

Commission Information:  
 Initiated by: Administration  
 First on Agenda: September 15, 2005  
 Action: Passed  
 Vote: Unanimous  
 Council Information:  
 Introduced by: City Manager Healy  
 Introduced: September 27, 2005  
 Public Hearing: October 11, 2005  
 Action: Adopted  
 Vote: Unanimous

CITY OF PALMER, ALASKA

ORDINANCE NO. 05-034

AN ORDINANCE ENACTING PALMER MUNICIPAL CODE SECTIONS 17.08.196 AND 17.60.075; SPECIFICALLY TO DEFINE GARAGE OR YARD SALES AND TO ENACT REGULATIONS REGARDING THEIR ACTIVITIES

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Section 17.08.196 is hereby added to read as follows (new language is underlined and deleted language is stricken out):

Chapter 17.08

DEFINITIONS

- Sections:
- 17.08.005 Accessory.
  - 17.08.007 Adult.
  - 17.08.008 Agriculture.
  - 17.08.010 Agricultural building.
  - 17.08.015 Alley.
  - 17.08.020 Alteration.
  - 17.08.025 Apartment.
  - 17.08.030 Area, building.
  - 17.08.035 Automobile wrecking.
  - 17.08.037 Babysitting.
  - 17.08.040 Borough.
  - 17.08.045 Building.
  - 17.08.050 Building, existing.

17.08.055	Building height.
17.08.060	Building line.
17.08.065	Building official.
17.08.070	Building, principal or main.
17.08.075	Campground.
17.08.077	Child.
17.08.078	Child care facility.
17.08.080	Church.
17.08.085	City.
17.08.090	Clerk.
17.08.095	Commission.
17.08.100	Common area.
17.08.105	Community system (water or sewage).
17.08.110	Conditional use permit.
17.08.113	Day care.
17.08.115	Density.
17.08.120	Driveway.
17.08.125	Dwelling.
17.08.130	Dwelling, factory-built.
17.08.135	Dwelling, multiple-family.
17.08.140	Dwelling, one-family or single-family.
17.08.145	Dwelling, prefabricated.
17.08.150	Dwelling, two-family.
17.08.155	Dwelling unit.
17.08.160	Easement.
17.08.165	Enforcing agency.
17.08.170	Family.
17.08.172	Family child care.
17.08.175	Fence.
17.08.180	Floor area, gross.
17.08.185	Frontage.
17.08.190	Garage.
17.08.195	Garage, repair.
<u>17.08.196</u>	<u>Garage or yard sale.</u>
17.08.200	Grade (ground level).
17.08.205	Guest room.
17.08.207	Handicap.
17.08.210	Health authority.
17.08.215	Hearing examiner.
17.08.218	Home child care.
17.08.220	Home occupation.
17.08.222	Home special needs care.
17.08.225	Hospital.
17.08.230	Hotel.
17.08.235	Housing.
17.08.240	Junk.

17.08.245	Junkyard.
17.08.247	Large retail establishment.
17.08.250	Loading space.
17.08.255	Lot.
17.08.260	Lot, corner.
17.08.265	Lot depth.
17.08.270	Lot, front.
17.08.275	Lot line, front.
17.08.280	Lot line, rear.
17.08.285	Lot line, side.
17.08.290	Lot width.
17.08.295	Mental health facility.
17.08.300	Mobile home.
17.08.305	Mobile home park.
17.08.310	Motel.
17.08.316	Nonconforming use.
17.08.325	Park.
17.08.330	Parking, public.
17.08.335	Parking space, off-street.
17.08.340	Person.
17.08.345	Planned unit development.
17.08.350	Plat.
17.08.355	Playground.
17.08.360	Plot.
17.08.365	Private street.
17.08.368	Preschool.
17.08.370	Property line.
17.08.375	Public street.
17.08.380	Residential care facility.
17.08.385	Right-of-way.
17.08.390	Roominghouse.
17.08.395	Salvage yard.
17.08.397	School.
17.08.400	Service station.
17.08.405	Setback.
17.08.410	Shall.
17.08.415	Should.
17.08.420	Site.
17.08.421	Special limitation.
17.08.422	Special needs care.
17.08.423	Special needs day care facility.
17.08.425	Story.
17.08.430	Street.
17.08.435	Street line.
17.08.440	Structure.
17.08.442	Tall structure.

17.08.445	Trailer.
17.08.450	Trailer camp, park or lot.
17.08.455	Use.
17.08.460	Use, principal.
17.08.465	Variance.
17.08.470	Yard.
17.08.475	Yard, front.
17.08.480	Yard, rear.
17.08.485	Yard, side.
17.08.490	Zoning administrator.

**17.08.196 Garage or yard sale.**

“Garage or yard sale” means the sale of new, used or secondhand items or personal property at premises that are zoned residential, to include without limitation, R-1, R-1E, R-2, R-3, and R-4. This definition includes the terms “garage sale,” “yard sale,” “flea sale,” “porch sale,” “lawn sale,” “attic sale,” “basement sale”, “rummage sale,” “flea market sale,” etc. The definition does not include the sale of four or fewer specific items where the specific items have been individually advertised for sale.

Section 4. Section 17.60.075 is hereby added to read as follows (new language is underlined and deleted language is stricken out):

**Chapter 17.60**

**GENERAL DISTRICT REGULATIONS**

Sections:

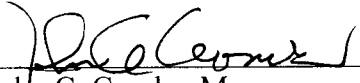
17.60.010	Application of regulations.
17.60.020	Conformity of building and land uses.
17.60.030	Conformity of open spaces.
17.60.040	Buildings to have access.
17.60.050	Projections into required yards.
17.60.060	Distance between buildings.
17.60.070	Fences and walls.
<u>17.60.075</u>	<u>Garage or yard sales.</u>
17.60.080	Future street width lines.
17.60.090	Rules for tall structures.

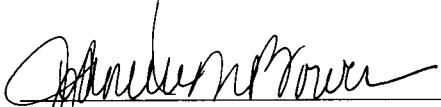
**17.60.075 Garage or yard sales.**

- A. No more than two garage or yard sales, per premise, are permitted per year.
- B. Garage or yard sales may not last longer than three days.
- C. Items offered for sale may not be displayed in any public right-of-way.
- D. Directional and garage or yard sale signs must be removed at the close of the garage or yard sale activities.

Section 5. Effective Date. Ordinance No. 05-034 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this 11<sup>th</sup> day of October, 2005.

  
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John C. Combs, Mayor

  
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Janette M. Bower, City Clerk