

Sec. 26-3. Yard sales and garage sales.

(a) "yard sale" or "garage sale" as used in this section refers to the display or sale of tangible personal property conducted by the owner or occupant of such property. The term yard sale or garage sale does not apply to the incidental sale of one or two items of personal property when such sale is not part of a general sale of a number of items of personal property.

(b) *Regulations.* All yard sales and garage sales shall be subject to the following rules and regulations:

(1) *Permits.* No person shall conduct any yard sale or garage sale without first obtaining a permit to do so from the town clerk. The fee for such permit will be \$2.00. The permit shall be conspicuously displayed upon the premises during the sale.

(2) *Consignment sales prohibited.* In conducting any yard sale or garage sale, no one shall accept or take in for sale any goods from any commercial business or enterprise on a consignment basis.

(3) *Limitations.* No permit shall be issued for a yard sale or garage sale on the same property or to the same individual or other persons residing at the same location in excess of three times per calendar year. No sale shall be allowed to continue for more than two consecutive days, and such sale shall be conducted during daylight hours only.

(4) *Exemptions.* The provisions of this section shall not be applicable to:

a. Sales conducted by a corporation, church, association, United Way, fund or foundation organized and operated for religious, charitable, scientific, literary, community or educational purposes, of tangible personal property to obtain money for some charitable purpose when such sale is conducted upon property owned by an organization of this nature.

b. Sales conducted pursuant to an order of a court or persons acting in accordance with their powers and duties as public officials. BUSINESSES § 26-3 Supp. No. 22 CD26:3

(c) *Penalties.* The violation of any provision of this section shall be a class 3 misdemeanor. Each day's continued violation of this section shall be a separate offense.

(Code 1979, § 14-29; Ord. No. 16-05, § 1, 9-13-16)

Secs. 26-4—26-30. Reserved.