

ORDINANCE NO. 2014-03

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances recognizes garage sale and yard sales as permitted temporary accessory uses for residential structures; and

WHEREAS, the City Council of the City of Edgewood, Florida finds it appropriate to also recognize estate sales as a permitted temporary accessory use for residential structures; and

WHEREAS, the City Council of the City of Edgewood, Florida finds that in order to protect the public from traffic hazards that can occur when parking for garage sales, yard sales and estate sales is not adequately controlled, it is necessary to provide regulations related to parking for garage sales, yard sales and estates sales.

SECTION 1. Recitals Adopted. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 134, "Zoning," Article V, "Supplemental District Regulations," Division 2, "Requirements for Specific Uses," of the City of Edgewood Code of Ordinances, is hereby amended as follows (Note, Underlined words constitute the additions to the existing text of the Code of Ordinances, ~~strikethroughs~~ constitute deletions to the existing text and plain text is text that remains unchanged by this Ordinance):

Sec. 134-524. -Garage Sales, and Yard Sales, and Estate Sales.

Garage ~~sales,~~ or yard sales and estate sales shall be a permitted temporary accessory uses on any residential building site in accordance with the following requirements:

- (1) Frequency. No garage ~~sale,~~ or yard sale or estate sale shall be conducted at a frequency of more than ~~twice~~ three times per calendar year, nor shall any individual garage sale, ~~or yard sale~~ or estate sale exceed a duration of more than two consecutive weekends. Any

such activity exceeding these requirements shall be deemed to be an open air market as defined by this chapter, and shall be permitted only in accordance with the requirements for open air markets.

- (2) Parking. Parking shall be controlled by the operator of the garage sale, yard sale or estate sale so as not to create any traffic hazards on adjacent streets. In the event any code enforcement officer or police officer observes a traffic hazard causes by parking for the garage sale, yard sale or estate sale, the operator of the garage sale, yard sale or estate sale shall be required by code enforcement or police officers to cease all sales activity until the parking is controlled so as to not create a traffic hazard. Failure to comply with a notice to cease sales activity until parking is controlled as provided herein may result in issuance of a civil citation or other code enforcement action.
- (3) ~~No permit required. Permit required. No building permit or other permit shall be required to conduct a garage or yard sale. Garage sales, yard sales and estate sales shall require a permit issued by the city. Applications shall be made on a form provided by the city. Application fees for garage sale, yard sale and estate sale permits shall be established by Resolution.~~

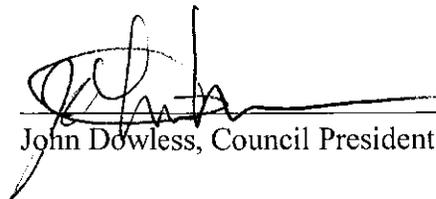
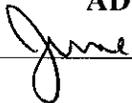
SECTION 3: Codification: Section 2 of this Ordinance shall be codified and made part of the City of Edgewood Code of Ordinances.

SECTION 4: Control: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls.

SECTION 5: Severability: It is the intent of the City Council of the City of Edgewood, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

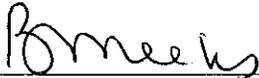
SECTION 6: Effective Date: This Ordinance shall become effective upon final passage and adoption.

ADOPTED by the City Council of the City of Edgewood, Florida, this 17th day of June, 2014.



John Dowless, Council President

ATTEST:



Bea Meeks, MMC
City Clerk