

## **TITLE IV**

### **BUSINESS REGULATIONS**

#### CHAPTER 5

### **YARD SALE REGULATIONS**

(Ord. 2010-02)

#### 4-5-1: Definitions

Yard Sale: A Yard Sale (garage, backyard, moving sale) shall mean a sale of personal property on property that is used for residential purposes. This ordinance shall not apply to a Yard Sale organized by the Town or Town Chamber of Commerce.

#### 4-5-2: General Provisions

A. Yard Sales must comply with all of the following standards:

1. The Yard Sale consists solely of the sale of personal property accumulated by the seller during the course of the seller's ordinary residential living;
2. Any individual seller, household, home address, group, or family shall not exceed 8 (eight) Yard Sales in any one calendar year. Exceeding this limit will require adherence to Town of Olathe Business/Sales Tax License requirements;
3. Each Yard Sale shall last no more than 3 (three) consecutive days, with each day beginning no earlier than sunrise and ending no later than sunset. All personal property is to be stored out of public view upon completion of the Yard Sale;
4. Only personal property may be sold at a Yard Sale;
5. Signs shall be permitted in accordance with the Town's Sign Ordinance codified in Chapter 3-1-1-A of the Olathe Municipal Code based on Appendix H of the 2006 International Building Code. Signs must be removed upon completion of the Yard Sale;
6. No prepackaged manufactured food, tobacco products, alcoholic beverages, items requiring permits for sale, illegal weapons, controlled substances, or other illegal items as defined in Title 18, Colorado Revised Statutes shall be sold or offered for sale;
7. All personal property offered for sale shall be arranged so that fire, police, health and other officials may have access

for inspection at all times during the sale. Personal property offered for sale shall not be displayed or stored on adjoining public sidewalks, streets, or other public rights-of-way; and

8. All individuals having a Yard Sale must obtain a permit, as described in Section 4-5-3

4-5-3 Permit Required

- A. A \$5.00 permit shall be required for any Yard Sale. The permit shall be filed with the Town on forms furnished by the Town and will include all individuals names participating in the Yard Sale, the dates of the Yard Sale, and location of the Yard Sale. This fee is valid for up to 8 (eight) Yard Sales in any one calendar year. The approved dates on a permit for a Yard Sale may be changed by obtaining approval from the Town prior to the beginning of the Yard Sale.

4-5-4 Enforcement

- A. Any acts in violation of this Chapter shall be deemed unlawful.
- B. Any person convicted of a violation of this Chapter may be sentenced to jail for a period of 90 days or a fine of \$300.00 or both.