



# City Of Scio, Oregon



## ORDINANCE NO. 623

### AN ORDINANCE TO ESTABLISH GARAGE SALE GUIDELINES IN THE CITY OF SCIO

**WHEREAS**, the City of Scio desires to protect the health, safety and well-being of the citizens of Scio by providing Garage Sale Guidelines pertaining to the selling of both new and used goods; and

**WHEREAS**, the absence of such guidelines could result in an unhealthy environment and become a nuisance to other residents and businesses; and

**WHEREAS**, without such guidelines garage sales could have a negative impact on the financial value of homes and businesses;

**NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:**

#### Section I. Definition

**Garage Sales:** As used in this article the term "garage sale" shall include all sales entitled garage sale, lawn sale, rummage sale, patio sale, basement sale, or any similar casual sale of tangible personal property such as normally accumulates in ordinary residential dwelling usage.

#### Section II. Guidelines

- a. No person shall conduct more than five (5) garage sales during any one calendar year at a single location unless the ownership of the property at such location changes or unless there is a change in the tenant occupying such location.
- b. No person shall conduct a garage sale on days other than Thursday, Friday, Saturday, and/or Sunday, and (Monday's that fall on a holiday weekend,) without the permission of the City Manager or his or her designee.
- c. No person shall conduct a garage sale other than between the hours of 7:00 a.m. to 7:00 p.m. on the days allowable as established by ordinance.
- d. No person shall conduct any garage sale for more than five (5) consecutive calendar days on the days allowable as established by ordinance.

- e. No person conducting a garage sale may begin setting up the sale in the driveway, yard or outside area in excess of twenty-four (24) hours in advance of the commencement of the sale.
- f. Any person conducting a garage sale shall ensure that all unsold items are removed from the driveway, yard or outside area no more than twenty-four (24) hours following the completion of the sale, and no such goods shall thereafter be offered for sale.

### **Section III. Signs**

- a. Signs must be placed on private property. Signs must have contact information, including name address and phone number, located on the signs.
- b. No person shall place any sign or billboard advertising any garage sale in the public right-of-way, municipal park or property owned by the City of Scio.
- c. No person shall place, or permit to be placed, any sign or billboard on any traffic-control signs, posts, signals or utility poles.
- d. The person conducting a garage sale shall cause all signs, billboards, or advertisements for such sale to be removed no later than 8:00 p.m. on the last day of such sale.

### **Section IV. Creating Nuisance Prohibited**

- a. No person shall conduct a garage sale in such a manner as to cause a nuisance or disturbance to the general public by allowing trash or debris to be carried or blown onto property other than the location of the sale.

### **Section V. Exemptions**

The provisions of this article shall not apply to or affect the following persons or sales:

- a. Persons acting in accordance with their powers or duties as public officials.
- b. Persons acting as executor, administrator, personal representative, guardian or conservator of any estate.
- c. Any person advertising for sale any items of tangible personal property which are specifically named or described in the advertisement and which separate items do not exceed five (5) in total number.
- d. Any auction sale conducted by a licensed auctioneer on behalf of the owner or tenant of a property location which sale is a non-repetitive casual sale.

### **Section VI. Penalty**

- a. The violation of any provision of this chapter shall constitute a civil infraction that is subject to a fine not to exceed two hundred fifty dollars (\$250.00) per violation. Each day a violation continues shall constitute a separate violation.
- b. For the purpose of enforcing the provisions of this article, the City of Scio, Linn County, Oregon, its proper nominees, representatives and employees shall have the right of entry to any premises showing evidence of a garage sale and may close the premises from such a sale where any provisions of this article are being violated.

Passed by the Scio City Council April 11, 2022 by a vote of 4 for and 0 against and executed by the Council President this 14<sup>th</sup> day of April, 2022

CITY OF SCIO, OREGON

Debbie Nuber  
Debbie Nuber, Council President

Attested:

Virginia A. Allen  
Virginia A. Allen, City Manager

APPROVED AS TO FORM

By: \_\_\_\_\_  
Jeffrey M. Clayson, City Attorney