

**CITY OF LAKESIDE PARK, KENTUCKY
ORDINANCE NO. 07-2017**

**AN ORDINANCE OF THE CITY OF LAKESIDE PARK, KENTUCKY CREATING CHAPTER
64 OF THE CITY'S CODE OF ORDINANCES RELATING TO GARAGE SALES WITHIN
THE CITY OF LAKESIDE PARK, KENTUCKY**

WHEREAS, the City of Lakeside Park, Kentucky desires to set regulations relating to Garage Sales within the City of Lakeside Park, Kentucky.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LAKESIDE PARK, KENTUCKY:

The Lakeside Park City Council adopts a new Chapter 64 of the City of Lakeside Park, Kentucky Code of Ordinances, to read as follows:

SECTION I

§ 64.01 DEFINITION.

For the purpose of this chapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

GARAGE SALE. A sale from a residence or residential property of personal property which has been owned or used previously by an individual or resident residing on the premises where the sale is conducted. A yard, patio or driveway sale is included within the definition of ***GARAGE SALE***. The term ***GARAGE SALE*** does not include the mere incidental sale of one or two items of personal property when the sale is not part of general sale of a number of items of personal property.

SECTION II

§64.02 PERMIT REQUIRED; DISPLAY.

(A) No garage sale may be conducted within the city without a permit having been first issued by the City Clerk at no charge. Further, no Garage Sale may be conducted on Sunday. The permit shall set forth and restrict the time and location of the garage sale. No more than two permits may be issued to one residence, family or household during any calendar year. The permit shall be limited in time to

no more than 8:00 A.M. to 3:00 P.M. of two consecutive days.

(B) The permit required by division (A) shall be prominently displayed at the garage sale.

(C) The City-Wide Garage Sale shall not be considered in the two permit limitation.

SECTION III

§64.03 DISPLAY OF SALE PROPERTY.

All property offered for sale shall be located in the garage, driveway, and/or rear yard. No property for sale shall be located in the front and/or side yard.

SECTION IV

§64.04 SIGN REGULATIONS.

One sign of not more than four square feet shall be permitted to be displayed on the property of the residence where a garage sale is being conducted pursuant to a permit issued under this chapter. The sign shall be displayed only during the times of the sale as delineated on the permit. In no case shall the sign be placed on any property other than the property of the residence to which the permit has been issued or the public right-of-way.

SECTION V

§64.05 COMPLIANCE WITH OTHER REGULATIONS.

(A) Garage sales shall be conducted in compliance with all laws, ordinances, rules and regulations not in conflict herewith; however, no occupational license shall be required therefor.

(B) All parking of vehicles shall be conducted in compliance with all applicable laws and ordinances. Further, the Police Department may enforce temporary controls which alleviate any special hazards or congestion created by any garage sale.

SECTION VI

§64.06 GENERAL RETAIL SALES PROHIBITED.

The conduct of general retail sales or commercial activities in residential areas is, except as is otherwise expressly authorized under this chapter, prohibited. Garage sales are permitted only insofar

as they are conducted consistent with the limitations set forth in this chapter.

SECTION VII

§64.999 PENALTIES.

(A) Any person who conducts or aids in conducting any garage sale not in accordance with the provisions of this chapter shall be guilty of a violation and shall be in violation of this chapter and shall, upon conviction, be fined not less than \$10 nor more than \$100. Each day that the violation continues or exists shall constitute a separate offense.

(B) Any violation of this chapter is hereby classified as a civil offense, pursuant KRS 65.8808, and such classification is intended, and shall be construed, to provide an additional or supplemental means of obtaining compliance with the applicable code sections, and nothing contained herein shall prohibit the enforcement of this chapter by any other means authorized by law.

(C) If a citation for a violation of this chapter is not contested by the person charged with the violation, the civil fine to be imposed for each offense shall be \$50 for the first offense, \$90 for the second offense, and \$210 for the third, and thereafter, offense.

(D) If a citation is contested and a hearing before the Code Enforcement Board is required, the maximum civil fine which may be imposed at the discretion of the Board shall be from \$20 to \$200 for the first offense, from \$60 to \$600 for the second offense, and from \$180 to \$1,800 for the third, and thereafter, offense.

(E) Each section of the ordinance violated shall be considered a separate fineable offense. If two or more sections of the ordinance are violated, the fines shall be cumulative and be enforced under the same citation. Each day a violation exists shall be considered a separate offense upon issuance of a separate citation.

SECTION VIII

This ordinance supersedes any and all ordinances, regulations, policies or standards or parts thereof which are in conflict with this ordinance.

SECTION IX

This Ordinance is hereby ordered to be published by summary.

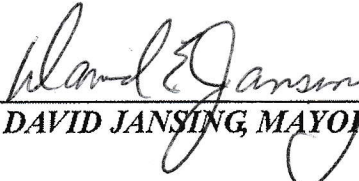
FIRST READING:

September 11, 2017

SECOND READING:


October 9, 2017

APPROVED:



DAVID JANSING, MAYOR

ATTEST:



DIANA DAVIS
CITY CLERK/TREASURER

AYES: 6

NAYS: 0

ABSTAIN: 0