

CITY OF TWINSBURG, OHIO

ORDINANCE 26-2007 AS AMENDED 2-27-07

AN ORDINANCE AMENDING SECTION 741.08 OF THE CODIFIED ORDINANCES OF THE CITY OF TWINSBURG RELATING TO THE REGULATION AND REGISTRATION OF GARAGE SALES; AND DECLARING AN EMERGENCY

**WHEREAS**, Section 741.08 of the Codified Ordinances of Twinsburg (C.O.T.) sets forth certain requirements for the registration and permissible signage of garage sales; and

**WHEREAS**, Council has determined that said requirements should be altered in order to permit "community garage sales" to more easily register.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Twinsburg, County of Summit and State of Ohio:

**SECTION I:** That Section 741.08 shall hereby be amended to read as follows:

**741.08 GARAGE SALES.**

(a) Definitions.

- (1) "Garage sale" means a non-recurring sale of personal property other than an auction or liquidation sale, which sale is conducted from a residence and is other than in the ordinary course of business.
- (2) "Person" means a natural person, corporation, partnership or other entity.
- (3) ***"Community Garage Sale" shall be composed of a group of ten (10) or more individuals who reside on the same street, reside in the same subdivision, and/or are members of the same homeowners association who choose to hold a garage sale on the same dates and times.***

(b) Garage Sales Limited. Not more than two garage sales *or participants in a community garage sale* shall be held at any one residence during any given calendar year, nor shall any such sale exceed four days in duration.

(c) Registration. Any person conducting a garage sale or members of a community garage sale within the City must register at City Hall not less than forty-eight hours in advance of the first day on which each such sale will be commenced. ~~There shall be a nonrefundable five dollar (\$5.00) fee for such registration.~~ ***The non refundable fee for individual garage sales shall be Five Dollars (\$5.00) and the nonrefundable fee for community garage sales shall be Fifty Dollars (\$50.00).*** Registration shall be on such forms which shall contain such information as shall be prepared and approved by the Mayor *and maintained by the Building Department*, but shall contain at least the following information:

- (1) Name and address of registrant *or contact person if community garage sale;*
- (2) Address where sale *or sales* will take place; and
- (3) Duration of sale.

(d) Signs. No more than four signs **per single permit and no more than twenty (20) signs per association permit**, each of which is not to exceed four square feet in area, may be used to publicize any garage sale conducted within the City. These signs shall include the address and date of sale and shall be removed within twenty-four hours next following the last day of sale; such removal requirement subject to the possible one hundred dollar (\$100.00) penalty provision provided in this chapter.

**SECTION II:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

**SECTION III:** That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the citizens of the City of Twinsburg, and for the additional reason that the needs of the community mandate such an amendment, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Feb 27, 2007

APPROVED: Feb 28, 2007

Bill Furey / csk  
Bill Furey, President of Council

Submitted to the Mayor for approval this  
28 day of Feb, 2007.

Approved by the Mayor Feb 28, 2007.

Katherine A. Procop  
Katherine A. Procop, Mayor

ATTEST:

Cynthia A. Kaderle  
Cynthia A. Kaderle, CMC  
Clerk of Council

1<sup>st</sup> Rdg. 1-23-07  
2<sup>nd</sup> Rdg. 2-20-07  
3<sup>rd</sup> Rdg. 2-27-07

Passed: 2-27-07

Yes  No

**CERTIFICATE OF POSTING**

I, Cynthia A Kaderle, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the 2 day of March, 2007

Cynthia A. Kaderle  
Cynthia A. Kaderle, CMC  
Clerk of Council  
City of Twinsburg