

RESOLUTION 296-10

A RESOLUTION AMENDING THE ZONING REGULATIONS FOR UNINCORPORATED OKLAHOMA COUNTY ACCORDING TO O.S. TITLE 19 §868.11 and §868.16.

WHEREAS, The Board of County Commissioners of Oklahoma County, Oklahoma, did on December 24, 2008 approve the regulations providing for zoning in unincorporated Oklahoma County, and

WHEREAS, these regulations must be updated from time to time; and

WHEREAS, the Oklahoma County Planning Commission did on November 10, 2010 approve the amendment to the Zoning Regulations for Oklahoma County at a public hearing.

WHEREAS, IT IS HEREBY RESOLVED that the Board of County Commissioners of Oklahoma County hereby adopts the following amendment to the Zoning Regulations for Oklahoma County, as provided in Title 19, Oklahoma Statutes, §868.11 and §868.16:

The following uses may be authorized by the Board of County Commissioners subject to the applicable provisions of ARTICLE V Section 13 of these Regulations:

Garage Sales/Yard Sales

Article V Section 13. Garage Sales/Yard Sales

The regulation hereinafter set forth in this section qualifies or supplements, as the case may be, the district regulations appearing elsewhere in these Regulations. Garage sales/yard sales shall only be conducted on residentially zoned property. You can sell any personal property, but not motor vehicles. You cannot sell new merchandise, consignment items, or resale items.

13.A. Definitions

1. Residential sale: Any sale known as a garage, porch, room, backyard, tag or patio sale or any other type of general sale conducted from or on any premises located in a residential zoning district.
2. Personal property: Property which is owned, utilized and maintained by any individual or members of his/her residence and acquired in the normal course of living in or maintaining a residence, but not including motor vehicles. It does not include merchandise which was purchased for resale or obtained on consignment, or food items not grown on the premises.

13.B. Interval Between Sales

No person shall hold, conduct, engage in or participate in any manner or allow a residential sale to be held or conducted on the same premises under his/her control or ownership more than three consecutive days and two times in any calendar year. A subsequent sale within any calendar year will be permitted only if satisfactory proof of a legal change in ownership of the real property is first presented to Planning/Engineering Department personnel.

13.C. Signs

Only the following specified signs may be displayed in relation to a pending residential sale:

1. On-site sign permitted. One sign of not more than 3 square feet shall be permitted to be displayed on the property of the residence where the residential sale is being conducted.
2. Off-site signs permitted. Two signs of not more than 3 square feet each are permitted provided that permission to erect such signs is received from the property owners upon whose property such signs are to be placed.
3. Prohibited Signs. No signs shall be erected, placed, posted or otherwise displayed on any public property, including street signs and posts, traffic signs and posts, or upon a public utility pole, street light, or street light standard.
4. Time limitation. Such signs shall not be erected sooner than 12 hours prior to the time and date of sale. All signs must be removed at the close of the residential sale activities and disposed of in an appropriate trash receptacle.
5. Removal of Signs. The person conducting the residential sale shall be responsible for removing any such signs.

13.D. Display of Goods

The sale area of any residential sale shall be confined to the residential premise, and in no event shall articles or goods be so displayed as to attract attention, or be conspicuously in view from any public street. No personal property offered for sale shall be displayed in any public street right-of-way.

13.E. Violations

Every day a sale is conducted in violation of this section shall constitute a separate offense.

13.F. Exceptions

The provisions of this section shall not apply to or affect the following:


1. Persons acting pursuant to an order of a court of competent jurisdiction.
2. Persons acting in accordance with their powers and duties as public officials.
3. Duly licensed auctioneers selling at auctions.
4. Charitable organizations or persons, when the proceeds from the sale are used directly for charitable purposes and the goods or articles are not sold on a consignment basis.

13.G. Parking

All parking of vehicles shall be conducted in strict compliance with all applicable laws and regulations.

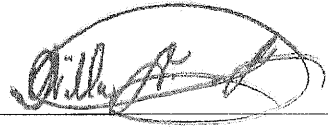
APPROVED this 24th day of November, 2010.


APPROVED:

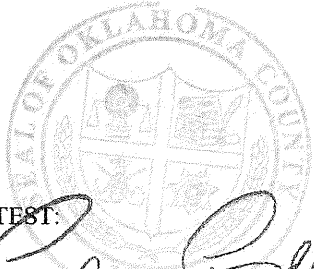

County Engineer
Stacey Trumbo

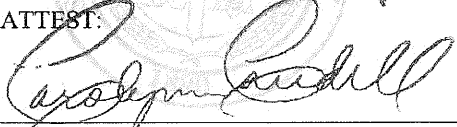
BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA


Chairman



Member


Member



ATTEST:

Carolyn Caudill, County Clerk

APPROVED as to form and legality this 17th day of November, 2010.


Assistant District Attorney
Gretchen Crawford