

Chapter 10

Part B: Yard Sales

(OR5-2005)

100.00 Definitions.

100.10 The Following terms shall have the meanings indicated:

101.00 *Yard Sale* – shall mean any public sale of household items or related goods on residential property including, but not limited to, the residential premises, garage, home, lawn, or yard;

102.00 *Permit* – shall refer to the form that must be obtained, completed, and submitted to the Borough Secretary prior to conducting a yard sale;

103.00 *Household* – shall refer to the individual who applies for a permit and anyone who resides in that individual’s residence;

104.00 *Borough* – shall refer to the Borough of Saegertown.

105.00 *Person* – shall mean any individual, group, corporation or other legal entity.

200.00 General Provisions:

200.10 It shall be unlawful for person to conduct within the Borough a yard sale or permit a yard sale to be held within the Borough on residential property under the person’s control without first obtaining a yard sale permit from the Borough.

200.20 Any person conducting a yard sale within the Borough or outside the Borough limits or any person 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.

200.21 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.

200.30 The Borough Council may designate dates for municipality –wide yard sales which shall be exempt from the provisions of this Ordinance.

200.40 There shall be no yard sale or sales on Borough property without the express permission of Borough Council.

200.50 There shall be no commercial sales or the sales of any items other than household goods or related items in connection with a yard sale without the express permission of Borough Council.

300.00 Frequency and Duration Limitations:

300.10 Two (2) yard sales are permissible per household in any CALENDER YEAR;

300.20 The maximum duration of any yard sale shall be two (2) consecutive calendar days. One additional set-up or clean-up day is permitted.

300.30 The approved yard sale must be held within fifteen (15) days of the issuance of the permit for that yard sale.

300.40 All yard sale items must be cleaned up from the property within 48 hours of the permitted end of the sale, including items to be donated or given away free of charge.

400.00 Fee for Permit:

400.10 There shall be no fee for the issuance a yard sale permit unless established by Council upon resolution.

500.00 Violation:

500.10 Any person who violates any provision of this Ordinance shall pay a Class E fine as set by resolution of Council.

500.20 Each day in violation shall be a separate offense.

600.00 Enforcement:

600.10 The Mayor, Borough secretary or the Borough Code Enforcement Officer are hereby authorized to act on behalf of the borough.

700.00 Repealer:

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

800.00 Severability:

800.10 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.

800.20 It is hereby declared as the intent of the Borough Council, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provisions, sentence, clause, section, or part thereof not have been included herein.

900.00 Effective:

900.10 This Ordinance shall take effect immediately upon its enactment.

900.20 Enacted and Ordained this 14th day of November, 2005