CITY OF ARCHDALE

CITY COUNCIL

MEETING DATE: Tuesday September 22, 2020

SUBJECT: Public Hearing: Text Amendment to the Zoning Ordinance; Article VI, SR 43 (Yard Sales)

RECOMMENDATIONS OR COMMENTS: The City of Archdale has recently (as of July 1, 2020) stopped requiring residents to get Yard Sale permits. As a result, the current zoning ordinance needs to be updated to not include language about permits. Furthermore, clarifications were made to the ordinance about time and days of yard sales as well as location of signage.

PLANNING BOARD RECOMMENDATION: The Planning and Zoning Board unanimously recommended approval of this rezoning at their September meeting (August 31st).

SUMMARY OF INFORMATION: Revised SR 43 Ordinance

ATTACHMENTS: [x] YES [ ] NO

ORIGINAL ORDINANCE – AUGUST 1, 2020

SR 43. Yard Sales

"Yard sale" shall mean a sale from a residence or residential property of personal property which has been owned or used by a person residing on or owning the premises where the sale is conducted. In addition, yard sales may be held on property owned by religious institutions and other civic, non-profit organizations. The term "yard sale" shall include all sales entitled "garage sale", "lawn sale", "attic sale", "moving sale", "rummage sale", etc.

1. ~~Yard Sale Permit Required: It shall be unlawful for a person to conduct a yard sale in the City without first obtaining from the City a permit to do so, to be known as a "Yard Sale Permit".~~

2. Issuance of Permit:

   a. ~~A permit shall be issued for a fee of $5.00~~ to conduct a yard sale on the premises no more than twice in a 12 month period; provided, ~~however, a permit for a third yard sale shall be issued if satisfactory proof of a bona fide change in ownership of real property.~~

   b. ~~A permit shall be issued~~ for the conduct of a yard sale for 2 consecutive days during daylight hours only.

   ~~c. Each permit issued under this Ordinance must be prominently displayed on the premises upon which the yard sale is conducted throughout the entire period of the permitted sale.~~

3. Signs:

   a. Directional signs may not be placed until a yard sale permit has been issued.

   b. Signs may not be attached to utility poles, public signs, or other public utility structures.

   c. No signs may be placed in the public right-of-way or in any location that may impede the vision of passing motorists.

   d. All signs shall be removed at the conclusion of the yard sale event.

4. Exceptions:

   a. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.

   b. Persons acting in accordance with their powers and duties as public officials.

c. Any person conducting an incidental sale or one or two separate items which such sale is not part of a general sale or a number of items of personal property.

5. Penalty: Violation of this Section is subject to the penalties found in Article XVI, Sections 16.8 and 16.9.

PLANNING BOARD REVISIONS – AUGUST 31ST, 2020

SR 43. Yard Sales

"Yard sale" shall mean a sale from a residence or residential property of personal property which has been owned or used by a person residing on or owning the premises where the sale is conducted. In addition, yard sales may be held on property owned by religious institutions and other civic, non-profit organizations. The term "yard sale" shall include all sales entitled "garage sale", "lawn sale", "attic sale", "moving sale", "rummage sale", etc.

1. A yard sale is allowed no more than twice per dwelling unit in a calendar year (January through December).

    a. Yard sales are allowed during daylight hours only.
    b. Yard sales are allowed only Thursday through Sunday and on public holidays.

2. Signs:

    a. Signs may only be placed on the premises of the dwelling unit that is conducting the sale.

    b. Signs may not be attached to utility poles, public signs, or other public utility structures.

    c. No signs may be placed in the public right-of-way or in any location that may impede the vision of passing motorists.

    d. All signs shall be removed at the conclusion of the yard sale event.

3. Exceptions:

    a. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.

    b. Persons acting in accordance with their powers and duties as public officials.

    c. Any person conducting an incidental sale or one or two separate items which such sale is not part of a general sale or a number of items of personal property.

4. Penalty: Violation of this Section is subject to the penalties found in Article XVI, Sections 16.8 and 16.9.

FINAL DRAFT – SEPTEMBER 17, 2020

SR 43. Yard Sales

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1. A yard sale is allowed no more than twice per dwelling unit (physical street address) in a calendar year (January through December).

    a. Yard sales are allowed during daylight hours only.
    b. Yard sales are allowed only Thursday through Sunday and on public holidays.

2. Signs:

    a. Signs may only be placed on the premises of the dwelling unit that is conducting the sale.

    b. Signs may not be attached to utility poles, public signs, or other public utility structures.

    c. No signs may be placed in the public right-of-way or in any location that may impede the vision of passing motorists.

    d. All signs shall be removed at the conclusion of the yard sale event.

3. Exceptions:

    a. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.

    b. Persons acting in accordance with their powers and duties as public officials.

    c. Any person conducting an incidental sale of one or two separate items which such sale is not part of a general sale or a number of items of personal property.

4. Penalty: Violation of this Section is subject to the penalties found in Article XVI, Sections 16.8 and 16.9.