

Town of Windsor

Memorandum

November 13, 2018

TO: The Honorable Mayor and Town Council

FROM: Michael Stallings, Town Manager *MS*

SUBJECT: Yard Sale Ordinance

At the last Town Council meeting Council directed staff to revise the Town's Yard Sale Ordinance. The requested changes were to do away with the \$1 yard sale permit fee and to provide the application and signs in a printable form on the website.

Attached you will find proposed changes to the existing ordinance that will remove the \$1 fee and will provide for free printable signs.

The application is currently available online, and the signs will be made available online if the change is approved.

This is for Council's discussion and direction.

Chapter 152 - YARD AND OTHER SALES

Sec. 152-1. - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Rummage sale means a sale conducted by a civic, church, or charity organization on premises belonging to, or under the control of, such civic, church, or charity organization, of tangible personal property donated for the purpose of raising funds for such civic, church, or charity organization.

Yard sale means an outdoor sale conducted by a resident on premises belonging to, or under the control of, the resident, of tangible personal property owned by the resident.

Sec. 152-2. - Permit required; display of permit.

No yard sale or rummage sale shall be conducted within the Town unless and until the person or organization conducting such yard sale or rummage sale shall have obtained a permit from the Town, to be issued by the Zoning Administrator. The permit shall be conspicuously displayed on the premises where the sale is conducted during the entire time period of the sale.

Sec. 152-3. - Signs.

Only signs provided by the Zoning Administrator shall be displayed for purposes of advertising any yard sale or rummage sale; provided, however, that the person or organization may display other signs on the premises where the yard sale or the rummage sale is being conducted; and, further, provided that all such signs comply with all other ordinances of the Town. All other signs are prohibited.

Sec. 152-4. - Permit and deposit fees; maximum number of signs.

Each permit obtained pursuant to this chapter for a yard sale or a rummage sale shall be issued upon ~~the payment of a permit fee of \$1.00 and approval by the Zoning Administrator.~~ a refundable deposit fee of \$1.00 for each Paper yard sale or rummage sale sign requested from, and provided by, the Zoning Administrator. A maximum of five signs may be issued with each yard sale permit or rummage sale permit.

Sec. 152-5. - Removal of signs; return of deposit.

All signs permitted to be displayed under this chapter shall be removed within 24 hours of the conclusion of the yard sale or the rummage sale. All signs obtained from the Town shall be returned to the Town within seven days of the conclusion of the yard sale or the rummage sale, and upon such return of such signs in a condition similar to their condition upon delivery to the person or organization, normal wear and tear excepted, the refundable deposit for each sign shall be paid over to the person or organization who placed such deposit. Failure to return all such signs to the Town within the time period specified herein shall result in a forfeiture of the refundable deposit.

Sec. 152-6. - Number of sales per year; term of sale.

No more than two yard sales shall be permitted during a calendar year at any one location within the Town. If, however, the identities of all the residents at such location change during the calendar year, the new residents at such location may have up to two yard sales during the remainder of such calendar year. No more than two rummage sales shall be permitted during the calendar year by any one organization. Each yard sale or rummage sale may be conducted for up to three consecutive calendar days.

Violation of this section shall be punishable as a Class 4 misdemeanor.