

## **ORDINANCE NO. 392**

**AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, TO DEFINE AND PLACE A LIMIT ON THE DURATION AND FREQUENCY OF YARD SALES AND FOR PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.**

WHEREAS, the city council has determined that the health, safety, and welfare of the citizens of Idaho City would best be served by limiting garage/yard sales;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO CITY, IDAHO:

**Section 1. Limitations on Yard Sales:** A new Chapter 3 of Title 3 of the City Code of Idaho City shall be created as follows:

### **3-3-1: GARAGE/YARD SALE:**

No yard sale may be held unless in compliance with this chapter.

### **3-3-2: DEFINITIONS:**

For purposes of this chapter, a yard sale means a general sale open to the public conducted from or on a residential premises (single-family homes, duplexes, mobile home parks, or apartments), to dispose of tangible personal property consisting of more than three (3) items for sale.

Personal property shall be defined as property which is owned, utilized, and maintained by an individual or member(s) of his or her residence and acquired in the normal course of living in or maintaining residence. Items or merchandise purchased for the purpose of resale shall be prohibited.

### **3-3-3: DURATION:**

No yard sale may last more than three (3) consecutive days in any seven (7) day period.

### **3-3-4: COMPLIANCE WITH OTHER ORDINANCES:**

Nothing in this chapter shall be construed to prohibit or interfere with the enforcement and abatement of nuisances as otherwise provided in this Code.

Nothing in this chapter shall prohibit the lawful operation of a business or occupation licensed under this Code.

### **3-3-5: REMOVAL AND CLEAN UP:**

Within one (1) day after the conclusion of a yard sale, all remaining property shall be removed from areas within the public view. Failure to remove property may also constitute a nuisance and be subject to Chapter 1 of Title 4 of this Code.

**3-3-6: PENALTY:**

A. A first violation of this chapter shall be an infraction punishable by a penalty not to exceed fifty dollars (\$50).

B. A second violation of this chapter within three (3) years of the commission of the first offense for which the person was convicted shall be an infraction punishable by a penalty not to exceed one hundred dollars (\$100).

C. A third violation of this chapter within three (3) years of the commission of the first offense for which the person was convicted shall be a misdemeanor and be punishable by a fine not exceeding one thousand dollars (\$1,000), by imprisonment not to exceed six months, or both.

D. Each twenty-four (24) hour period that a violation continues shall be a separate violation.

**Section 2. SEVERABILITY:** The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

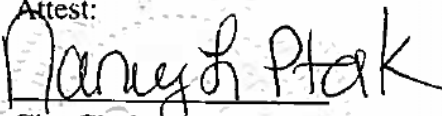
**Section 3. EFFECTIVE DATE:** That this ordinance shall be in full force and effect upon passage, approval and publication according to law.

PASSED BY THE COUNCIL of the City of Idaho City this 10th day of September, 2025.

PASSED BY THE MAYOR of the City of Idaho City this 10th day of September, 2025.

  
Mayor

Attest:

  
City Clerk

