

ORDINANCE NO. 4897

AN ORDINANCE ESTABLISHING ALBANY MUNICIPAL CODE CHAPTER 7.84.140, ONGOING SALE OF HOUSEHOLD ITEMS (GARAGE SALES) DEEMED A NUISANCE; AND CHAPTER 7.84.150, PROHIBITED HOME OCCUPATIONS.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Albany Municipal Code Chapter 7.84.140, Ongoing Sale of Household Items (Garage Sales) Deemed a Nuisance; and Chapter 7.84.150, Prohibited Home Occupations is hereby amended to read as follows:

7.84.140 Ongoing Sale of Household Items (Garage Sales) Deemed a Nuisance.

- (a) It is unlawful to offer, from a residential address, household items for sale to the general public more than three times per calendar year and in excess of three consecutive days per event.
- (b) Items offered for sale shall not be displayed or stored in the public right-of-way, in a clear vision area, or on another's property without the owner's permission.
- (c) Signs advertising garage sales shall not exceed two on-premise and two off-premise signs measuring no more than four square feet per face and four feet in height. Signs shall be erected no more than one day prior to the event and shall be removed not later than one day after.
- (d) The prohibitions set forth above shall apply jointly and severally to each owner or occupant of the real property used in the commission of the violation and/or any person who offers goods for sale.
- (e) Violation of this section shall be an infraction.

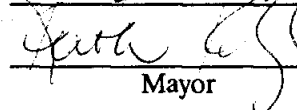
7.84.150 Prohibited Home Occupations.

- (a) There are certain activities and occupations, whether conducted for profit or not, which are unlawful when undertaken from a residential address. These endeavors infringe upon the rights of residents to enjoy the peaceful occupancy of their homes and may endanger the public's general health and safety to the extent that they are prohibited. They include:
 - (1) Auto body repair and painting.
 - (2) Ongoing mechanical repair conducted outside of an entirely enclosed building.
 - (3) Storage and/or distribution of toxic or flammable materials, and spray painting or spray finishing operations that involve toxic or flammable materials which in the judgement of the Fire Marshall pose a dangerous risk to the residence, its occupants, and/or surrounding properties.
 - (4) Junk and salvage operations.
 - (5) Storage and/or sale of fireworks in quantities judged by the Fire Marshall to be dangerous.
- (b) The prohibition set forth above shall apply jointly and severally to each owner or occupant of the real property used in commission of the violation and/or any person who conducts the prohibited activity.
- (c) Violation of the section shall be an infraction.

Passed by the Council: February 14, 1990

Approved by the Mayor: February 15, 1990

Effective Date: March 16, 1990



Mayor

ATTEST:



City Recorder