

ORDINANCE

**ORDINANCE AMENDING CHAPTER 224 – ZONING, SECTION 224-59
“ACCESSORY STRUCTURES” SUBSECTION B.(3)(B) GOVERNING “YARD SALES” TO
PERMIT SAME ON RESIDENTIAL PROPERTY IN ACCORDANCE WITH CITY WIDE
FALL AND SPRING COMMUNITY GARAGE SALE AS SET BY RESOLUTION OF CITY
COUNCIL AND IN ADDITION PERMITTING TWO ADDITIONAL YARD SALES A YEAR
FOR TWO CONSECUTIVE DAYS (PREVIOUSLY NOT MORE THAN THREE
CONSECUTIVE DAYS AND NOT MORE THAN FOUR TIMES A YEAR) AND PLACING A
RESTRICTION IN THE RELATED SIGN ORDINANCE LIMITING LOCATION SIGNS AS
IDENTIFIED IN SECTION 224-71. M RELATING TO “EXEMPT SIGNS” SUCH THAT OFF
SITE LOCATION SIGNS ARE LIMITED TO A MAXIMUM SIZE OF TWELVE INCHES BY
EIGHTEEN INCHES**

WHEREAS, the City of Coatesville is a Third Class City governed by a Home Rule Charter and the Third Class City Code with a business address of 1 City Hall Place, Coatesville, Chester County, Pennsylvania (hereinafter the “City”); and

WHEREAS, the City of Coatesville is a chartered third class city in the Commonwealth of Pennsylvania, located in Chester County, Pennsylvania; and

WHEREAS, the City Council has determined that yard sales should be available as a community wide option in the Spring and Fall on dates set by the City Council and that these additional opportunities should reduce the number of yard sales for any residential property owner, and that the advertisement of such private yard sales should have limitations placed upon the off-site signs permitted in the sign section of the same zoning ordinance.

WHEREAS, the City Council with the prior review, comments and suggestions of the City Planning Commission and the County Planning Commission has determined that it is necessary to amend the current zoning regulations governing “Yard Sales” found in Section 224-59 under “Accessory Uses” and the signage requirements of same found at Section 224-72 governing “Exempt Signs” in order to assure that the Yard Sales and the signage for same are consistently and appropriately regulated.

NOW, THEREFORE, in consideration of the foregoing, it is hereby enacted and ordained by the City Council of the City of Coatesville, pursuant to its authority under the Third Class City Code and the Home Rule Charter, as follows:

SECTION 1

Chapter 224 – Zoning, Article XII – “Supplemental Use Regulations” (§224-59 B.(3)(b) “garage or yard sales” of the City Code is hereby amended to remove the current language and replace it with the following:

- “ (b) Garage or yard sales. The temporary display and sale of goods and crafts items on a residentially used property shall be subject to the following provisions:

[1] Community wide garage or yard sales shall be permitted on two occasions, once in the Spring and once in the Fall at such dates as are set by Resolution of City Council.

[2] In addition to the community wide garage or yard sales, such temporary uses shall be limited to occurrences of not more than two consecutive days and not more than two times within one calendar year. There shall be at least a thirty-day period between such occurrences.

[3] Signs advertising garage sales shall be posted no more than two days prior to the first day of the sale and shall be removed on the final day of the sale. No more than two off-premises signs shall be placed, which must be approved by the owners of the property on which they are placed and subject to the requirements as more specifically set forth in Article XIV "Signs" Section 224-27 (M).

SECTION 2

Chapter 224 – Signs, Article XIV – “Exempt Signs” (§ 224-71 M) of the City Code is hereby amended to remove the current language and replace it with the following:

“M. A sign advertising a yard sale or garage sale, provided that the sign is on the premises of the sale, does not exceed four square feet, is erected no more than two days prior to the first day of the sale and is removed immediately upon completion of the sale. No more than two off-premises signs shall be permitted and such signs shall not be larger than twelve inches by eighteen inches in size and may not be erected more than two days prior to the first day of the sale. Off-premises signs shall only be located on private property with permission of the property owner and shall be removed upon completion of the sale. Yard sale or garage sale signs shall not be permitted on utility poles.”

SECTION 3

All other sections of the City Zoning Ordinance shall remain in full force and effect unaffected by these changes.

SECTION 4

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the City of Coatesville hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 5

This Ordinance shall be effective thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 26th day of March 2012.



Edward Simpson
President, City Council

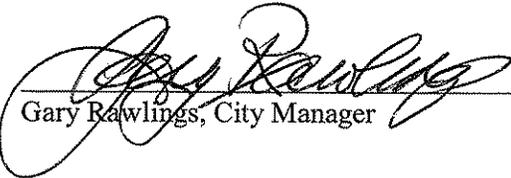
ATTEST:



Gary Rawlings, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 13th day of February, 2012 And was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 26th day of March, 2012, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Gary Rawlings, City Manager