

Introduced by:

Ordinance No. 77-005

Wayne Breighner

Session 1977

Part II Sect. 16

ORDINANCE

ORDINANCE REQUIRING PERMIT FOR YARD/
GARAGE SALES AND REGULATING NUMBER OF
YARD/GARAGE SALES PERMISSABLE PER YEAR

SECTION 1. DEFINITIONS.

- (a) Yard/Garage Sale--Sale by private party of personal property belonging to that party which was not purchased with contemplation of resale.
- (b) Permit--Permit must be obtained from the Yoe Zoning Officer prior to conducting a yard/garage sale. Sale must be held within 15 days of issue of permit.
- (c) Applicant--For purpose of this ordinance, an applicant shall be the individual applying for the permit. For purposes of this ordinance an applicant shall be considered to represent his entire household, therefore, only two permits per household may be issued in any calendar year.

SECTION 2. FEE SCHEDULE.

First permit issued in any twelve (12) calendar month period shall cost Five (\$5.00) Dollars. Second permit issued in any twelve (12) month period shall cost Twenty-five (\$25.00) Dollars. All permit fees shall be paid to the Yoe Zoning Officer prior to issuance of the permit.

SECTION 3. FREQUENCY AND DURATION PERMISSABLE.

Two (2) yard/garage sales are permissable per household in any twelve (12) month period. Maximum duration of sale shall be two (2) consecutive calendar days.

SECTION 4. SEVERABILITY.

The provisions of this ordinance shall be severable, and if any of the provisions or sections shall be declared unconstitutional or illegal by a court of competent jurisdiction, the decision of such court shall not effect the validity of the remaining provisions or sections of this ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such illegal or unconstitutional provision not been included therein.

SECTION 5. PENALTIES FOR NON-COMPLIANCE.

Any person who fails to comply with the provisions of this ordinance, shall, upon conviction be fined in the following manner:

- (a) First offense Fifty (\$50.00) Dollars.
- (b) Second offense One Hundred (\$100.00) Dollars.
- (c) Third offense Two Hundred (\$200.00) Dollars.

SECTION 6. DUTY OF ZONING OFFICER TO BRING CHARGES.

Pursuant to the authority granted in Section 1 (b) of this ordinance, the Yoe Borough Council hereby authorizes the Yoe Borough Zoning Officer, upon notice of any violation of this ordinance, to bring charges before the District Magistrate in accordance with the penalties set forth in Section 5 of this ordinance.

SECTION 7. EXEMPTIONS.

All non-profit and/or charitable organizations are exempt from the permit requirements of this ordinance.

PASSED FINALLY: BY THE FOLLOWING VOTE: Approved this

4th day of October, 1977.

YEAS: Charles A. Landis Jr. Pres. Richard Angelo
Robert T. Morton II James K. J.
Charles Gross John E. Brigham
 NAYS: 0 Max F. Chaly

ATTEST: Roy E. Wise
Secretary

YOE BOROUGH COUNCIL
By: _____
President

Approved this 4th day of October, 1977.

Donald J. [Signature]
Mayor