

Chapter 13. Licenses, Permits and General Business Regulations

Part 3. GARAGE SALES, LAWN/YARD SALES AND SIMILAR ACTIVITIES

§ 301. Definitions.

[Ord. 215, 8/10/1998, § I]

1. For the purpose of this Part, the following shall apply:

GARAGE SALE

A public sale of goods conducted in a residentially associated garage.

LAWN/YARD SALE

An outdoor public sale of goods on residential property.

PERSON

Any person, association, partnership, firm or corporation.

2. In this Part, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

§ 302. License Required.

[Ord. 215, 8/10/1998, § II]

Except as hereinafter described, it shall be unlawful for any person to hold a garage sale or lawn/yard sale without first obtaining a license in compliance with the provisions of this Part.

§ 303. Application.

[Ord. 215, 8/10/1998, § III]

At a time not less than seven days prior to the sale, applicants for a license under this Part must file with the Borough Secretary or Borough Supervisor an application, in writing, on a form to be furnished by said officer, which shall give the following information:

- A. Name and address of applicant.
- B. Type of sale.
- C. Items to be sold.
- D. Dates of sale.

- E. A statement affirming that the goods to be sold belong to the applicant or his household and that said goods have not been purchased or obtained solely for this sale, with the exception of charities and service organizations as exempted by this Part.

§ 304. Fees.

[Ord. 215, 8/10/1998, § IV]

1. The license for any sale governed by this Part sponsored by a charitable organization located within Borough limits shall be on a no fee basis.
2. The fee for garage sales or lawn/yard sales shall be \$5.

§ 305. Issuance of License.

[Ord. 215, 8/10/1998, § V]

Upon payment of fees as listed in § 304, and upon determination by the Borough Supervisor or Secretary that the application meets all the requirements for a license, the Borough Supervisor or Secretary shall issue a license.

§ 306. Duration of License.

[Ord. 215, 8/10/1998, § VI]

A license for a garage or lawn/yard sale shall be valid for two consecutive days.

§ 307. Display of License.

[Ord. 215, 8/10/1998, § VII]

The license must be displayed at all times during auctions or sales.

§ 308. Limitations on Licenses.

[Ord. 215, 8/10/1998, § VIII]

1. Garage sales and lawn/yard sales shall be limited to two licenses per calendar year per residence.
2. In addition, residents will be permitted to participate in one Borough wide community yard sale to be held the third Saturday in September, with the rain date being the fourth Saturday in September. No fee shall be charged for this event.
3. Items to be sold at garage sales and lawn/yard sales must belong solely to the household where the sale is held. It shall be unlawful to bring in and sell goods belonging to others or to purchase items specifically to sell in a garage sale or lawn/yard sale, with the exception of such sales conducted on behalf of a charitable organization.

§ 309. Hours.

[Ord. 215, 8/10/1998, § IX]

Garage sales and lawn/yard sales may be held only between 8:00 a.m. and 4:00 p.m.

§ 310. Encroachment on Right-Of-Way.

[Ord. 215, 8/10/1998, § X]

A license granted under this Part does not permit encroachment on the right-of-way.

§ 311. Signs.

[Ord. 215, 8/10/1998, § XI]

Only one four-square-foot sign shall be permitted advertising the garage sales and lawn/yard sales. Such sign shall be located upon the premises where the sale occurs and shall be removed promptly upon the completion of the sale.

§ 312. Penalty.

[Ord. 215, 8/10/1998, § XII]

Any person violating any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$300, plus court costs and/or 30 days in jail.