

CHAPTER 22

SALES

ARTICLE I. IN GENERAL

22 – 1.00 Reserved

ARTICLE II. YARD SALES, GARAGE SALES, ETC.

22 – 2.01 Definition.

“Yard sale” or “garage sale,” as used in this article, means a display and sale from a residence or residential property of personal property, which has been owned or previously used. The term “yard sale” or “garage sale” does not include the mere incidental sale of one (1) or two (2) items of personal property when such sale is not part of a general sale of a number of items of personal property.

22 – 2.02 Regulations.

No person shall conduct any yard sale or garage sale without first obtaining a permit therefor from the town. All such sales shall be subject to the following rules and regulations:

2.02.1 *Permits.* All persons conducting such sale shall obtain a permit therefor from the tax collector. Applications for such permit shall be made to the tax collector in such form as may be required by the town and shall be accompanied by a permit fee in the amount of five dollars (\$5.00).

2.02.2 *Consignment sales prohibited.* No one shall accept or take in for sale any goods from any commercial business or enterprise on a consignment basis for sale in a yard sale.

- 2.02.3 *Signs.* Two (2) off-site directional signs may be permitted for each yard sale, but only during the hours the sale is actively being conducted. Off-site signs must be removed at the close of the sale activities, or by the end of daylight, whichever first occurs, each day of the sale. No freestanding signs may be placed in the public right-of-way.
- 2.02.4 *Number listed.* Not more than two (2) such sales per year shall be held at the premises if occupied by the same family or any member of such family. No single sale shall be conducted for longer than two (2) consecutive weekends, or more than seventy-two (72) hours in a single week.
- 2.02.5 *Hours.* Yard sales or garage sales may be conducted during daylight hours only.
- 2.02.6 *Unowned premises.* No yard sale or garage sale shall be permitted on premises not owned or controlled by the person holding the sale. Any violation of this subsection shall be referred to the zoning inspector for investigation of possible violation of the zoning ordinance.

22 – 2.03 Coverage.

The provisions of this article shall not apply to or affect persons selling goods pursuant to an order of a court of competent jurisdiction or persons acting in accordance with their powers and duties as public officials.

22 – 2.04 Penalties.

- 2.04.1 Violation of any provision of this article shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00) to be recovered by the town. Violators shall be issued a written citation, which must be paid within seventy-two (72) hours.
- 2.04.2 Each day's continuing violation of this article shall be a separate and distinct offense.

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