

City of Au Gres

Garage Sale Ordinance

Adopted 12-6-2016

Effected 6-6-2017

Definitions:

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garage or yard sale means a sale of used household effects, appliances, clothing, china, glassware and other such items by a person from his/her residence by means of a display of such items in the yard, garage, patio, parking area or other like place in, around or near such residence. It shall not mean the sale of a single automobile by means of a for sale sign in the window of such vehicle parked near a residence.

Salesmen's or free samples means items which were packaged and designed to introduce products to consumers and which were distributed by salesmen or otherwise without charge.

Wholesale means sales in bulk or individually to dealers or persons who intend to resell such items.

Purpose and intent of ordinance:

It is the intent of this article to regulate and control the holding of garage and yard sales, as they may become nuisances and safety hazards if not so regulated, and so that residential areas do not become commercialized through a proliferation of such sales and similar commercial activity.

Restriction on number, duration:

1. No person shall have more than three garage or yard sales at any residence during a consecutive 12-month period without the express approval of the City Planning Commission.
2. No garage or yard sale may last more than 84 (day) hours.

Sales Limitations:

1. No wholesale sales shall be made at any garage or yard sale.
2. No salesmen's or free samples or the like shall be sold at any garage or yard sale.

3. No public right of way shall be used to display garage or yard sale goods at any time.
4. No signs advertising a garage or yard sale regulated by this ordinance shall be placed on public property, utility poles or on private property without the express consent of the owner. Within twenty-four (24) hours after the conclusion of the garage sale all signs shall be removed.

Hours, parking, noise:

1. No garage or yard sale shall continue later than one-half hour after sunset nor begin prior to 8:00AM
2. No garage or yard sale shall be situated so as to obstruct traffic, nor shall any sale patrons park their vehicles so as to obstruct traffic.
3. Excessive noise emanating from the area of any garage or yard sale is prohibited.
4. All goods to be sold or displayed as part of a garage or yard sale must be removed from view within twenty-four (24) hours of the conclusion of the garage or yard sale.

Permit procedure:

1. A permit for the garage or yard sale shall be applied for with the City Clerk and a copy of said permit must be posted in a conspicuous spot for the duration of the sale.
2. Garage or yard sale permits will not have a fee to applicant.

Exemptions:

1. The provisions of this ordinance shall not apply to sales and/or charity bazaars held by churches or other houses of worship, schools, and/or service organizations that are located in residential zoning districts provided that the sales and/or charity bazaars are held by the church or other house of worship, school or service organization, on their own property.

Penalty:

1. Any person, persons or entity violating any of the provisions of this ordinance shall be responsible for a municipal civil infraction.
2. First offense will be a fine of \$100
3. Second offense will be a fine of \$300
4. Third offense will come with a ban of a garage or yard sale permit for a period of one year and a fine of \$900.
5. Any infraction shall include the reimbursement of any costs taken on by the City of Au Gres to enforce this ordinance.