

ORDINANCE NO. \_\_\_\_\_-2020

**AN ORDINANCE AMENDING SECTION 735.10 IN ITS ENTIRETY OF THE PAINESVILLE CODE OF 1998 RELATING TO THE REGISTRATION OF GARAGE, YARD AND PORCH SALES, AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL of the City of Painesville, Lake County Ohio:

**SECTION I.** That Section 735.10 of the Painesville Code of 1998, is hereby amended to read as follows:

**735.10 REGISTRATION OF GARAGE, YARD, PORCH SALES.**

~~There shall be no fee for the registration of garage, yard, or porch sales conducted on residential property. However, such activity shall be limited to no longer than three consecutive days and not issued to the same individual or for a sale on the same parcel more than four times in a calendar year.~~

- (a) Before any garage, yard, or porch sale may occur in the City of Painesville, those desiring to conduct such sales must first obtain a registration from the City through the City Manager or the City Manager's designee.
- (b) To acquire a City registration for a garage, yard, or porch sale the applicant must provide the City the following information: the applicant's name, address, and contact information; the location where the sale is to occur; the dates when the sale will occur; the time when the sale will occur; and whether the sale is being conducted simultaneously with any other garage, yard, or porch sale.
- (c) If registration is sought for three (3) or more garage, yard, or porch sales to be conducted simultaneously on a street or within a development or area, in addition to the required application information set forth in Section (b) of this Ordinance, the applicant must further provide the following: the name, address and contact information of each property owner who is participating in the sale event; and documentation showing the location of all properties participating in the sale event.
- (d) The City Manager or City Manager's designee shall determine if a garage, yard or porch sale necessitates the services of an off duty Painesville Police Officer/s to adequately control parking and traffic congestion reasonably anticipated by the sales event. If determined to be necessary, the applicant must provide proof that an off duty Painesville Police Officer/s have been secured prior to being approved.
- (e) To be eligible for a garage, yard, or porch sale registration, an applicant must file an application for same no less than fourteen (14) days prior to the sales event.
- (f) No garage, yard, or porch sale shall be allowed that exceeds three (3) consecutive days in duration.
- (g) No garage, yard, or porch sale shall be allowed if the premises upon which the sales event is to occur has hosted three (3) previous sales during the current calendar year (January 1 through December 31).
- (h) Upon determining that compliance with the Ordinance has been achieved, the City Manager or the City Manager's designee shall timely issue a registration for the proposed sales event. There shall be no fee charged for the issuance of a registration, but any other costs that may be associated with this garage, yard or porch sale registration shall be the sole responsibility of the applicant.
- (i) A violation of this Ordinance is an unclassified misdemeanor, punishable by fine not to exceed \$500.00.

**SECTION II.** That the Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to regulate garage, yard, and porch sales within the City of Painesville, and therefore this Ordinance shall become effective immediately upon its passage.

**PASSED:**

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Paul W. Hach, II  
President of Council

ATTEST:

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Valerie Vargo, CMC  
Clerk of Council