

ARTICLE 4.03 GARAGE SALES

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4.03.001 Definitions

The following terms used in this article shall be defined as follows:

City. The City of Glen Rose, Texas, the city council and its employees.

City official. Any city employee empowered by the city administrator or this article to enforce any provisions of this article.

Garage sale. An occasional sale at retail, exchange, or barter to the general public, within a single-family zoning district, for the purpose of disposing of surplus personal property. The term includes, but is not limited to, all sales entitled “garage,” “lawn,” “yard,” “room,” “estate,” “backyard,” “patio,” and “rummage.”

Right-of-way. The area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the city has an interest. The term does not include the airwaves above a right-of-way with regard to wireless communications.

~~*Signs.* Those signs issued by the city for the purpose of advertising a garage sale.~~

Single-family residential zoned district. A property that is designated by the city as a single-family residential zone, or properties that are being used for single-family detached dwellings regardless of the zoning on the property.

(Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.01)

4.03.002 Penalty

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of, any of the provisions of this article shall be fined in accordance with section 1.01.009 of this code for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. (Ordinance 368 adopted 1/13/04; Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.99(B); Ordinance adopting 2017 Code)

4.03.003 Permit Required; Fee

1. It shall be unlawful for any person, firm, or corporation to advertise, operate, or participate in a garage sale without first obtaining a garage sale permit.
2. The fee for a garage sale permit is as set forth in the fee schedule in appendix A of this code.

(Ordinance 368 adopted 1/13/04; Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.02; Ordinance adopting 2017 Code)

4.03.004 Conditions Of Permit; Conduct Of Sale

The following regulations apply when conducting a garage sale:

1. Garage sale permits shall only be issued for properties that are in a single-family residential zoned district.
2. Garage sale permits are issued by property address, not applicant name.
3. Garage sale permits may be obtained no more than two times per calendar year on the same premises.
4. Garage sale permits will be issued by the city administrator or his/her designee(s).
5. Garage sale permits must be obtained in person at city hall.
6. A valid picture ID will be required to obtain a garage sale permit.
7. Garage sale permits must be obtained at least one business day before the first day the sale is to occur.
8. The duration of one garage sale permit can be up to 3 consecutive days.
9. Garage sale permits must be conspicuously posted on the property where the sale is being conducted.
10. No more than 3 families or households may combine their property for sale at a single garage sale.
11. No new personal property, property that is acquired or consigned for the purpose of resale, or any inventory or stock or goods in trade may be displayed, offered for sale, exchanged or bartered.
12. Garage sale items may be displayed for sale in the following areas: residential yard, including the front or back yard, garage, patio area, under a carport covering, driveway, or inside a residence in the case of a sale to dispose of a deceased individual's personal belongings.
13. Garage sale items must be placed at least 15 feet from the back of the curb or street edge, and at least 5 feet from each side property line.
14. Garage sale items, including but not limited to items for sale, displays, tables, racks, tarps, and boxes, must be removed from the sale area by 8:00 a.m. the day following the last day of the sale. Items are strictly prohibited from remaining in the sale area or located in the yard of the property.
15. Permits shall be issued to charitable, religious, educational, fraternal, governmental, or nonprofit organizations where the property does not meet the qualifications identified in this article, only if the following conditions are met:
 1. Only 2 garage sale permits per year will be issued per nonprofit organization;
 2. A maximum of 2 garage sale permits per year will be issued at the same non-single-family residential location; and
 3. The display area for the garage sale shall not exceed 2,000 square feet.

(Ordinance 368 adopted 1/13/04; Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.03)

4.03.005 Signs

- ~~a. City issued signs are the only authorized signs to be used within the city.~~
- ~~b.~~ The following regulations shall pertain to signage allowed when a garage sale permit has been issued:
 - ~~1. The city will issue 2 signs for each permitted garage sale at no cost to the applicant. One sign must be posted on the property in a conspicuous location. The other sign is to aid the public in locating the sale. Additional signs may be purchased from the city if desired.~~
 2. Signs are strictly prohibited from being placed in any city rights-of-way or on utility poles, trees, street signs, or any type of sign post used for a traffic-control or public information device.
 3. Signs may be placed on private property with permission from the property owner, to aid the public in locating the sale. The permission of the property owner must be indicated by the property owner's signature on the back of the sign.

4. Signs must be posted using a wood or metal stake and must not exceed 2-1/2 feet in height, measured from the ground, at the base of the stake, to the top of the sign. All other posting methods are prohibited.
5. Signs may be posted no sooner than 12 hours prior to the first day of the sale.
6. Signs must be removed by 8:00 a.m. on the day following the last day of the sale.
7. Signs are prohibited in the Central Business District.
8. Signs improperly posted may be confiscated by city officials. Confiscated signs will not be returned.

(Ordinance 368 adopted 1/13/04; Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.04)

4.03.006 Cancellation Due To Inclement Weather

The following regulations shall pertain to the cancellation of a garage sale:

1. If inclement weather occurs on any part of 2 days of a scheduled sale, resulting in cancellation, the sale shall not be charged against the number of sales permitted within one calendar year.
2. The applicant shall come in person on the next business day following cancellation due to inclement weather to reschedule the sale. If applicant does not do so, the sale shall be charged to the number of sales allowed per calendar year.
3. Garage sales will only be rescheduled due to inclement weather. No exceptions.
4. Permit fees will not be refunded under any circumstances.

(Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.05)

4.03.007 Sales By Charitable, Religious, Educational, Fraternal, Governmental Or Nonprofit Organizations

The following regulations apply to charitable, religious, educational, fraternal, governmental, or nonprofit organizations:

1. These organizations may only conduct a garage sale on a property that does not meet the definition of a single-family residential district and all of the conditions in section 4.03.004(o) are met.
2. The organization must present a letter from the property owner authorizing the organization to conduct a sale on their property to obtain a permit. The letter must include the organization sponsoring the sale and the dates the sale is to take place, and must be signed by the property owner.
3. The fee for the garage sale permit will be waived for these organizations.
4. A garage sale permit sponsored by these organizations will be charged as a sale against the 2 sales allowed annually per property address. The organization shall make the property owner aware of these conditions.

(Ordinance 368 adopted 1/13/04; Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.06)

4.03.008 City-Wide Semiannual Garage Sales

- a. City-wide semiannual garage sale weekends are authorized on the first weekend in April and October of each year. Sales may encompass all or part of Friday, Saturday, and Sunday of these weekends.
- b. A permit is not required for these garage sales.
- c. These garage sales do not count against the 2 annual garage sales authorized to residents.
- d. ~~Only signs purchased at city hall may be used.~~ Signs must be posted in the same manner as required for standard garage sales.

- e. Unless otherwise stated in this article, all city-wide semiannual garage sales will be conducted using the same guidelines and restrictions outlined for a regular garage sale.

(Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.07; Ordinance 534 adopted 8/14/14)

4.03.009 Enforcement Responsibility

The city administrator, or his/her designated representative, code enforcement officers, police officers and building official shall have primary enforcement responsibility for garage sales. These officials have the authority to enter the property where garage sales are being conducted and order the termination of any unlawful garage sale. (Ordinance 520 adopted 8/12/13; 2007 Code, sec. 113.08; Ordinance 2020.03.17D, sec. 4(b), adopted 3/17/20)