

Chapter 131
GARAGE SALES

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[HISTORY: Adopted by the Board of Trustees of the Village of Caledonia 10-18-1983 as L.L. No. 1-1983 (Ch. 66 of the 1981 Code). Amendments noted where applicable.]

§ 131-1. Title.

This chapter shall be known as the "Law Regulating and Restricting Garage Sales."

§ 131-2. Purpose.

The purpose of this chapter is to regulate and control traffic, noise and the sale of goods in garages and lawns in residential areas in order to promote the public health, safety and convenience and to abate nuisances.

§ 131-3. Definitions.

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

GARAGE SALE — Includes all sales in residential areas customarily called "garage sales," "yard sales," "tag sales," "porch sales," "lawn sales," "attic sales," "basement sales," "rummage sales" or "flea market sales," or any similar casual sale of tangible personal property and, in addition, there is the sale or offering for sale of ten (10) or more new, used or secondhand items of personal property at any one (1) residential premises at any one (1) time.

PERSON — Any individual, partnership, family group, voluntary association or corporation.

PERSONAL PROPERTY — Includes any movable property, goods, warehouse merchandise or other movable property capable of being the object of a sale.

RESIDENTIAL AREA — Any area used for residential purposes.

§ 131-4. Conduct of sales restricted.

It shall be unlawful for any person to conduct a garage sale within the Village of Caledonia in violation of the following provisions and conditions:

- A. No person shall conduct a garage sale without first obtaining a permit from the Clerk of the Village of Caledonia after filing an application containing the information hereinafter specified and paying the fee which may be required by resolution of the Village Board of Trustees.
- B. Garage sales shall not commence before 7:00 a.m. in the morning and must terminate by 6:00 p.m. in the evening.¹
- C. No person shall conduct more than two (2) garage sales in any one (1) calendar year. Such sale may not exceed a period of more than three (3) days.
- D. No sign advertising such garage sale shall be placed on the public right-of-way or on property other than where the sale is being conducted. The sign shall not be lighted. The sign shall be displayed only during the sale and shall be promptly removed after the sale.

§ 131-5. Application for permit.

An application for a garage sale permit pursuant to this chapter shall include the following information:

- A. The name of the person conducting said sale.
- B. The name of the owner or tenant of the premises on which the sale is to be conducted and a description of the premises on which the sale is to be conducted.
- C. The number of days of the sale.
- D. The date and nature of any past sales held by the same applicant in the last twelve-month period.
- E. The relationship or connection between the applicant and the person conducting the sale.
- F. A description of the off-street parking available to the premises.
- G. An affirmation or sworn statement that the information given on the application is full and complete and truthful.

§ 131-6. Exceptions.

This chapter shall not be applicable to:

- A. Persons selling personal property pursuant to an order of a court of competent jurisdiction.
- B. Persons selling their residences or apartment buildings within the Village of Caledonia.

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

§ 131-7. Fee.²

The Village Board of Trustees by resolution is authorized to establish and fix the fee to be charged by the Village Clerk for the issuance of the permit herein provided for. A fee schedule is on file in the office of the Village Clerk.

§ 131-8. Penalties for offenses.³

Any person who shall violate the provisions of this chapter shall, upon conviction, be subject to a fine of not more than two hundred fifty dollars (\$250.) or fifteen days' imprisonment, or both. Each day that such sale shall continue in violation hereof shall be considered a separate violation.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

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