

ORDINANCE NO. 9-20

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) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

(1) "Special Event." A special event means any concert, parade, fair, show, festival, carnival, rally, party, filming of a movie, video or television show, motorcade, run, street dance, bike-a-thon, race, walk or athletic event, or other attendant entertaining or celebration, that is to be held in whole or in part upon publicly owned property or right-of-way, or, if held wholly upon private property, will require the use of city resources.

b) 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.

c) 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.

d) To be eligible for a garage, yard, or porch sale registration, an applicant must file an application for same no less than seven (7) days for an individual sale or fourteen (14) days for multiple sales planned as a special event, prior to the sales event.

e) Garage, yard, or porch sales shall be limited to no longer than three (3) consecutive days.

f) Garage, yard, or porch sales shall not be issued to the same individual or for a sale on the same parcel more than four (4) times in a calendar year.

g) Individual garage sales registration.

1. Any garage, yard, or porch sale registration within the listed residential districts shall comply with the following regulations:

<u>Zoning Classification for Sale Location:</u>	<u>R-1</u>	<u>R-2</u>	<u>R1-60</u>
Maximum sales allowed per Local street	5	3	3
Maximum sales allowed per Cul-De-Sac	3	2	2
Maximum sales allowed per Subdivision	--	5%	5%

2. Any garage, yard, or porch sales approved within the R-2 or R1-60 zoning districts may not exceed 5% of the total residential parcels within that area.

3. The City Manager or the City Manager's designee may approve garage sales beyond the maximum allowed per street based on the following factors:

A. Location and amount of registrations approved on that street or surrounding streets;

B. Total registrations approved in the subdivision;

C. Availability for parking or any other health and safety concern(s) of allowing additional registration approvals.

h) Multiple garage sales registration, planned as a special event.

1. Any garage, yard, or porch sale application planned as a special event must comply with the following regulations pertaining to the number of applications approved during the same dates.

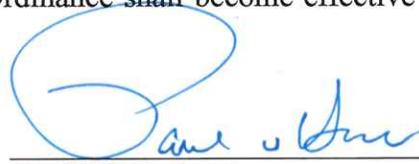
2. In addition to information set forth in Section (b) of this section, the applicant must further provide the following: the name, address and contact information of each property owner who is participating in the special event; and documentation showing the location of all properties participating in the special event.

3. Any registration of multiple garage sales, planned as a special event, will require the special event be reviewed as a special event, the City Manager or City Manager's designee shall determine if the use of city resources are required to adequately control parking and traffic congestion reasonably anticipated by the

- special 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.
4. 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.
 5. Special permission of the City Manager may be granted for a temporary period only, not to exceed four (4) days, when associated with a special event.
- i) 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.

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: August 18, 2020



Paul W. Hach, II
President of Council

ATTEST:


Valerie Vargo
Clerk of Council