

ORDINANCE 959

**AN ORDINANCE OF THE CITY OF BENTON CITY,
WASHINGTON, AMENDING SECTION 5.12.045 "YARD
SALES" EXTENDING THE CONTINUOUS PERIOD FOR
INDIVIDUAL YARD SALES**

WHEREAS, certain yard sales, including estate sales and moving sales, may require periods greater than three weeks within which to complete; and

WHEREAS, to accommodate those circumstances in which a greater period is required. NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, DO
ORDAIN AS FOLLOWS:**

Section 1. That Section 5.12.045 of the Benton City Municipal Code entitled "Yard Sales" shall be and hereby is amended and shall read as follows:

5.12.045 Yard Sales.

- A. All persons or entities prior to holding yard sale, as defined herein, shall secure a license from the City Clerk upon the submission of the Yard Sale Permit Application in compliance with the following conditions:
1. No person or entity shall be granted a license to conduct a yard sale more frequently than twelve (12) yard sales during any twelve (12) month period ~~one (1) yard sale per month and separated by not less than fourteen (14) calendar days.~~ No yard sale shall be conducted for a continuous period in excess of three (3) calendar weeks, and all yard sales shall be separated by a period of not less than fourteen (14) calendar days. In no event may any person or entity be permitted more than 180 yard sale days during any twelve (12) month period.
 2. The yard sale permit must be posted in a conspicuous location at the site of the yard sale for its duration.
 3. The yard sale may be conducted only upon the private property of the applicant and shall not be permitted on sidewalks, alleys, streets or other public ways or property, including the posing of any signs, posters or property.

4. Yard sales shall be conducted in an orderly fashion as to prevent a disturbance of the peace, public nuisance, or a hazard to persons or properties.
5. All items offered for sale at the yard sale shall be removed from the sale site at the conclusion of the permitted period.
6. Violation of this Section shall constitute a civil infraction and may be enforced before the Hearing Examiner Code Enforcement Board and result in the revocation of the permit and suspension of future permits for yard sales.

B. For the purpose of this Section, "Yard Sale" means a yard sale, patio sale, garage sale, or any similar sale of used or secondhand merchandise offered to the general public. (Ord. 728, March 2001.)

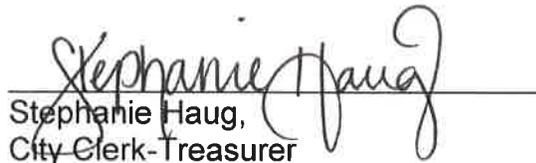
Section 2. This Ordinance shall take full force and effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council of the City of Benton City, Washington, and approved as provided by law this 16 day of August, 2016.



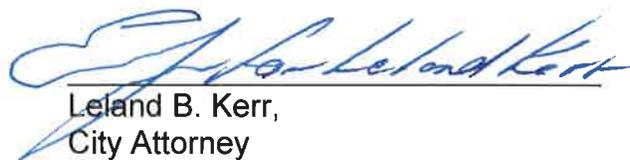
Linda Lehman,
Mayor

Attest:



Stephanie Haug,
City Clerk-Treasurer

Approved as to Form:



Leland B. Kerr,
City Attorney