

## Chapter 25

### SALES OF PERSONAL PROPERTY IN RESIDENTIAL ZONES\*

#### Sections:

- 5-25.01**      **Restrictions on sales of personal property.**
- 5-25.02**      **Conduct of garage sales.**
- 5-25.03**      **Exceptions.**
- 5-25.04**      **Violation: Infraction.**

\* Sections 5-25.01 through 5-25.03, as added by Ordinance No. 71-92, effective August 26, 1971, as amended by Ordinance No. 79-195, effective April 26, 1979, repealed by Ordinance No. 83-260, effective October 27, 1983.

#### **5-25.01      Restrictions on sales of personal property.**

No person shall sell, or offer for sale, personal property in any residential zone, or in any other area used for residential purposes, without having first obtained a garage sale permit from the Business License Clerk of the City. A garage sale permit shall be issued by the Business License Clerk upon the payment of a fee of Ten and No/100ths ~~(\$11.50)~~ Dollars per sale for a permit issued prior to the sale and Twenty and No/100ths (\$20.00) Dollars per sale for a permit issued after commencement of the sale. Each garage sale permit shall be valid for no more than three (3) consecutive days, and not more than two (2) such permits shall be issued to any residential unit address during any calendar year. Garage sales shall only be permitted on weekends. Weekend shall be defined as a Friday, Saturday and Sunday. (§ 2, Ord. 83-260, eff. October 27, 1983, as amended by § 1, Ord. 00-472, eff. January 1, 2001, and § 1, Ord. 06-514, eff. February 9, 2006)

#### **5-25.02      Conduct of garage sales.**

It shall be unlawful for any person to conduct a garage sale, patio sale, lawn sale, rummage sale, yard sale, attic sale, or any similar sale of tangible personal property which is offered to the general public without first obtaining a garage sale permit in

accordance with the provisions of this chapter. Any such sale shall comply with the following requirements:

(a) All sale related activities shall be conducted within garages, carports, front yards, back yards, patios, and walkways located on the parcel of property for which the permit was granted. No goods, wares, or merchandise shall be displayed or placed on the parkway, public sidewalk, or other public right-of-way.

(b) All goods, wares, and merchandise offered for sale shall be the personal property of the resident or his co-conductors of the sale and shall be obsolete to their use. The resident shall not bring or allow new or successive items onto the property to replenish the stock of goods, wares, or merchandise offered for sale. No live animals, food, tobacco products, alcoholic beverages, weapons, controlled substances, or other illegal items or items requiring a permit for sale shall be sold or offered for sale.

(c) No sign advertising the sale shall be posted more than one (1) week prior to the initial sale date. No such sign shall be posted within the public right-of-way, except on self-supporting stakes. No more than two (2) signs may be displayed advertising any sale, and such signs shall not exceed nine (9) square feet in area. The conductors of the sale shall remove all signs immediately at the end of the sale. The sale may be conducted only between the hours of 8:00 a.m. and 8:00 p.m. for a maximum of three (3) consecutive days set forth at Section 5-25.01 of this chapter.

(d) No person shall create or allow the creation of any music or noise which causes the noise level to exceed the standards for residential land use specified in the Noise Control Law of the City (Chapter 23 of this title) during the sale. Notwithstanding Section 5-23.17 of Chapter 23 of this title, no permit or variance from the terms of said Noise Control Law shall be available for a sale, and any warning notice issued shall require immediate abatement. (§ 2, Ord. 83-260, eff. October 27, 1983, as amended by § 2, Ord. 00-472, eff. January 1, 2001)

**5-25.03 Exceptions.**

The provisions of this chapter shall not apply to:

- (a) Sales by charitable and religious organizations in compliance with the provisions of Article 1 of Chapter 19 of this title;
- (b) Sales of personal property made under court order or process; or
- (c) The sale of one operative vehicle by its owner displayed upon a permanently constructed driveway within the front or side yard of the parcel of property. (§ 2, Ord. 83-260, eff. October 27, 1983)

**5-25.04 Violation: Infraction.**

Any person violating any of the provisions of this Chapter 25 (Sales of Personal Property in Residential Zones), shall be guilty of an infraction and, upon conviction thereof, shall be punished in accordance with the provisions of Title 1, Chapter 2 of the Maywood Municipal Code. (§ 4, Ord. 95-422, eff. December 14, 1995)