

CHAPTER 112: SIDEWALK, GARAGE AND YARD SALES

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PUBLIC SIDEWALK SALES

§ 112.01 PROHIBITION.

No merchandise, wares, goods, food, and the like is permitted to be sold or offered for sale on any publicly-owned sidewalks or sidewalks right-of-way or public thoroughfare or public highway or public property within the town.
(Ord. 19.4, passed - - ; Am. Ord. passed 4-10-01)

§ 112.02 EXEMPTIONS.

(A) From time to time civic, charitable, political and religious organizations may conduct festivals or other organized activities within the town.

(B) Whenever the Board of Commissioners of the town gives permission for such activities to occur within the town the following restrictions shall apply:

(1) Charitable and other non-profit organizations and their agents, servants, and/or employees are permitted to peddle, solicit, canvass and/or sell merchandise, and the like, during such charitable activity in parking lots and other public property within the town.

(2) The various shops and stores within the Central Business District may display their merchandise in their parking lots and may make sales from such location, during the organized activity.

(3) No other peddler, solicitor, canvasser person and/or entity shall be permitted to peddle, solicit, canvass, sell, or offer for sale any merchandise during such organized activity.

(C) A ***CHARITABLE FESTIVAL*** or ***ORGANIZED CHARITABLE ACTIVITY*** is defined as one or more nonprofit organizations and/or nonprofit entities conducting an organized endeavor wherein merchandise may be sold, entertainment may be provided, celebration may be conducted, and the like, all for the purpose of raising monies for charitable purposes.
(Ord. 19.4, passed - -) Penalty, see § 10.99

YARD AND GARAGE SALES

§ 112.15 DEFINITION.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

YARD SALE or ***GARAGE SALE***. A display and sale from a residence or residential property or personal property which has been owned or previously used. The terms "Yard Sale" and "Garage Sale" do not include the mere incidental sale of one or two items of personal property when such sale is not part of a general sale of a number of items of personal property.
(Ord. 25.2 passed 10-8-91)

§ 112.16 REGULATIONS.

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

(A) All persons conducting such sale shall obtain a permit therefor from Town Hall at least 48 hours before the beginning of the sale. Applications shall be made on a town form and shall be accompanied by a permit fee in the amount of \$5.

(B) No one shall accept or take in for sale any goods from any commercial business or enterprise on a consignment basis for sale.

(C) (1) Except as specifically authorized herein, no signs advertising such sales shall be placed on any property other than that of the residence of the person conducting such sales. Two off-site directional signs may be permitted, but only during the hours the sale is actively being conducted. Off-site signs must be removed at the close of the sale activities on each day of sale.

(2) Exemption. Two off-premises signs are allowed by legal constituted property Owners Associations.

(D) Not more than two sales per year shall be held at the same premises if occupied by the same family or family member. No single sale shall be extended beyond two consecutive days. Yard sales or garage sales must be conducted during the hours of 8:00 a.m. to 4:00 p.m.

(E) All signs, equipment and merchandise must be removed at the conclusion of the sale.
(Ord. 25.2, passed 10-8-91) Penalty, see § 10.99

§ 112.17 YARD SALES.

Yard sales by legal constituted Property Owners Association are allowed in all zoning district as noted in regulations.
(Ord. 25.2, passed 10-8-91)