



# City of Cañon City

Community Development Department  
Planning & Zoning Division

## YARD SALES

Are governed under the Cañon City Municipal Code, §17.20.220, as follows:

"Yard sale" means and includes casual or informal sales conducted on or from a residential premises within the city where articles of tangible personal property are sold or offered for sale. Yard sale shall include all sales entitled "yard sale," "garage sale," "lawn sale," "attic sale," "flea market sale," "patio sale," "porch sale," or any similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of the sale. **Note: Yard sales generally occur in residential areas, but it is a permitted use in all districts in the City except OPR (Open Space and Parks).**

### 17.20.220 Yard sales.

#### A. Definitions.

1. "Yard sale" shall have the meaning given to such term in Chapter 17.08 (above).
2. "Residential premises," for purposes of this section, means a lot or parcel, or contiguous group of lots or parcels containing, as the principal use thereon, one-unit, two-unit or multiple unit dwellings, and includes all yards and structures on such lot, parcel or contiguous group of lots or parcels.
3. "Person" shall mean and include individuals, partnerships, voluntary associations, and corporations.

#### B. Limitations applicable to yard sales. It shall be unlawful:

1. For any natural person to conduct a yard sale from any residential premises other than a residential premises owned or occupied by such natural person as his or her primary place of residence;
2. For any person that is not a natural person to conduct a yard sale from or on a residential premises unless such person shall have the prior written permission of the owner of the residential premises to conduct such yard sale;
3. For any residential premises to be used for more than **three (3) yard sales in any calendar year**;
4. For any yard sale to end later than forty-eight (48) consecutive hours after it began;
5. For any yard sale to be conducted at a time earlier than 7:00 am or later than 6:00 pm;
6. For any person conducting a yard sale to place or store any goods offered for sale or any item used to display any goods offered for sale on or within a public right of way or upon the real property of any person who is not conducting the yard sale without such person's prior written consent;
7. For any sign advertising a yard sale to be placed at any location other than within the boundaries of the residential premises of the sale, or upon the real property of any person who is not conducting the yard sale without such person's consent;
8. For any sign advertising or otherwise associated with a yard sale to be larger than six (6) square feet in area;
9. For signs advertising or otherwise associated with a yard sale to number more than two (2), whether they are posted on the residential premises of the sale or upon the real property of another person, or both;
10. For any sign associated with any yard sale to be displayed earlier than twenty four (24) hours in advance of the beginning of the yard sale, or later than 6:00 pm on the final day of the yard sale.

- C. Persons and sales excepted. The provisions of this section shall not apply to or affect the following persons or sales:
1. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
  2. Persons acting in accordance with their powers and duties as public officials.
  3. Any person selling or advertising for sale an item or items of personal property which are specifically named or described in the advertisement and which separate items do not exceed five (5) in number.
- D. Other lawful sales not prohibited. Nothing in this ordinance shall be construed to prohibit any person who has obtained and maintains a valid sales tax license from the City from conducting sales and other business operations from any location in the City, provided that such sales and other business operations are conducted in conformity with all requirements of Title 17 of this Code and all other requirements of applicable law.
- E. Violations – Penalties.
1. Any person who violates any provision of this section shall, upon conviction, be fined not less than fifty dollars (\$50) nor more than one thousand dollars (\$1,000) or be imprisoned for not more than ten (10) days, or both, for each violation.
  2. Whenever a violation occurs, it shall be appropriate to charge any violation of this section against the owner or owners of the residential premises upon and from which a yard sale is being conducted and to charge a person conducting a yard sale who is not an owner of the residential premises for the same violation when circumstances warrant.

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***Call the Planning Dept. at 719.269.9011 with any questions.***