

**CHAPTER 723  
PRIVATE SALE**

**723.01 DEFINITIONS.**

(a) "Private sale", as used in this chapter, means any sale of goods which is conducted on a temporary basis at a fixed location in a residential district and which is open to the general public, including, but not limited to, garage sales, rummage sales, estate sales and auctions.

(b) For purposes of this chapter, the term "private sale" shall not include an offering for sale consisting solely of a single item of merchandise, machinery or household goods.

(Ord. 121-1986. Passed 8-4-86.)

**723.02 REGISTRATION AND PERMITS.**

(a) No person shall conduct a private sale without first registering with the Division of Inspection and receiving a permit for such sale.

(b) The registration required by subsection (a) hereof shall be made by filing with the Division on forms furnished for such purpose the following information:

- (1) Name and home address of the applicant;
- (2) Location of the sale, if different from applicant's home address;
- (3) Dates on which the private sale is to be held;
- (4) Locations of any off-premises signs advertising the sale; and
- (5) Number of previous permits issued to the applicant or for the premises on which the sale is to be located during that calendar year.

(c) Permits shall be valid for three calendar days. No more than four permits may be issued to the same applicant or for the same location in any calendar year. There shall be no fee for such permit.

(d) If no more than three previous permits have been issued to the same applicant or for the same location in that calendar year, the Division shall issue a permit to the applicant.

(Ord. 121-1986. Passed 8-4-86.)

**723.03 RESPONSIBILITY OF PERMIT HOLDER.**

(a) No permit holder shall continue a private sale after the expiration of the permit for the sale or outside the terms specified in the application for the permit.

(b) Permit holders shall, within twenty-four hours after the expiration of the permit, remove all signs, tables, racks, shelves and merchandise relating to the sale from public view, and shall be responsible for removing all litter and debris from the sale premises and adjacent property, sidewalks, streets or right-of-ways. \*\*

(Ord. 121-1986. Passed 8-4-86.)

**723.99 PENALTY.**

(a) Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor.

(b) Each calendar day that any violation is permitted to continue or exist shall constitute a separate and distinct violation of this chapter.

(Ord. 121-1986. Passed 8-4-86.)

**\*\* SIGNS MUST BE INSTALLED ON PRIVATE PROPERTY – BEHIND THE SIDEWALK. THESE SIGNS CANNOT BE INSTALLED BETWEEN THE CURB AND SIDEWALK AREA.**