

Sec. 14-228. **Garage sales**

(a) *Definitions.* For the purpose of this section

Garage sale means an occasional sale of used or surplus household goods, wares and other items of personal property owned by the occupier of the residence premises where such sale is held or owned collectively by a group of persons, including the occupier of the premises where such sale is held, and such sale shall include **sales** commonly known as basement **sales**, house **sales**, yard **sales**, attic **sales**, rummage **sales**, estate **sales** or other similar occasional **sales** from residentially zoned premises. The term "**garage sale**" shall not include bulk **sales**, the sale of multiple new items of the same description, and the sale of consigned merchandise; nor shall such sale include the sale of junk or antique items as a business activity by a person involved therein as a junk or antique dealer.

(b) *Permit required.* It shall be unlawful for any person to conduct or allow the conducting of a **garage sale** as defined herein on premises zoned or used for residential purposes without first obtaining a permit to conduct such sale. The applicant shall apply for and obtain such a permit from the village clerk at least 72 hours in advance of the date of such sale. Permits may be obtained in person or by mail and there shall be no fee for such permit. Each permit shall be prominently displayed on the premises covered by the permit in such a manner as to be easily visible to persons passing by the premises on a public street.

(c) *Limit on length and frequency of sales.* **Garage sales** shall be permitted for not more than three consecutive days between the hour of 9:00 a.m. and sunset of each day. Not more than three **garage sales** shall be conducted on the same premises within any calendar year. In the event of rain occurring during the hours of the sale on any day within a three-day sale period, such sale period shall be extended an additional day for each such day of rain; however, no such **garage sale** shall be extended for more than three dry days.

(d) *Signs.* All signs advertising a **garage sale** shall be removed no later than 9:00 p.m. on the third and last day of such sale.

(e) *Location of sale.* A **garage sale** as provided herein shall be conducted from the residence premises of the person obtaining a permit therefore. It shall be unlawful for any person to display for sale or to conduct a sale of any household goods, wares or other items of merchandise or personal property on any public sidewalk or public right-of-way. *Penalty.* Any person violating any provision of this section shall, upon conviction, be fined not less than \$25.00 nor more than \$100.00 for each offense. Each day that such a violation occurs or continues shall be deemed to constitute a separate offense.

(Code 1982, § 14-78; Ord. No. 90-26, § 1, 6-19-90)