

ORDINANCE NO. 524-1994

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, REGULATING RESIDENTIAL YARD AND GARAGE SALES; ESTABLISHING THE ISSUANCE OF A PERMIT FOR SUCH SALES; DULY LIMITING THE NUMBER AND DURATION OF SUCH SALES ANNUALLY; PROVIDING PENALTIES AND SANCTIONS FOR VIOLATIONS OF THIS ORDINANCE; AND REPEALING CITY OF DRY RIDGE ORDINANCE NO. 302-1977.

WHEREAS, the sale of personal and miscellaneous items by means of garage or yard sales has become popular;

WHEREAS, such sales, if protracted, become and constitute hazards to the public safety and the public welfare of the city's residents and citizens, and become an annoyance and inconvenience to adjoining property owners, city residents and other persons using the city's streets and roadways; and

WHEREAS, the City Council of the City of Dry Ridge, Kentucky, hereby so intends to establish and set forth provisions allowing, but limiting and controlling such sales and providing penalties and sanctions for violations of this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRY RIDGE, KENTUCKY, FOR AND ON BEHALF OF THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS, TO-WIT:

SECTION ONE

Definitions. As used in this ordinance, unless the context clearly requires a different meaning, the following words and terms have the following definitions or meanings, and the singular also includes the plural, to-wit:

A. "Yard/Garage Sale" means the occasional, on-premises sale, by a property owner, of miscellaneous items of personal property conducted upon property and close used primarily for residential purposes or classified and zoned residential.

B. "City-Sponsored Yard Sales" means those said periodic yard/garage sale events as may be sponsored by the City of Dry Ridge under the terms and requirements as fixed, established, mandated and noticed by the city.

C. "Property Owner" means the owner/holder of the real title estate, the equitable title estate, or leasehold interest or estate of the property and premises upon which a yard/garage sale is hereby permitted, whether the same be a person, firm, corporation, contract seller/vendor, contract buyer/vendee, lessor, lessee, landlord, tenant or any entity.

D. "Close" means that boundary separate of the property owner, including all buildings, improvements and appurtenances thereto which is used as the property owner's principal residence or used primarily for residential purposes.

SECTION TWO

Number and Duration of Permitted Yard/Garage Sales.

(1) Except as hereinafter provided, a property owner as defined herein, shall hold not more than two (2) yard/garage sales within a calendar-year and such yard/garage sale permitted hereby shall be not more than two (2), consecutive calendar-days in duration.

(2) The limitations prescribed above, shall not apply to a property owner holding a yard/garage sale under the auspice of such city-wide sales sponsored periodically by the City of Dry Ridge.

SECTION THREE

Application and Permits Required for Yard/Garage Sales.

All property owners as defined herein desiring to conduct a private or participate in a sponsored, city-wide yard/garage sale, shall make an application for the issuance of a yard/garage sale permit to the City Clerk of the City of Dry Ridge, Kentucky, which permit shall issue, without charge or costs, to a qualified property owner/applicant.

SECTION FOUR

Display of Yard/Garage Sale Permits.

All yard/garage sale permits, whether for a private or city-sponsored yard/garage sale issued by the City Clerk, shall be conspicuously displayed upon the close and premises of the said yard/garage sale during the term and duration of the said yard/garage sale.

SECTION FIVE

Return of Yard/Garage Sale Permit.

A yard/garage sale permit issued for a private yard/garage sale under Section Two (1) above, which private sale is canceled or not held for grounds reasonable, shall be timely returned by the permittee to the City Clerk and, upon such timely return of permit, the City Clerk shall notice the return of permit and entry that a yard/garage sale under permit was canceled or not held for grounds reasonable by the permittee and that such permittee is entitled to reissuance of a replacement yard/garage sale permit.

SECTION SIX

Penalties.

Any person/property owner violating the provisions of this ordinance, shall upon conviction, be fined not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00) plus court costs, and each day of sale conducted in violation hereof, shall constitute a separate offense.

SECTION SEVEN

Effective Date.

This ordinance shall take full force and effect on January 1, 1995, or on the date thereafter when this ordinance is published as required by law.

SECTION EIGHT

Severability.

If any provision of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutionally, the remaining provisions of this ordinance shall continue in full force and effect.

SECTION NINE

Repealer.

City of Dry Ridge Ordinance No. 302-1977 be and the same is repealed hereby.

First Reading: November 7, 1994

Second Reading: December 5, 1994

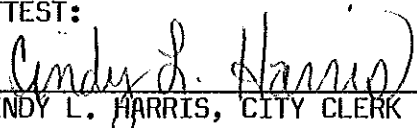
PASSED, ADOPTED, APPROVED, ORDAINED AND ORDERED PUBLISHED THIS THE

5th DAY OF December, 1994.



NORMAN FERGUSON, MAYOR

ATTEST:



CINDY L. HARRIS, CITY CLERK