

CHAPTER 155

YARD SALES

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HISTORY: Adopted by the Board of Supervisors of the Township of Paradise 12-6-1988 by Ord. No. 90 (Ch. 13, Part 2, of the 1987 Code). Amendments noted where applicable.

GENERAL REFERENCES

Signs -- See Ch. 114.

§ 155-1. Definitions.

- A. Except as defined in this Code (see Chapter 1, General Provisions, Article II, Definitions), all words shall carry the customary meaning.¹
- B. The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§ 155-2. Permit required.

- A. No person shall cause or permit any yard, lawn, garage or tag sale to take place upon any property owned by such person without first having obtained a permit therefore. Application for such permit shall be made to the Zoning Officer by the person at whose residence such sale shall be held; and such application shall be in writing on forms furnished by the Zoning Officer. Such permit shall be issued by the Zoning Officer upon the filing of an application together with the required fee. Permit fees shall be as determined from time to time by resolution of the Township Supervisors. **[Amended 3-2-15 by Ord. No 225]**²
- B. Not more than four permits shall be issued under this chapter to the same person in any one calendar year and not more than four sales shall be held from any one location in any one calendar year. Not more than one permit shall be issued per calendar month. **[Amended 3-2-15 by Ord. No 225]**

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

²Editor's Note: The current Fee Schedule is on file in the township offices.

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§ 155-3. Restrictions.

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Every permit shall be issued under the following conditions, and failure to comply with any condition shall constitute a violation of this chapter and shall entitle the Zoning Officer to declare the permit revoked, without refund of any part of the permit fee to the holder:

- A. The sale shall be held at the location stated in the application and on the permit.
- B. The permit shall be valid for up to three consecutive days and stated on the permit. **[Amended 3-15-1994 by Ord. No. 112, Amended 3-2-15 by Ord. No 225]**
- C. No more than three families or householders may participate in the sale by furnishing personal property for sale and/or by engaging in the sale of personal property. If more than three families or householders wish to participate in the sale, the organizing family/householder must apply for a Special Event Permit and demonstrate that the location of the sale has adequate off-street parking for the function. **[Amended 3-2-15 by Ord. No. 225]**
- D. No sale shall commence before 9:00 a.m. or after 7:00 p.m., prevailing time, on any day.
- E. No refreshments may be served or sold at the sale; no music, games or other entertainment or activities may be conducted at the time when and the place where the sale is held and there shall be no unnecessary or excessive noise. **[Amended 3-2-15 by Ord. No. 225]**

§ 155-4. Limitation of permit.

Because the sale is temporary in nature and permissible in residential districts where commercial activities are not permitted, such sale shall be limited to possessions of the holder of the permit (and the other families and householders referred to in this chapter). It shall be unlawful to engage or employ any individual, organization or other entity to plan, arrange, conduct, promote or supervise the sale.

§ 155-5. Exhibition of permit.

The permit holder must exhibit the permit at the time of sale in full view of the public at all times.

§ 155-6. Restrictions on signs.

No notice, advertisement or directional sign pertaining to such sale shall be placed or posted on any post or pole used for traffic signs or signals or without permission of the

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owner or occupant of the property anywhere on private property. Upon conclusion of the time stated in the permit for the holding of such sale, the holder of the permit shall remove and take away all such notices, advertisements and directional signs not previously removed and taken away.

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§ 155-7. Restriction on articles.

None of the following may be sold or offered for sale:

- A. Anything for which a separate license is required by law or by any federal, state or municipal regulation.
- B. Anything of an explosive, poisonous or dangerous nature.

§ 155-8. Violations and penalties.³

Any person who shall violate or fail to comply with any of the provisions of this chapter shall, upon conviction thereof in a summary proceeding before any District Justice in the County of Monroe, be sentenced to pay a fine of not more than \$300 and the costs of prosecution. Each day's violation of any of the provisions of this chapter shall constitute a separate offense.

³Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).