



*City of Arts & Innovation*

# Utility Services/Land Use/ Energy Development Committee

---

**TO: UTILITY SERVICES/LAND USE/ENERGY DEVELOPMENT COMMITTEE MEMBERS**      **DATE: OCTOBER 15, 2015**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT**      **WARDS: ALL**

**SUBJECT: AMENDMENT TO RIVERSIDE MUNICIPAL CODE CHAPTER 5.49 – GARAGE SALES**

## **ISSUE:**

The item for Utility Services/Land Use/Energy Development Committee consideration is to recommend approval to the City Council for an amendment to Riverside Municipal Code Chapter 5.49 - Garage Sales.

## **RECOMMENDATION:**

That the Utility Services/Land Use/Energy Development Committee recommends to the City Council approval of an amendment to Riverside Municipal Code Chapter 5.49 - Garage Sales.

## **BACKGROUND:**

The Utility Services/Land Use/Energy Development Committee met on August 17, 2015, to consider an amendment to Riverside Municipal Code 5.49 – Garage Sales. Committee members had follow-up questions and recommendations for the proposed amendment and asked that this item be brought back to committee with additional information for their consideration.

Committee Members asked that staff perform additional outreach to the estate sale community to solicit their input on an adequate definition of “estate sale.” After conversations with 5 out of the 6 prominent active estate sale companies in the Riverside area, the proposed definition: “a sale performed and managed by a third party who is experienced in conducting such sales and who maintains a current City Business Tax Certificate as an estate sale business” is mutually acceptable. The prior proposal included the provision that such sales be conducted indoors which proved to be too restrictive for estate sale activities. This proposed definition will adequately separate estate sales from garage sales allowing estate sales to conduct their businesses as needed and provide enough frame work to allow City staff to differentiate between true estate sales and garage sales.

Committee members also recommended that staff consider other methods of regulating garage sale activity, specifically through the issuance of permits. The goal of the garage sale ordinance revision is to provide for a means to address chronic garage sales, “commercial”

garage sale businesses and streamline the tracking and enforcement process for garage sales. After further consideration, staff recommends that garage sales be limited to specific calendar dates throughout the year in lieu of requiring the issuance of a permit. This method would not create additional permitting or regulatory requirements, in line with Business Ready Riverside initiatives, allow City staff to most easily identify those sales that are in violation without stopping and checking for permits or issuing permits in the field, not create the need to develop any permit tracking systems or impact staff resources, and limit the window of opportunity for illegal “commercial” garage sale operators to conduct their businesses in Riverside.

Committee Members asked that staff give additional consideration to the proposed allowable weekends and time restrictions for garage sales. Staff recommends that garage sales be permitted on the first full weekend of odd numbered months and that sale times be restricted to 7 A.M – 5 P.M. This would allow an early enough start time customary to garage sales, but not be too early so as to disturb the peace and quiet of the neighborhood. The 5 P.M. limitation also allows enough time during the day for a sale to be conducted, while ensuring that the sales are not conducted into the evening hours, maximizing neighborhood peace and safety.

Staff recommends the following amendments to Riverside Municipal Code Chapter 5.49 - Garage Sales

- Designate six days per calendar year that garage sales are permitted - the first full weekend of each odd numbered month (January, March, May, July, September, and November)
- Define “Estate Sales” to be limited to qualified and licensed professional estate sale companies with City Business Licenses.
- Limit permitted garage sale days to Fridays, Saturdays and Sundays between the hours of 7 A.M. and 5 P.M.
- Limits garage sales to occupants, owners or tenants of that property.
- Define personal property as the acceptable merchandise for a garage sale and prohibit the sale of new or merchandise that was acquired for resale or consignment.

### **FISCAL IMPACT:**

There is no General Fund impact associated with this report.

Prepared by: Emilio Ramirez, Community and Economic Development Deputy Director

Certified as to availability of funds: Brent A. Mason, Finance Director/Treasurer

Approved by: Al Zelinka, FAICP, Assistant City Manager

Approved as to form: Gary G. Geuss, City Attorney

Attachment: Proposed Amendment to RMC Chapter 5.49 – Garage Sales