

ARTICLE II. - GARAGE SALES

Sec. 70-31. - Definitions.

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

Garage sales means the sale of personal property in, at or upon any residentially zoned property located in the city. Garage sales shall include, but not be limited to, all such sales, and shall include the advertising of the holding of and such sale, or the offering to make any such sale, whether made under any other name such as lawn sale, yard sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Immediate family means husband, wife, children, mother, father, mother-in-law, father-in-law, or any other person residing on the residential property.

(Code 1979, § 11-47(a))

Cross reference— Definitions generally, § 1-2.

Sec. 70-32. - Ownership of property.

No person shall display, sell or offer to sell, at any garage sale, any personal property other than personal property owned by the occupant of the premises upon which such garage sale is conducted and which personal property was acquired for and used by such occupant or members of his family or in connection with the premises upon which such garage sale is conducted.

(Code 1979, § 11-47(a))

Sec. 70-33. - Use of public right-of-way prohibited.

No personal property sold, or offered for sale, at any garage sale shall be placed, kept or displayed on or in any public right-of-way.

(Code 1979, § 11-47(b))

Sec. 70-34. - Application and fee.

No person shall conduct a garage sale in the city without first completing and filing an application with the police department of the city on a form provided by the police department and thereafter obtaining from the police department a license to conduct such garage sale, which license shall be known as a "garage sale license." The fee for a garage sale license shall be as provided in Appendix A to this Code.

(Code 1979, § 11-47(c))

Sec. 70-35. - Number of licenses per year.

- (a) No more than two garage sale licenses shall be issued to any one person, or member of such person's immediate family, within any consecutive 12-month period. No such garage sale license shall be issued for more than two consecutive calendar days.
- (b) No garage sale license under this section shall be issued so that the number of such licenses shall exceed two such licenses per year for any one location, property, dwelling house or residence.
- (c) Each license issued under this section shall be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the licensed sale.

(Code 1979, § 11-47(d))

Sec. 70-36. - Exceptions.

- (a) The provisions of this article shall not apply to the sale of personal property made under court order or court process by any person acting in accordance with, or pursuant to, any such court order or process.
- (b) The provisions of this article shall not apply to a rummage sale by any nonprofit charitable organization or religious organization who conducts such sale upon property owned by such nonprofit charitable organization or religious organization.

(Code 1979, § 11-47(e))

Sec. 70-37. - Penalties.

Any person who shall violate the provisions of this article shall be punished as provided in section 1-7 of this Code.

(Code 1979, § 11-47(f))