



## **Applicable Sections of the Sonoma Municipal Code (SMC) Pertaining to Patio, Garage and Yard Sales**

### **5.08.201 Patio, garage and yard sales – License required.**

No person shall conduct a patio, garage and yard sale unless he first obtains the license thereof and pays the fee as required by SMC 5.08.201.7.

#### **5.08.201.1 Patio, garage and yard sales – Definition.**

A "patio, garage and/or yard sale" is defined as a sale of personal property held at a private residence by the owner, owners, tenants or occupants thereof, and is limited to the sale of property owned exclusively by said owner, owners, tenants and/or occupants.

#### **5.08.201.2 Patio, garage and yard sales – Frequency of sale – Duration of sale.**

No patio, garage and/or yard sale shall be conducted by any person nor at any residence more frequently than once each six months, nor shall said sale be conducted for a period in excess of two consecutive days.

#### **5.08.201.3 Patio, garage and yard sales – Inspection by police department.**

All goods, products and merchandise offered for sale at a patio, garage and/or yard sale shall be made available to inspection at the place where the sale is to be conducted by any representative of the police department, and if requested by said representative, the person conducting the sale shall establish his title to the goods, products and merchandise offered for sale.

#### **5.08.201.4 Patio, garage and yard sales – Advertising.**

No sign, billboard, placard or other form of advertisement of the proposed patio, garage and/or yard sale shall be placed upon any public property within the city; no sign, billboard, placard or other form of advertisement shall be placed on the premises where the sale is to be conducted more than two days prior to the day the sale is to commence, and shall be removed by 6:00 p.m. on the day the sale terminates. No more than two signs, billboards, placards or other form of advertisement shall be placed upon the premises and shall not exceed three square feet in size. Any such sign, billboard, placard or other form of advertisement shall be placed only on the property where the sale is being held.

#### **5.08.201.5 Patio, garage and yard sales – Information required.**

The person conducting the sale at the time he makes application for the license required by SMC 5.08.201 shall furnish to the city license officer the following information:

- A. His full name, residence address and telephone number;
- B. The dates and hours of the proposed sale;
- C. A general description of the type of merchandise proposed to be sold;
- D. A declaration that he is the owner of all the property to be sold, and if requested by the police department, can establish his title to all said property, and that all of said property proposed to be sold is his own personal used property.

#### **5.08.201.6 Patio, garage and yard sales – Hours of sale.**

No patio, garage and/or yard sale shall be commenced prior to 8:00 a.m. and shall conclude each day at or before 6:00 p.m.

#### **5.08.201.7 Patio, garage and yard sales – License fee to be paid.**

Every person engaged in conducting a patio, garage and/or yard sale, as defined in SMC 5.08.201.1, shall pay a license tax of \$3.00 for each sale conducted.

### **State Mandated Fee**

On September 19, 2012 Governor Brown signed into law SB-1186 which adds a state fee of \$4 on any applicant for a local business license or similar instrument or permit, or renewal thereof. The purpose is to increase disability access and compliance with construction-related accessibility requirements and to develop educational resources for businesses in order to facilitate compliance with federal and state disability laws, as specified.