

ORDINANCE NO. 16-23

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CONCERNING YARD SALES IN THE CITY

WHEREAS, the City's zoning code has designated certain zoning districts within the City as being appropriate for residential use only; and

WHEREAS, the City's current ordinances pertaining to yard sales do not contain provisions governing the frequency of yard sales in residential use zoning districts; and

WHEREAS, it appears that various residents within residential use zoning districts are conducting yard sales on their residential properties with such frequency the such sales are not occasional events but, rather, are businesses being operated on residential properties; and

WHEREAS, such a use of residential property is inconsistent with and inappropriate for residential property and one which interferes with the peaceful use of their properties by other residents in the neighborhood, and the Board of Commissioners finds it to be in the public interest that the frequency of yard sales in residential zoning districts be regulated so as to ensure that residential properties not be used as yard sale businesses;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

1. Frequency and Duration of Yard Sales. No property located in any residential zoning district, whether R-1, R-2, or R-3, shall be used as the location of a yard sale more than 3 times in any period of 12 months, and there must be not less than a 30 day interval between any yard sales at the same location. No single yard sale shall be of a duration greater than 48 hours.
2. Definitions. The term "yard sale" shall mean any sale of the kind commonly referred to as a yard sale, including all sales entitled "yard sale," "garage sale," "lawn sale," "attic sale," "rummage sale," or any similar casual sale of items of tangible personal property which is advertised by any means, including the simple display on the property of items for sale, whereby the public at large is or can be made aware of the sale.
3. Violations. The owner of any property whereon a yard sale is conducted which: (i) constitutes the fourth or more yard sale on that property within any period of 12 months, (ii) is of a duration greater than 48 hours, or (iii) occurs less than 30 days following a previous yard sale on the same property shall be fined not less than \$100.00 nor more than \$500.00; each day during which the yard sale continues in violation of the provisions set forth in Paragraph 1, above, shall be deemed to be a separate offense.

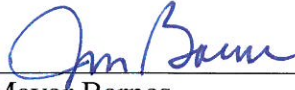
SECTION II

This Ordinance shall be effective immediately upon its enactment following second reading, and publication in accordance with the provisions of applicable law.

DATE OF FIRST READING: August 9, 2016
MOTION BY: Commissioner Blythe
SECONDED BY: Commissioner Newby

DATE OF SECOND READING: August 23, 2016
MOTION BY: Commissioner Baird
SECONDED BY: Commissioner Blythe

VOTE	YES	NO
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Mayor Barnes	x	



Mayor Barnes

ATTEST:


City Clerk