



# TOWN OF APPLE VALLEY

## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor and Town Council **Date:** January 10, 2017

**From:** Jim Andersen, Manager **Item No:** 5  
Code Enforcement Department

**Subject:** GARAGE/YARD SALES

**T.M. Approval:** \_\_\_\_\_ **Budgeted Item:**  Yes  No  N/A

### RECOMMENDED ACTION:

1. Receive and file.
2. Provide direction to staff.

### SUMMARY:

At the July 12, 2016 Town Council Meeting, Council Member Bishop requested a report on yard sales, enforcement and what options are available for regulations. The current regulations state:

- Any resident wishing to operate a garage/yard sale shall, prior to the garage/yard sale, register with the Finance Department of the Town of Apple Valley the date and time on which the garage/yard sale is to take place.
- The maximum number of garage/yard sales permitted under this Chapter for any single-family residence is three (3) per calendar year, with each sale not to exceed three (3) consecutive days.
- The maximum number of garage/yard sales permitted under this Chapter for any multi-family residence is one (1) per calendar year per occupied unit. The tenant of the multi-family residence shall receive written permission from the owner of the property prior to obtaining the garage/yard sale permit and shall submit this written authorization at the time of registration with the Finance Department. Only the occupant of the multi-family residential unit shall be permitted to apply for and obtain the garage/yard sale permit.

- Any signs advertising a garage-yard sale on any public street, alley or right-of-way or on any publicly-owned property are prohibited.

## **BACKGROUND:**

Yard sale permits are free to the public and are available at Town Hall or on the Town's website. Once a yard sale permit is on file with the Town, the resident may phone in their second and third sales (single family residences) and their permit will be updated. In order to track yard sales in the Town, Code Enforcement maintains an annual yard sale permit database. The annual permit database is updated weekly as permits are obtained. The database is available to Code Enforcement Officers in the field.

Code Enforcement Officers are responsible to enforce yard sale regulations to ensure residents have a permit.

Code Enforcement has one (1) Code Enforcement Officer who works every Saturday. One of the weekend Officer's primary functions is to sweep the Town for yard sale signs and to look for residents who are conducting multiple yard sales (in excess of three (3)). The Officer ensures the residents conducting yard sales have a permit and if they don't, he will issue them a permit. Every Saturday staff removes approximately 100 yard sale signs from intersections, telephone poles, street signs and stop signs. Some of these signs create a hazard as they block views of oncoming traffic at intersections or obscure stop signs. Additionally, throughout the week, Code Enforcement Officers remove yard sale signs. Code Enforcement Officers spend approximately 1000 hours annually related to removing yard sale signs and issuing yard sale permits. In calendar year 2016, 373 yard sale cases related to unpermitted or excessive yard sales were handled by Code Enforcement.

One of the more recent problems Code Enforcement has encountered is a few residents are paying money to property owners along Highway 18 in exchange for them hosting a yard sale and allowing these people onto their property to sell their items. They were doing this weekly at different addresses along Highway 18. Some of these folks who are approaching residents to use their property to have a yard sale, purchase storage lockers at auction and then sell the items at multiple yard sales. They are essentially running a business without a business license.