

ORDINANCE 2024 - 08

AN ORDINANCE OF THE CITY COUNCIL OF SUNNYSIDE, WASHINGTON, AMENDING CHAPTER 5 OF THE SUNNYSIDE MUNICIPAL CODE RELATED TO YARD SALES, RUMMAGE SALES, ETC.

WHEREAS, the City of Sunnyside has previously enacted the Chapter 5.18 – Yard Sales, Rummage Sales, Etc.; and

WEHREAS, per SMC 5.18.030 Permit required, establishes the requirement of a permit prior to hosting a yard or garage sale; and

WHEREAS, staff has researched what the types of fees and regulations other cities near Sunnyside have established; and

WHEREAS, the City of Sunnyside Municipal Code shall be updated to establish a fee for yard and garage sales within City limits; and

WHEREAS, the Sunnyside Municipal Code must be amended by action of the City Council through ordinance;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1. That subsection 5.18.030 of the Sunnyside Municipal Code entitled “Permit required” is amended upon adoption and incorporation of Exhibit A “Amendment to Chapter 5.18 of the SMC”, attached hereto.

SECTION 2. This Ordinance shall be effective five days after passage, approval, and publication as required by law.

PASSED this 13th day of May, 2024.



DEAN BROERSMA, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:
SAXTON, RILEY & RILEY, LLPC



BY: BENJAMIN J. RILEY
Attorneys for the City of Sunnyside

Date of publication: May 22, 2024

EXHIBIT A

Chapter 5.18 YARD SALES, RUMMAGE SALES, ETC.

Sections:

- 5.18.010 Yard sales defined.
- 5.18.020 Restrictions.
- 5.18.025 Signs – Restrictions.
- 5.18.030 Permit required.
- 5.18.040 Exceptions – Nonprofit organizations.
- 5.18.050 Violations – Penalty.
- 5.18.060 Enforcement.

5.18.010 Yard sales defined.

Yard sales, rummage sales, attic sales and other similar terms, except flea market, refer to the sale of used articles on the private property of one of the sellers.

5.18.020 Restrictions.

Yard sales shall be permitted in residential and other zones as permitted in the zoning code, but are limited to three consecutive days in length per sale. There will be a limit of four yard sales at any one location in a calendar year and said sale will be on the premises of one of the parties selling articles. No portion of any property will be rented or leased for the purpose of holding a yard sale.

5.18.025 Signs – Restrictions.

Permission shall be obtained from the owner of each property where signs are located if not at the sale location. Said signs shall not be placed in any public right-of-way, on any public utility pole, sign posts, traffic control sign or device, public structure or building, or shade tree. Each sign placed off the premises of the sale shall include the date(s) of the sale, written address of the location where the sale is conducted, and telephone number of the responsible person for such sale. No such sign shall exceed four square feet in sign area. The sign may be displayed only during the sale and must be removed the day the sale ends. The person or persons for whom the sign is displayed shall be responsible for its removal and subject to penalties as provided in this code. In addition to any remedy for violation of this code, any sign without the required information, in disrepair or in violation of the provisions regulating placement is subject to immediate removal by the City and no attempt will be made to notify the permit holder or property owner. Any sign not removed at the conclusion of the sale will be considered a separate violation.

5.18.030 Permit required.

It is unlawful to conduct any yard sale without first obtaining a permit from the City. [Permits shall be \\$5 per permit.](#)

5.18.040 Exceptions – Nonprofit organizations.

Local nonprofit organizations whose members reside in Yakima County are exempt from the provisions of SMC 5.18.020, but must obtain a permit. There shall be no fee or charge for the permit.

5.18.050 Violations – Penalty.

A. Any person violating this chapter shall be deemed to have committed a civil infraction and shall be assessed the monetary penalty authorized pursuant to SMC 1.16.010.

B. A person is deemed to commit a separate offense for each day he or she commits or continues a violation of this chapter.

5.18.060 Enforcement.

It shall be the duty of the Police Chief and/or the City's code enforcement division to enforce the provisions of this chapter against any person found to be violating the same.