



Where the West Still Lives™

2019-\_\_\_\_\_

# Yard/Garage Sale Permit - \$5.00

City of Toppenish  
21 W 1<sup>st</sup> Avenue  
Toppenish WA. 98948  
City Hall (509)865-2080

\_\_\_\_\_  
Permit Applicant Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Address/Location of Sale

\_\_\_\_\_  
Date/s of Sale

**Yard/Garage Sale Permit NOT valid until approved and signed by a City Official below**

Yard sale approved to be held at \_\_\_\_\_

\_\_\_\_\_  
City Official

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Receipt #

## CONDITIONS OF APPROVAL

1. Permit must be purchased and approved prior to making any sales.
2. This Permit must be posted in a visible location at the sale.
3. No posters, signs or any advertisement of any kind are allowed on any street or stop sign, utility pole, or fire hydrant, on the sidewalk, street or city property, except for the 4 locations below. *Any sign posted will be removed by the City.*
4. One sale sign is permitted at each of the following City sign board locations: (1) Pioneer Park, (2) Regional Library, (3) RV Dump Site, and (4) Parks and Recreation Building. All signs must be 8½" by 11" or less and tacked or taped to the signboard. The signs must state the address and the dates of the sale, and must be taken down within 12 hours after the last date of the sale. Duplicate signs on the same City sign boards are not permitted.
5. Only 3 sales are allowed per property/person per calendar year. Each sale can be no longer than 3 days in a row
6. The hours of the sale cannot be before 8:00 a.m. or after 8:00 p.m.

## PENALTY FOR VIOLATION

Each violation of Toppenish Municipal Code (TMC) Chapter 5.50 Yard Sales is an infraction. Any person, firm or corporation found to have committed an infraction under this chapter shall be assessed a penalty of up to \$500.00 for each violation.

The undersigned acknowledges receipt of a copy of Toppenish Municipal Code Chapter 5.50 and agrees to follow all the conditions and restrictions the Chapter. I understand that my failure to perform any act required by this chapter, or my performance of any act prohibited by it may result in a penalty not to exceed \$500.00 for each violation.

\_\_\_\_\_  
Signature Permit Holder and/or Responsible Party Signature

\_\_\_\_\_  
Date

## **Chapter 5.50**

### **YARD SALES AND GARAGE SALES Sections:**

- 5.50.010 Definitions.
- 5.50.020 Restrictions upon advertising yard sales – Signboards.
- 5.50.023 Permit required.
- 5.50.025 Restrictions on quantity and duration of yard sales.
- 5.50.030 Violation – Penalty.
- 5.50.035 Chapter supersedes conflicting provisions.

#### **5.50.010 Definitions.**

“Sign” means an advertisement for the purpose of attracting public attention or patronage to a yard sale.

“Yard sale” shall mean any sale of used household goods or other items held on the front or back lawn of a house, or on a vacant lot or on other property within the city, and shall include such sales commonly known as garage sales and similar casual sales of tangible personal property. (Ord. 2010-14, 2010; Ord. 2004-5 § 1, 2004).

#### **5.50.020 Restrictions upon advertising yard sales – Signboards.**

A. It shall be unlawful for any person who conducts a yard sale to advertise such sale by posting, placing or in any manner displaying a sign on any utility pole or within any public right-of-way (street or sidewalk) or on any traffic sign or water hydrant or upon property owned by the city, except as hereafter provided.

B. It shall be lawful for any persons conducting a permitted yard sale to place signs on the signboards owned by the city located at Pioneer Park, the regional library, the RV dump site, and near the office of the parks and recreation department. All signs must be on paper tacked or taped to the signboard. They must state the address and the dates of the sale, and must be removed within 12 hours after the last date of the sale. Such signs on the city signboards shall be no larger than eight and one-half inches by 11 inches. Duplicate signs on the same signboard are not permitted. City personnel are authorized and directed to remove and destroy any such sign that remains posted longer than the allowed period. A summary of this section shall be posted on each signboard. (Ord. 2010-14, 2010; Ord. 2008-23, 2008; Ord. 2004-5 § 1, 2004).

**5.50.023 Permit required.** No yard sale may be conducted without a valid permit previously issued by the city. No permit may be issued except after written application has been submitted to the city, which shall include the true name of the applicant and the date(s) and proposed location of the sale. Yard sale and garage sale permit fees for the application or the permit shall be established by resolution of the city council, as amended from time to time. All permits shall be issued in writing on a form that includes, in English and in Spanish, a notice that signs advertising the sale shall not be attached to any utility pole or placed within any public right-of-way (street or sidewalk), or on any traffic sign or water hydrant, and that all such signs must be removed within 12 hours after the last day of the permitted sale. The permit shall also give notice of the maximum penalty for each violation of the yard sale ordinances set forth in this chapter. A copy of this chapter shall be attached to each permit. Said permit must be conspicuously displayed at the sale site at all times during the sale. The permit shall not be required for residents to participate in the City-Wide Yard Sale held the third Saturday of April each year. (Ord. 2017-01 § 1, 2017; Ord. 2015-03 § 1, 2015; Ord. 2010-14, 2010).

#### **5.50.025 Restrictions on quantity and duration of yard sales.**

No person shall operate, conduct, manage or permit a yard sale upon his/her premises or other property under his/her control more than three times per calendar year. No such sale shall last more than three successive days, and no such sale shall commence sooner than 8:00 a.m. or terminate later than 8:00 p.m. each day of the sale. The Annual City-Wide Yard Sale held the third Saturday of April shall not count against the quantity of yard sales each person is allowed each calendar year. (Ord 2017-02, Ord. 2010-14, 2010; Ord. 2009-2, 2009).

#### **5.50.030 Violation – Penalty.**

Failure to perform any act required by this chapter, or the performance of any act prohibited by this chapter, is designated as an infraction and may not be classified as a criminal offense. Any person, firm or corporation found to have committed an infraction under this chapter shall be assessed a monetary penalty. No penalty assessed for infractions under this chapter may exceed \$500.00 for each separate infraction. (Ord. 2010-14, 2010; Ord. 2004-5 § 1, 2004).

#### **5.50.035 Chapter supersedes conflicting provisions.**

The requirements and provisions of this chapter shall supersede and prevail over the conflicting provisions in TMC 15.10.060, 15.10.065, and 15.10.090 and any other requirements and provisions of the Toppenish Municipal Code that are in direct conflict with the specific requirements and provisions of this chapter. (Ord. 2010-14, 2010).