

# City of Linwood

## Chapter 159

### **GARAGE SALES, YARD SALES AND PRIVATE SALES**

[HISTORY: Adopted by the Common Council of the City of Linwood 11-14-2001 by Ord. No. 24-2001 Amendments noted where applicable.]

#### GENERAL REFERENCES

Licensed occupations -- See Ch. 172.

Mercantile licenses -- See Ch. 179.

#### § 159-1. Definitions.

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

**PRIVATE SALES** -- A sale of items limited to unwanted, used, common household goods by a private property owner, tenant or agent for a private property. Private sales shall include but not be limited to garage sales, yard sales, tag sales, and/or private auctions. [Amended 2-12-2002 by Ord. No. 3-2002]

#### § 159-2. Private sales; permit required.

- A. No private sale or private auction shall be conducted within the municipality unless a permit has first been issued by the Zoning Officer (or his/her designee) permitting such sale or auction.
- B. No private sale or private auction shall be conducted within the municipality except between the hours of 9:00 a.m. and 6:00 p.m. on the days for which the permit is issued.
  - (1) No permit shall be issued for more than two consecutive days, and no person other than an auctioneer shall be issued more than two permits within a one-year period.
  - (2) No more than two permits shall be issued to any one location within a one-year period.

#### § 159-3. Fees.

- A. The fee for a private sale (exclusive of auctions) conducted on private premises shall be \$5 per permit.
- B. The fee for a private auction conducted on private premises shall be \$5 per day, plus \$75 per day per auctioneer.
- C. Nothing herein contained shall apply to a sale held under a judicial order, judgment or decree or a writ issued out of any court or sale to enforce any lawful lien or power of sale.
- D. A daily fee and license shall be required for flea markets on commercial or residential property within the City. The fee for such flea market shall be \$25 per day.

#### § 159-4. Signage.

No signs for advertising or directing customers are to be posted on any place other than the premises of the applicant. The sign is not to exceed two feet by two feet in size and cannot be placed on the premises earlier than one day prior to the sale and must be removed within 24 hours after the sale has terminated.

# City of Linwood

## Application for Garage/Yard/Tag or Private Sales Chapter 26B Article IV

### General Information:

- No private sale or private auction may be conducted within the City of Linwood without first obtaining a permit.
- Permits are valid for two (2) consecutive days (in the event of personal emergency or inclement weather the sale may be postponed upon notification to the Code Enforcement Office).
- Sales may be held between the hours of 9:00am and 6:00pm on the days for which the permit is issued.
- No signs advertising or directing customers are to be posted any place other than the premises of the applicant.
- Signs may not exceed two (2) feet by three (3) feet in size and must be removed within 24 hours of sale.
- Completed applications along with cash or check made payable to the City of Linwood in the amount of \$5.00 must be submitted to the Zoning Office no later than 48 hours prior to the date of the sale.

*Auctions - \$5.00 per day plus \$75.00 per day per auctioneer.*

*Flea Markets - \$25.00 per day.*

**Type of Sale Permit Requested:**   **Garage**   **Yard**   **Tag**   **Auction**   **Other**  
*(circle one)*

**Date(s) of Sale:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_  
*(print name)*

**Location of Sale:** \_\_\_\_\_  
*(address)*

**Telephone Number of Applicant:** \_\_\_\_\_

**Description of Items to be sold:** \_\_\_\_\_

**FOR OFFICE USE ONLY:**

**PAYMENT:** CASH      CHECK # \_\_\_\_\_

**REGISTRATION #** \_\_\_\_\_

**DATE RECEIVED**  
stamp