



AN ORDINANCE: City Plan Commission  
Re: Amending various sections of Chapter 26,  
Neenah Zoning Code relating to providing for a  
definition and regulation of Yard Sales, and  
various nonsubstantive corrections.

ORDINANCE NO. 2013-5  
Introduced: February 20, 2013  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Sec. 26-3 of the Code of Ordinances of the City of Neenah is amended by adding the definition of “Yard Sale” to read as follows:

*Yard Sale:* A “yard sale” (also referred to as a “garage” or “rummage sale”) is defined as a temporary activity that is conducted in whole or part within a residential property and involves the outdoor display and sale of the occupant’s household goods.

**Section 2.** Sec. 26-4 of the Code of Ordinances of the City of Neenah is created to read as follows:

**26-4. Miscellaneous General Regulations.** The following miscellaneous regulations shall apply throughout the City.

(a) *Yard Sales:* Yard sales shall comply with the following standards: yard sales may only be held where permitted as an accessory use; yard sales shall be held no more than three (3) times per year per address; yard sales may last no longer than three (3) consecutive days; goods may not be displayed in the public right-of-way; no consignment goods or goods purchased for resale may be offered for sale; signage for Yard Sales are subject to Section 24-132(5); and all items offered for sale, display racks or stands, and signs shall be removed within twenty-four (24) hours of completion of the sale.

**Section 3.** Secs 26-151(5) (R-1 Single-Family Residence District); 26-177(5) (R-2 Two-Family Residence District); 26-198(5) (M-1 Multifamily Residence District); and 26-219(5) (M-2 Multifamily Residence District) of the Code of Ordinances of the City of Neenah are created to add “Yard Sale” as a permitted accessory use.

**Section 4.** Sec. 26-174(3) of the Code of Ordinances of the City of Neenah is created to read as follows:

(3) Single-family attached dwelling.

**Section 5.** Sec. 26-275(1) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(1) Minimum front yard setback, none, unless off-street parking spaces are located between the right-of-way line and any buildings on the lot, necessitating a ten-foot setback. Refer to Section 26-~~495~~516.

**Section 6.** Sec. 26-275(6) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(6) Parking, No off-street parking is required for the C-2 District, however, provision for such parking is encouraged. If multifamily development is the principal use, parking shall be provided as referred to in Section 26-~~514~~551(a)(2).

**Section 7.** Sec. 26-516(4)c. of the Code of Ordinances of the City of Neenah is hereby repealed and Sec. 26-516(4)d. of the Code of Ordinances of the City of Neenah is renumbered as Sec. 26-516(4)c.

**Section 8. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 9. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Hamblin/Hillstrom

Adopted: February 20, 2013

Approved: February 20, 2013

Published: February 25, 2013

Approved:



George Scherck, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
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