 § 1 (part), 1972: prior code § 5-1403)

5.33.040 - Conduct of sales on private property—Permitted when.

An owner, tenant or lessee of a residence or charitable institution, including churches, schools and hospitals, may conduct such sale as described in Section [5.33.020](#), termed garage, yard, basement or rummage sale, or otherwise designated, upon the premises of his residence or the premises of such charitable institution as hereinafter provided in this chapter. (Ord. 1030 § 1 (part), 1972: prior code § 5-1404)

5.33.050 - Permit requirements.

A.

It is unlawful for any owner, tenant or lessee of a residence or charitable institution to conduct, advertise or promote a sale as defined in Section [5.33.020](#) unless a permit is obtained as provided herein.

B.

A written application shall be filed with the city clerk on the forms prescribed by the clerk, and shall contain the following:

1.

Name and address of the person, association or organization conducting the sale;

2.

Location at which the sale is to be conducted;

3.

The number of days which the sale is to be conducted within the limits hereinafter prescribed;

4.

A description of the items proposed to be sold;

5.

The date, nature and location of any past sale conducted by the applicant.

C.

An affidavit signed by the applicant affirming that the items to be sold are the sole property of such applicant must be filed with the application.

D.

The applicant shall pay the sum of five dollars (\$5.00) for the issuance of the sale permit to the city clerk at the time of filing the application, and a sum of ten dollars (\$10.00) will be charged for a second garage sale permit in any one (1) calendar year. (Ord. 2620, § 1, 2003; Ord. 1030 § 1 (part), 1972; prior code § 5-1405)

5.33.060 - Conduct of sales. 

A.

Any sale, as described in this chapter, shall not be conducted for any period in excess of six (6) consecutive days and no more than two (2) sales shall be conducted within one (1) calendar year conditioned upon a period of at least thirty (30) days elapsing between each sale; provided, however, that an additional permit may be issued by the city clerk during said one-year period in the event that the sale could not be conducted due to inclement weather or if the applicant is in the process of moving into, out of or within the city;

however, the city clerk may not issue more than two (2) additional permits during the one-year period for any reason.

B.

The permit authorizing such sale shall be displayed in the front window or other prominent place, clearly visible from the street, at each location where a sale is being conducted.

C.

The items offered for sale shall not be displayed in the front or side yards of such premises. (Ord. 2867, § 1, 2011; Ord. 1030 § 1 (part), 1972; prior code § 5-1406)

5.33.070 - Sign restrictions. 

A.

One (1) sign may be erected advertising such sale on the premises of the sale during the period of such sale.

B.

Such sign shall not be in excess of six (6) square feet, and shall not be illuminated in any manner whatsoever except incidentally by streetlights or house lights.

C.

Under no circumstances shall any signs be attached to or located on any tree or traffic-control device or on any public land or right-of-way, either by nail, screw, wire, cord or by any manner whatsoever. (Ord. 2816, § 1, 2009; Ord. 1087 § 1, 1973; Ord. 1030 § 1 (part), 1972; prior code § 5-1407)