



# Council

## Agenda Item

Date: February 11, 2020

To: Monica Ireland, City Manager

From: Douglas Lewis, Assistant City Manager/Community Development Director

Topic: An Ordinance amending Section 735.10 of the Painesville Code of 1998 in its entirety related to the registration of garage, yard and porch sales.

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### **History:**

The City of Painesville enacted legislation in 2010 to address the registration of garage, yard and porch sales within the City of Painesville. Since that time, we have experienced additional development which has created a need to modify the ordinance. In recent years, garage, yard and porch sales have created issues within various neighborhoods – specifically Heisley Park and Liberty Greens. They have created safety and congestion issues within these neighborhoods. As a result, the City has been required to expend resources to ensure the safety of residents living in these areas.

As a result of the safety and congestion concerns within various neighborhoods of the City, this item was referred to the Painesville Housing Task Force for review and a recommendation. After considerable discussion, the Housing Task Force is recommending a process be implemented for those conducting the garage, yard or porch sales within any neighborhood of the City of Painesville. The attached legislation makes the following recommendations:

Based on the meeting, the following were incorporated into the proposed Ordinance.

- 1) Requires registration of the garage, yard or porch sales.
- 2) Requires registration 14 days in advance of event. The Task Force wanted to provide reasonable time for the City Manager or Designee to determine if there was a need to hire off duty Police Officers to adequately manage traffic and congestion.
- 3) Allows up to a total of 3 events per calendar year.
- 4) Allows 3 events per calendar year to be held for a total of 3 consecutive days.
- 5) Requires the City Manager or Designee to determine the necessity of hiring an off duty police officer/s based on a number of factors. The Task Force requested that staff develop a checklist based on discussions at the meeting. If determined that it would create safety and congestion issues, the applicant must provide proof that an off duty police officer/s was hired prior to receiving approval.

- 6) Requires that three (3) garage, yard or porch sales on a street, within a development or area requires parties provide additional information to determine the number and location of garage, yard or porch sales to be conducted.
- 7) No fee shall be charged for the issuance of the registration, but any other costs associated with the garage, yard or porch sale registration would be the sole responsibility of the applicant (i.e., cost for Police Department to place no parking signs).

**Purchasing:**

None

**Financing:**

This will enable the City of Painesville to recover the costs associated with an event that benefits very few residents. If determined by the City Manager or Designee, residents would have to pay for the cost to hire an off duty Police Officer/s to ensure safety of the residents and address traffic and parking issues within the neighborhood where the events are being conducted.

**Recommendation:**

The Housing Task Force is recommending approval of the Ordinance to amend the existing garage, yard and porch sale Ordinance and establish a process to ensure the safety of any neighborhoods planning to conduct multiple garage, yard or porch sales. This item can go three (3) readings.