

CHAPTER 816
Garage and Public Sales

- 816.01 Permit required.
- 816.02 Application and issuance.
- 816.03 Traffic supervision.
- 816.04 Permit fee; effective period.
- 816.05 Display of permit upon demand.
- 816.06 Sale hours.
- 816.07 Permit revocation or suspension.
- 816.08 Signs.
- 816.99 Penalty.

CROSS REFERENCES

Posting of bills and other printed matter - see GEN. OFF. 642.13

Peace disturbances - see GEN. OFF. Ch. 648

Building and Zoning Inspector; permit applications - see B. & H. 1440.13

816.01 PERMIT REQUIRED.

No person, being the owner or occupant or in control or having the management of any residential parcel of real property located within the Village, shall hold or conduct or permit to be held or conducted upon such property the sale of any household goods, equipment, utensils, appliances, personal clothing or effects or other similar personal property unless a permit has been granted therefor and the sale is conducted in accordance with the provisions of this chapter. A permit shall not be required where six items or less are offered for sale.

(Ord. 2001-69. Passed 10-24-01.)

816.02 APPLICATION AND ISSUANCE.

The application for a permit required by Section 816.01 shall be filed with the Building and Zoning Inspector. The application shall contain the name of the applicant, the address of the applicant's residence, the address where such tangible personal property is to be offered for sale, the dates on which the sale will be conducted, a general description of all of the tangible personal property included in the sale, and a statement as to whether or not such tangible personal property belongs to the applicant, and if not, the names and addresses of the other owners.

(Ord. 2001-69. Passed 10-24-01.)

816.03 TRAFFIC SUPERVISION.

A copy of the application and permit shall be delivered to the Chief of Police so that traffic may be supervised, if necessary.

(Ord. 2001-69. Passed 10-24-01.)

816.04 PERMIT FEE; EFFECTIVE PERIOD.

(a) A permit fee of ~~one~~ five dollars (~~\$1.00~~5.00) for the duration of each sale shall be required.

(b) A permit fee for each sale shall be valid for ~~three~~ consecutive days. Not more than three permits shall be issued in any 12 month period, per residence, unless there has been a bona fide sale of the residence.

816.05 DISPLAY OF PERMIT UPON DEMAND.

Every applicant who is issued a permit under this chapter shall have the issued permit in his possession at all times when conducting a sale within a residential district of the Village and shall display the same upon demand of any police officer or zoning official of the Municipality and upon demand of any person who attends such sale.

(Ord. 2001-69. Passed 10-24-01.)

816.06 SALE HOURS.

No permittee under this chapter shall conduct a sale before 9:00 a.m. or after 7:00 p.m. of any day.

(Ord. 2001-69. Passed 10-24-01.)

816.07 PERMIT REVOCATION OR SUSPENSION.

A permit issued pursuant to this chapter may be revoked by the Mayor, after notice and hearing, for any of the following causes. The Mayor may temporarily suspend a permit upon evidence of the following for a period, not to exceed one week, pending a hearing.

(a) Fraud, misrepresentation or any false statements contained in the application for a permit or false information given to the Police or Building & Zoning Departments;

(b) Failure to comply with the provisions of the permit, or violating any law of the Municipality or State while conducting the sale;

(c) A conviction of the permittee for a violation of any of the provisions of this chapter;

(d) Conducting a public sale in any unlawful manner or in such a manner as to constitute a breach of the peace.

(Ord. 2001-69. Passed 10-24-01.)

22C Garage and Public Sales 816.99

816.08 SIGNS.

No signs relating to such sales shall be mounted on any Village signs, traffic signs or any utility poles. All signs advertising such sales shall be at least six feet from the edge of any road and no larger than four square feet. In addition, the top of such signs shall be no more than 36 inches from the ground and may not be illuminated in any manner. Such signs may not be posted or placed more than 48 hours prior to the sale and must be removed within 24 hours of the final date of the sale. A fine of five dollars (\$5.00) per sign may be imposed for any sign not removed prior to the expiration of the above 24 hour period.
(Ord. 2001-69. Passed 10-24-01.)

816.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.
(Ord. 2001-69. Passed 10-24-01.)