

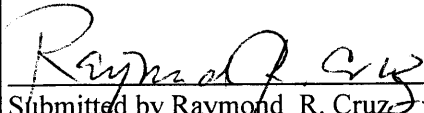


City of Carson

Report to Mayor and City Council

February 21, 2012
Special Orders of the Day

SUBJECT: CONSIDERATION OF ORDINANCE NO. 12-1482 AMENDING THE CITY OF CARSON MUNICIPAL CODE REGARDING YARD SALE CONTROL


Submitted by Raymond R. Cruz
Public Services General Manager

Approved by David C. Biggs
City Manager

I. SUMMARY

A resident of Carson brought an issue regarding, what was thought to be outdated language in the Yard Sale Control section of the Carson Municipal Code (CMC) to the attention of Public Safety staff. After review by the Public Safety Commission on October 20, 2011 (Exhibit No. 1), a recommendation was made and approved to amend the language of the CMC relating to Yard Sale Control. Staff requests that the City Council approve the Public Safety Commission's recommendation to update the language and requirements of this chapter.

II. RECOMMENDATION

WAIVE further reading and INTRODUCE Ordinance No. 12-1482, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING YARD SALE CONTROL AND AMENDING THE CARSON MUNICIPAL CODE."

III. ALTERNATIVES

TAKE any other action the City Council deems appropriate.

IV. BACKGROUND

A Carson resident brought an issue regarding the section of the CMC related to Yard Sale Control, Ordinance No. 75-336 (Exhibit No. 2), to the attention of Public Safety staff. The issue was with the section that described the physical location where a yard sale could be held. Current code language requires that a yard sale must be held within an enclosed structure or enclosed patio within the side or rear yard area but not in the driveway or front yard. According to the resident, this is impractical for most of the people that hold yard sales and is also inconsistent with current code and practice in other cities.

The matter was referred to the Public Safety Commission and discussed at its October 20, 2011 meeting. Discussion also included changing some other parts of the language to reflect more current usage. The Public Safety Commission unanimously approved the recommended changes and referred the matter to the

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City Council for its consideration. The amended chapter is attached as Ordinance No. 12-1482 (Exhibit No. 3).

The recommended changes are to sections 4601, 4602, 4604 and 4605. Those sections currently read as follows:

4601 Permit

No yard sale shall be conducted without a permit issued by the Finance Director or his designated agent.

4602 Application

An applicant for a permit shall furnish the following:

1. Full name.
2. Residence address (sale location).
3. The dates and hours of the sale.
4. A general description of the type of merchandise to be sold.
5. A declaration that the applicant is the owner of all of the property to be offered for sale and that the applicant will permit inspection by the Chief of Police (the Sheriff of Los Angeles County) or his agent, of all goods, products and merchandise offered or to be offered for sale.
6. A declaration that the applicant will comply with all the requirements of this Chapter.

4604 Duration

Only two (2) permits per year will be issued to any one (1) family. Each such permit may be issued for a period not to exceed three (3) days or two (2) consecutive two (2) day weekends.

4605 Locations

All display and related activity shall be conducted within an enclosed structure, located anywhere on the lot, an enclosed patio located within the side or rear yard, or in the rear yard itself. Front and side yards and driveways shall not be used for a yard sale or for storage or display of property or any related activity other than display of one (1) sign in accordance with this Section.

The recommended changes to amend this chapter are underlined below and are as follows:

4601 Permit

No yard sale shall be conducted without a permit issued by the Administrative Services General Manager or his/her designated agent.

4602 Application

An applicant for a permit shall furnish the following:

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1. Full name.
2. Residence address (sale location).
3. The dates and hours of the sale.
4. A general description of the type of merchandise to be sold.
5. A declaration that the applicant is the owner of all of the property to be offered for sale and that the applicant will permit inspection by City staff and/or local law enforcement staff, of all goods, products and merchandise offered or to be offered for sale.
6. A declaration that the applicant will comply with all the requirements of this Chapter.

4604 Duration

Only two (2) permits per year will be issued to any one (1) address. Each such permit may be issued for a period not to exceed three (3) days or two (2) consecutive two (2) day weekends between the hours of 8 a.m. and 6 p.m.

