

**ORDINANCE# 2009-NN**

CITY OF JEMISON

CHILTON COUNTY

STATE OF ALABAMA

**AN ORDINANCE TO AMMEND ORDINANCE # 2009-NN, THE CITY OF JEMISON ZONING ORDINANCE, WITH REGARD TO "YARD SALES"**

BE IT ORDAINED by the City Council of the City of Jemison, that the City Council does hereby adopt the following additions to the Zoning Ordinance of the City of Jemison:

Section 5.13. Yard Sales.

- a. For the purpose of this article, the term "yard sale" shall include, but not limited to, yard sales, garage sales, patio sales, porch sales, carport sales, and any other sales from a residence; provided, however, that home businesses which are properly licensed and authorized under the zoning ordinances of the City are exempted from the provisions of this article.
- b. Any person conducting a "yard sale" on any property other than their own shall produce explicit written permission from the property owner, prior to obtaining a permit, to conduct such sale on the property.
- c. Sales as defined in subsection (a) of this section are restricted in duration to no more than three (3) consecutive days and shall not be held on that same premises more than four (4) times in any one (1) calendar year.
- d. Any person conducting a sale pursuant to this article shall first be required to obtain a permit from the city clerk's office. Each person applying for a permit shall be required to give his name, address, telephone number, location and any other information as is reasonably necessary for the proper regulation of yard sales as provided in the article. A five dollar (\$5.00) fee shall be required for said permit.
- e. Each person obtaining a permit pursuant to this article shall be required to display the permit in a conspicuous fashion on the premises at which the sale is conducted. The city clerk's office is vested with the responsibility for the issuance of the permits and for the proper filing of the permits. The permits issued hereunder shall specify the dates on which the sale is to be conducted.
- f. The yard sale event shall not create a traffic problem or inhibit the use of the road or street by public or emergency vehicles.
- g. Sales are to be limited to the daylight hours.
- h. If a sale is not held on the dates for which the permit is issued or is terminated during the first day of the sale because of inclement weather conditions, and a statement by the permit holder to this effect is submitted, another permit may be issued for a sale to be conducted at the same location within thirty (30) days from the date when the first sale was to be held.

- i. The applicant to whom a permit is issued, and the owner or tenant of the premises on which a sale is conducted, shall be jointly and severally responsible for the maintenance of good order and decorum on the premises during all hours of the sale.
- j. The permittee will not allow loud or boisterous conduct on the premises.
- k. The permittee will not permit vehicles to impede the passage of traffic on streets in the area of the premises. Vehicle parking shall be conducted in compliance with applicable laws and ordinances.
- l. Signs are not allowed on public rights of ways and may not be posted, attached, nailed, stapled, etc. to any utility pole, sign, street sign, medians, etc. Anything in front of or on light poles or traffic signs is not permitted.
- m. Off Premises signs should be mounted on stakes and, after written permission is obtained, placed in the yards of private individuals. Balloons are not allowed on directional signs.
- n. Off Premises signs may be put up no earlier than two (2) days prior to the event.
- o. All signs must be removed by the close of sale activities or by the end of daylight the last day of the sale.
- p. The permit may be revoked, or refused, if the application contains false, fraudulent or misleading statements.

This ordinance shall be in effect immediately upon its adoption.

ADOPTED this 19<sup>th</sup> day of Sept., 2016.

Eddie Reed

Eddie Reed, Mayor

ATTEST:

Sylvia Singleton

Sylvia Singleton, City Clerk