

YARD SALE PERMITS

AN ORDINANCE OF THE BOROUGH TO REQUIRE PERMITS FOR YARD SALES, TO REGULATE THE NUMBER OF YARD SALES PERMISSABLE, TO ESTABLISH A TIME OF REMOVAL OF YARD SALE SIGNS, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED by the Borough Council, as is hereby ordained and enacted by the Authority of the same as follows:

Section 1. Definitions. The following terms shall have the meanings indicated:

- a) Yard Sale – shall mean any public sale of goods on residential property including, but not limited to, the residential properties, garage, home, lawn, or yard;
- b) Permit – shall refer to the form that must be obtained, completed, and submitted along with the respective fee to the Borough Secretary prior to conducting a yard sale;
- c) Household – shall refer to the individual who applies for a permit and anyone who resides in that individual’s residence; and
- d) Borough – shall refer to this Borough

Section 2.

- a) It shall be unlawful for any individual, group, or corporation to conduct within the Borough a yard sale or permit a yard sale to be held within the Borough on residential property under the individual, group, or corporation’s control without first obtaining a yard sale permit from the Borough.
- b) Any individual, group, or corporation conducting a yard sale within the Borough or outside the Borough limits or any individual, group, or corporation posting advertisements within the Borough limits for a yard sale to be held inside or outside the Borough limits shall remove from within the Borough right-of-way all signs, flyers, posters, and bulletins no later than the date after the yard sale. Should the yard sale for any reason not be held all signs, flyers, posters, and bulletins advertising the yard sale, must be removed no later than the scheduled last day for the yard sale.

Section 3. Frequency and Duration Limitations:

- a) Two (2) yard sales are permissible per household in any twelve (12) month period;
- b) The maximum duration of any yard sale shall be two (2) consecutive calendar days; and
- c) The approved yard sale must be held within fifteen (15) days of the issuance of the permit for that yard sale.

Section 4. Fee for Permit:

- a) The fee for the first permit issued to a household within any twelve (12) month period shall be ten (\$10.00) dollars;
- b) The fee for the second permit issued to a household within the same twelve (12) month period as the first permit, shall be twenty-five (\$25.00) dollars; and
- c) All permit fees shall be paid to the Borough Secretary prior to issuance of the permit.
- d) On non-profit service organizations and charitable organizations may obtain up to two (2) yard sale permits in any twelve (12) month period without payment of fee.

Section 5. Violation

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of fifty (\$50.00) dollars and prosecution costs for the first offense; one hundred (\$100.00) dollars plus prosecution costs for the second offense; three hundred (\$300.00) dollars for the third offense and any offense thereafter.

Section 6. Enforcement

Any police officer is hereby authorized to act on behalf of the Borough.

Section 7 Repealer

All ordinances or any parts thereof which are inconsistent herewith are hereby repealed.

Section 8 Severability

If any provision, sentence, clause, section, or any part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Borough Council, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision, sentence, clause, section, or part thereof not have been included herein.

Section 9 This Ordinance shall take effect immediately upon its enactment.

ENACTED AND ORDAINED by the Borough Council, in lawful session duly assembled.