4605 Locations

All display and related activity shall be conducted within the physical boundaries of the parcel address and not intrude on public right of way.

V. **FISCAL IMPACT**

None.

VI. **EXHIBITS**

1. Minutes from the October 20, 2011 Public Safety Commission meeting. (pages 5-6)
2. City of Carson Ordinance No. 75-336. (pages 7-8)
3. City of Carson Ordinance No. 12-1482. (pages 9-11)

Prepared by: Brent Gesch, Public Safety Administrative Analyst

TO:Rev091911

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

Action taken by City Council	
Date_____	Action_____

**MINUTES
CITY OF CARSON
PUBLIC SAFETY COMMISSION
REGULAR MEETING**

THURSDAY, October 20, 2011

AGENDA POSTED

October 13, 2011

CALL TO ORDER

The Public Safety Commission meeting was called to order at 6:30 p.m.
At Carson City Hall, Executive Conference Room, 701 E. Carson Street,
Carson, CA 90745

PLEDGE OF ALLEGIANCE

Commissioner Valbuena led the Pledge of Allegiance

ROLL CALL

Staff member Anna Reynoso

Present:

Commissioners Jefferson, Maloney, Turda, Hoogendam, Friley, and
Cogut

Absent

Commissioner Rowland

Also Present

Anna Reynoso Public Safety staff;

APPROVAL OF AGENDA – October 20, 2011

A motion was made to approve the Agenda of Thursday, October 20, 2011, seconded and unanimously approved.

APPROVAL OF MINUTES – August 18, 2011

A motion was made to approve the minutes of Thursday, August 18, 2011, seconded and unanimously approved

PRESENTATIONS:

None

WRITTEN COMMUNICATIONS AND REPORTS:

UNFINISHED BUSINESS:

Yard Sale City Codes. A motion was made to submit changes to the City Council for approval, seconded and unanimously approved.

Rancho Dominguez Preparatory School Safety Issues. A motion was made to have this item removed from the agenda; it was seconded and unanimously approved.

Commission attendance and By-Laws. If a Commissioner misses (3) consecutive meetings or (6) in one year, that Commissioner will be removed. A motion was made to bring this item back to the November meeting, seconded and unanimously carried.

NEW BUSINESS:

ORAL COMMUNICATIONS (AUDIENCE):

None



ORAL COMMUNICATIONS (COMMISSIONERS):

ORAL COMMUNICATIONS (STAFF):

None

OPEN DISCUSSION

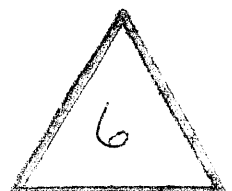
ADJOURNMENT

Chairperson Jefferson adjourned the meeting at 7:40 p.m.

Jeff Jefferson, Chairperson
Public Safety Commission

ATTEST:

Public Safety Commission Secretary
Public Safety Commission



ORDINANCE NO. 75-336

AN ORDINANCE OF THE CITY OF CARSON,
CALIFORNIA REGULATING YARD SALES IN
RESIDENTIAL ZONES AND AMENDING THE
CARSON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF CARSON, DOES ORDAIN
AS FOLLOWS:

Section 1. The Carson Municipal Code is hereby amended by adding
a new Chapter 6 to Article IV thereof to read as follows:

Article IV

CHAPTER 6 -- YARD SALE CONTROL

4600. Definitions. A yard sale is defined as a yard, garage, patio,
or similar type sale held in any residential zone for the purpose of disposing of personal
property.

4601. Permit. No yard sale shall be conducted without a permit
issued by the Finance Director or his designated agent.

4602. Application. An applicant for a permit shall furnish the
following:

1. Full name.
2. Residence address (sale location).
3. The dates and hours of the sale.
4. A general description of the type
of merchandise to be sold.
5. A declaration that the applicant is the owner of
all of the property to be offered for sale and that
the applicant will permit inspection by the Chief
of Police (the Sheriff of Los Angeles County) or
his agent, of all goods, products and merchandise
offered or to be offered for sale.
6. A declaration that the applicant will comply with
all the requirements of this Chapter.

4603. Business License. No permit shall be issued unless the applicant
has obtained a Business License and paid the fee required under Sections 6310 and 6365.55
of the Carson Municipal Code.

