

Chapter 5.28

YARD SALES

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5.28.010 Definitions. As used in this chapter, unless the context indicates otherwise, the following words shall have the following meanings:

A. "Person," as used herein, means any corporation, individual, or members of a family residing in a household conducting the sale.

B. "Personal property" shall not include farm equipment, automobiles, lumber, fruit and vegetables being sold and displayed in commercially zoned areas of the town.

C. "Yard sale" means retail sale of personal property labeled as such, or any retail sale of personal property conducted in or near a residence, under cover, partially under cover, or completely outside of any building, in the open. (Ord. 705 §I, 1990).

5.28.030 Frequency and duration of sales. No person shall operate, conduct, manage or permit a yard sale upon his premises or other property under his control more than once each month, and said sale shall not be continued for a period of more than three consecutive days, nor more than three consecutive days in any month, and shall be conducted during daylight hours only. (Ord. 705 §2, 1990).

5.28.030 Signage. No person shall place any cards or placards advertising a yard sale on any property other than property owned by the person conducting the sale without the consent of the owner. Said signs shall not be posted more than seventy-two hours prior to the sale and shall be removed within twelve hours after the close of the sale. It is unlawful for any person who conducts a yard sale or a garage sale to advertise said sale by posting a notice or advertisement thereof on or within any right-of-way owned

by the town, or on any utility pole within the limits of the town. (Ord. 705 §3, 1990).

5.28.040 Permits. Any person desiring to hold a yard sale shall obtain a permit from the office of the city clerk, who shall issue the permit upon the payment of a fee of five dollars, if the police department determines the yard sale at the location applied for will not create a traffic hazard and the application is in compliance with this chapter. The permit shall be posted in public view at the site of the sale. No more than five families shall participate in any yard sale. (Ord. 824 §I, 1997; Ord. 705 54, 1990).

5.28.050 Violation--Penalty. Any person found to be in violation of this chapter shall be fined the sum of not less than fifty dollars per violation. Each day the violation continues shall be considered a separate violation. (Ord. 705 §5, 1990).