



406 S. Seguin Rd. • Converse • Texas • 78109 • (210) 658-5356

**GARAGE/YARD SALE FOR HOA
PERMIT & FEE APPLICATION
THIS FORM AND LOCATION LIST MUST BE TURNED IN 4 BUSINESS
DAYS PRIOR TO THE BEGINNING OF THE EVENT**

DATE _____

PERMIT NO. _____
(For office use only)

REQUESTED BY _____
(HOA representative, and Title)

ADDRESS _____ PHONE NO. _____
(Name of HOA that will be hosting the event) (Please Print)

DATE(S) OF SALE: _____ AND _____

PERMIT FEE: **\$25.00** for each location that has already used their one free Garage sale this calendar year. Locations that have had a garage sale in the quarter that the HOA will have its sale shall be excluded from participation.

CURRENT QUARTER: ☐ 1st ☐ 2nd ☐ 3rd ☐ 4th

☐ HOMEOWNER'S ASSOCIATION GARAGE/YARD SALE

NOTE: The HOA representative organizing a garage/yard sale shall ensure that all allowed signs are removed upon expiration of the event. Failure to remove the signs after 24 hours of the termination of the event will subject the requestor of the permit to be in violation of the code. See penalty fines **Sec. 24 -7.**

☐ I have read the regulations on **Chapter 24; Sections 24–1. thru Sec. 24–7.** of the city municipal codes / ordinance no. **725-2022**, and will ensure that all participants have read and understand the ordinance.

Applicants signature Date

Approved by Date

ARTICLE I. IN GENERAL

DIVISION 1. GARAGE/YARD SALES

Sec. 24-1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garage/yard sale means the irregular selling of used and/or handmade articles on the premises of a dwelling unit. Events commonly known as but not limited to neighborhood, homeowner's association, charitable, and non-profit organization garage sales, or any designated individual or organizational yard sales, auctions, bazaars, estate sale or rummage sales which are conducted for the sale of used and/or new merchandise at a location which is not currently zoned for such sales.

Calendar quarter shall mean (1st quarter) January through March, (2nd quarter) April through June, (3rd quarter) July through September, and (4th quarter) October through December.

Garage/yard sale sign means a sign erected on private property with consent of the owner and/or where the garage/yard sale is taking place only during the time the garage sale is being held.

Garage/yard sale operator means any person with a permit issued by the city to operate a garage/yard sale.

Charitable or nonprofit organization means any organization qualifying as non-profit under Section 501(c) of the Internal Revenue Code or organized as a non-profit entity under the Texas Business Organization Code or the Texas Non-Profit Corporation Act, and using personal or private property to host a garage/yard sale event.

Homeowner's association garage/yard sale means there is an active homeowner's association within a subdivision where more than five homes requested for a single garage sale permit held on their individual properties at the same time and on the same date.

Personal/private property means property which is owned, utilized, and maintained by an individual or members of his/her residence and acquired in the normal course of living in or maintaining a residence. Merchandise purchased for resale at a garage/yard sale or obtained by consignment for sale is prohibited in a garage/yard sale.

(Ord. No. 725-2022, § 1, 6-21-2022)

Sec. 24-2. Prohibitions and limitation of garage/yard sales.

- (a) The use or setup of a garage sale as defined, without the required permits, shall be considered unlawful.
- (b) It shall be unlawful for any person, group or organization to hold more than one garage sale per calendar quarter per location.
- (c) It shall be unlawful for any person, group or organization to allow a garage/yard sale to exceed more than two consecutive days at a time.
- (d) Sale of food items at garage/yard sales is prohibited.

(Ord. No. 725-2022, § 1, 6-21-2022)

Sec. 24-3. Inspection of garage/yard sales.

The building official, inspector, code enforcement officer, health official or any police officer may be designated by the city manager and shall have the power to examine and inspect, from time to time, all garage sales within the city.

(Ord. No. 725-2022, § 1, 6-21-2022)

Sec. 24-4. Permit application and fee required.

- (a) Each property owner, lessee, or nonprofit organization is required to complete a garage/yard sale permit application for each location within the city limits. Before such permit shall be issued, the applicant shall provide proof of address, by means of driver's license, utility bills or other identification. Upon verification and compliance with the provisions of this article the city may issue the applicant a garage/yard sale permit.
- (b) No permit shall be issued unless the applicant has paid the required fee of \$25.00 per permit. However, a property owner shall not be responsible for payment of the required permit fee so long as the property owner has only one garage/yard sale within a calendar year.
- (c) Permits shall be placed on the property of where the event will be held so as it is visible from the public street.
- (d) A permit must be obtained before the start of the sale.
- (e) No permit issued under the provisions of this article shall be transferable, nor shall a permit holder allow his name to be used by any other party for the purpose of operating a garage/yard sale at a separate or different location.
- (f) No person shall conduct or be a vendor at a yard, garage or rummage sale on the property of a place of public assembly, city park or recreational areas of the city without prior written consent from its authorized representative or designee.
- (g) By making application for such garage/yard sale permit, accepting said permit and conducting such sale, the owner or lessee of the property to whom the permit is granted authorizes the designated city officials to enter upon the property for the purpose of determining that such sale is being conducted in accordance with the provisions of this article, and to remove any signs not in compliance herewith.

(Ord. No. 725-2022, § 1, 6-21-2022)

Sec. 24-5. Garage/yard sale signs.

- (a) Signs shall not exceed four square feet.
- (b) Signs may not be illuminated.
- (c) Signs may be posted up to 24 hours before the sale is scheduled to be conducted, and removed 24 hours after the sale is complete.
- (d) It is prohibited for any person, group, or organization to post or attach a garage/yard sale sign on any public property, utility poles, stop or light poles, and any public right-of-way or easement.
- (e) Signs shall be limited to four, with one on the premises where the garage sale will be conducted, and three off the premises located on any private property with the property owner's consent.

(Ord. No. 725-2022, § 1, 6-21-2022)

Sec. 24-6. Hours of operation.

Hours of operation shall be between 7:00 a.m. to 6:00 p.m. of any day.

(Ord. No. 725-2022, § 1, 6-21-2022)

Sec. 24-7. Penalty.

Any person who shall violate any of the provisions of this article shall be deemed guilty of a class C misdemeanor and upon conviction thereof shall be punished by a fine not to exceed more than \$200.00. Each and every day that such violation shall exist shall be deemed a separate offense.

(Ord. No. 725-2022, § 1, 6-21-2022)

Secs. 24-8—24-18. Reserved.