4604. Duration. Only two permits per year will be issued to any one
family. Each such permit may be issued for a period not to exceed three (3) days or two (2)
consecutive two-day weekends.

4605. Locations. All display and related activity shall be conducted
within an enclosed structure, located anywhere on the lot, an enclosed patio located within
the side or rear yard, or in the rear yard itself. Front and side yards and driveways shall not
be used for a yard sale or for storage or display of property or any related activity other than
display of one sign in accordance with Section 4605 hereof

4606. Advertising. No sign or other form of advertisement of a pro-
posed yard sale shall be placed upon any public property within the City or upon any other
property within the City, except upon the premises where a sale is conducted. No sign or
other form of advertisement shall be exhibited for more than two days prior to the day each
sale period is to commence, and shall be removed by 6:00 p.m. on the termination day of

each period. One sign only, not exceeding 15x20 inches in size, may be placed in the front or side yard of the premises where the sale is conducted. The sign shall be placed at least 5 feet from the front property line, which for purposes of this Section shall be considered the inside edge of the sidewalk or, if there is no sidewalk, then the inside edge of the curb. No flags, banners or similar items shall be displayed.

PASSED, APPROVED, and ADOPTED this 7th day of April, 1975.

Robert C. Bridges
MAYOR

ATTEST:

Helen S. Kawagoe
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Helen S. Kawagoe, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing ordinance, being Ordinance No. 75-336, passed first reading on March 17, 1975, was duly and regularly adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 7th day of April, 1975, and that the same was passed and adopted by the following roll call vote:

AYES:	COUNCILMEN: Calas, Marbut, Smith, Yamamoto and Bridges
NOES:	COUNCILMEN: None
ABSENT:	COUNCILMEN: None

Helen S. Kawagoe
City Clerk, City of Carson, California



ORDINANCE NO. 12-1482

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA,
ESTABLISHING YARD SALE CONTROL AND AMENDING
THE CARSON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY ORDAIN AS
FOLLOWS:

Section 1. Article IV of the Carson Municipal Code is amended by amending Chapter 6
thereof to read:

Chapter 6 YARD SALE CONTROL

4600 Definitions.

A "yard sale" is defined as a yard, garage, patio, or similar type sale held in any residential zone
for the purpose of disposing of personal property.

4601 Permit.

No yard sale shall be conducted without a permit issued by the Administrative Services General
Manager or his/her designated agent.

4602 Application.

An applicant for a permit shall furnish the following:

1. Full name.
2. Residence address (sale location).
3. The dates and hours of the sale.
4. A general description of the type of merchandise to be sold.
5. A declaration that the applicant is the owner of all of the property to be offered for sale
and that the applicant will permit inspection by City staff and/or local law enforcement staff, of
all goods, products and merchandise offered or to be offered for sale.
6. A declaration that the applicant will comply with all the requirements of this Chapter.

4603 Business License.

No permit shall be issued unless the applicant has obtained a Business License and paid the fee
required under DMC 6310 and 6360.

[MORE]

EXHIBIT NO. - 3



4604 Duration. Only two (2) permits per year will be issued to any one (1) address. Each such permit may be issued for a period not to exceed three (3) days or two (2) consecutive two (2) day weekends between the hours of 8 a.m. to 6 p.m.

4605 Locations.

All display and related activity shall be conducted within the physical boundaries of the parcel address and not intrude on public right of way.

4606 Advertising.

No sign or other form of advertisement of a proposed yard sale shall be placed upon any public property within the City or upon any other property within the City, except upon the premises where a sale is conducted. No sign or other form of advertisement shall be exhibited for more than two (2) days prior to the day each sale period is to commence, and shall be removed by 6 p.m. on the termination day of each period. One (1) sign only, not exceeding fifteen (15) by twenty (20) inches in size, may be placed in the front or side yard of the premises where the sale is conducted. The sign shall be placed at least five (5) feet from the front property line, which for purposes of this Section shall be considered the inside edge of the sidewalk or, if there is no sidewalk, then the inside edge of curb. No flats, banners or similar items shall be displayed.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2012.

Mayor Jim Dear

ATTEST:

Chief Deputy City Clerk Wanda S. Higaki

APPROVED AS TO FORM:

City Attorney

