



# Yard Sale Application/Permit

Name / Applicant \_\_\_\_\_

Address/Applicant \_\_\_\_\_

Phone Number : \_\_\_\_\_

Date(s) & Day(s) of Sale: \_\_\_\_\_ / \_\_\_\_\_ \* NO SUNDAYS

Location of Sale: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone # \_\_\_\_\_

Fee Paid : \_\_\_\_\_ Cash: \_\_\_\_\_ Check: \_\_\_\_\_

Guidelines & Permit Issued-Date \_\_\_\_\_ Initials: \_\_\_\_\_

The undersigned acknowledges the payment for and receipt of the above yard sale permit and the requirements that pertains to its issuance.

Name : \_\_\_\_\_ Date: \_\_\_\_\_

**AN ORDINANCE REGULATING YARD SALES, GARAGE SALES  
OR OTHER SALES OF MERCHANDISE ON PERMITTED PREMISES**

BE IT ORDAINED by the Board of Commissioners of the Town of Warsaw.

Section 1. Definition.

- (a) "Yard Sale" or "Garage Sale" as used in this Ordinance refers to a display and sale of personal property which has been owned or previously used. The term "yard sale" or "garage sale" does not include the mere incidental sale of one or two items of personal property when such sale is not part of a general sale of a number of items or personal property.
- (b) "Goods" is meant to include any goods, wears, merchandise or any other property capable of being the object of or sale regulated.
- (c) "Premises" as used in this Ordinance, is defined as a residence, residential property, religious, civic, or fraternal property from which the sale will be conducted that is located within the Warsaw Town Limits and the (ETJ) Extra Territorial Jurisdiction of the Town of Warsaw North Carolina.

Section 2. Regulations.

No person shall conduct any "yard sale" or "garage sale" without first obtaining a permit therefore from the Town. All such sales shall be subject to the following rules and regulations:

(a) Permits.

All persons conducting such sale shall obtain a permit therefore from the Clerk of the Town of Warsaw. Applications for such permit shall be made to the Town Clerk 72 hours prior to the sale date in such form as may be required by the Town and shall be accompanied by a permit fee in the amount of \$5.00. Said fee and permit are non-refundable and non-transferable, in whole or in part, and are limited to applicant and location issued to. Permit is to be displayed at site during sale days.

(b) Consignment Sales Prohibited.

No one shall accept or take in for sale, any goods from any commercial business or enterprise on a consignment basis for sale in a "yard sale" or "garage sale".

(c) Signs.

Signs used to advertise a "yard sale" or "garage sale" shall be displayed only on the premises on which the sale is conducted, except that two off-site directional signs are permitted. All signs for all districts and locations for yard sales shall be limited to 10 square feet in area and will comply with the visibility rules of the Zoning Ordinance. Signs advertising a "yard sale" or "garage sale" shall be removed within 24 hours and the site of the sale shall be cleared within 24 hours.

(d) Number of Sales Limited.

Not more than four (4) such sales per year shall be held at the premises if occupied by the same family group or any member of such family group. No single sale shall be conducted for longer than two (2) consecutive days and cannot run sequentially with another single sale.

(e) Hours of Sales.

"Yard sales" or "garage sales" may be conducted during daylight hours only, between the hours of 6:00 o'clock a.m. to 6:00 o'clock p.m., Monday through Saturday. "Yard sales" or "garage sales" are prohibited on Sundays.

(f) Un-owned Premises.

(1) No "yard sale" or "garage sale" shall be permitted on premises not owned, rented or controlled by the person(s) holding the sale.

(2) No "yard sale" shall be permitted on vacant lots within the Town limits.

(3) No "yard sale" shall be permitted in the Central Business District as designated on the Town Zoning Map, a copy of which is on file with the Town Clerk, unless said premises are the primary residence of the permit holder.

(g) Safety/Public Access.

"Yard sales" shall not be conducted and "yard sale" signs shall not be placed in any public right-of-way. Legal and adequate parking must be provided by permit holder and no violation of State or local motor vehicle laws will be allowed to exist or be caused by permitted yard sale.

Any violation of this subsection shall be referred to the Zoning/Code Inspector for investigation or possible violation of the Zoning Ordinance, and to the Town Clerk for investigation of possible violation of the Business License Taxation Ordinance.

Section 3. Coverage.

The provisions of this Ordinance shall not apply to or affect persons selling goods pursuant to an order of a Court of competent jurisdiction or persons acting in accordance with their powers and duties as public officials.

Section 4. Penalties.

- (a) Violation of any provision of this Ordinance shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the Town per Ordinance 10.99. Violators shall be issued a written citation which must be paid with 72 hours.
- (b) Each days continuing violation of this Ordinance shall be a separate and distinct offense.