

CHAPTER 876

Yard Sales

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CROSS REFERENCES

Secondhand dealers - see M.C.L.A. Secs. 445.401 et seq.; B.R. & T. Ch. 856

Junk yards - see M.C.L.A. Secs. 445.451 et seq.

Solicitors - see B.R. & T. Ch. 862

Transient traders - see B.R. & T. Ch. 870

876.01 DEFINITIONS.

As used in this chapter:

"Goods" means any goods, warehouse merchandise or other property capable of being the object of a sale regulated under this chapter.

"Yard sale" means all sales entitled "yard sale," "lawn sale," "garage sale," "attic sale,"

"rummage sale" or "flea market sale," or any similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of such sale.

(Ord. 62. Passed 7-17-78; Ord. 140. Passed 8-2-82.)

876.02 DURATION AND FREQUENCY.

No person shall conduct a yard sale in the City more than twice within a twelve month period, and no such sale shall be conducted for a period exceeding three consecutive calendar days.

(Ord. 62. Passed 7-17-78; Ord. 140. Passed 8-2-82.)

876.03 SIGNS.

The following rules will apply to the display of any sign displayed for the purpose of advertising a yard sale:

Yard sale signs are permitted in all zoning districts.

(a) Any sign displayed for the purpose of advertising a yard sale must conform with the regulations of Traverse City Code Chapter 1476.

(b) Yard sale signs may be displayed during the sale period only.

(Ord. 62. Passed 7-17-78; Ord. 140. Passed 8-2-82; Ord. 714. Passed 10-16-06)

876.04 PUBLICATION OF REQUIREMENTS.

Not less than annually, the City Clerk shall publish an advertisement in a newspaper of general circulation in the City, which advertisement will clearly define the rules and regulations contained in this chapter.

(Ord. 62. Passed 7-17-78; Ord. 140. Passed 8-2-82.)

876.05 EXCEPTIONS TO CHAPTER.

YARD SALES

This chapter shall not apply to or affect:

Persons selling goods pursuant to an order or process of a court of competent jurisdiction;

Persons acting in accordance with their powers and duties as public officials; or

Persons selling or advertising for sale items of personal property which are specifically named or described in the advertisement and which separate items do not exceed five in number.

(Ord. 62. Passed 7-17-78; Ord. 140. Passed 8-2-82.)

876.06 APPEARANCE TICKETS.

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (M.C.L.A. 764.9c(2); M.S.A. 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

(Ord. 358. Passed 5-17-93.)

876.07 CIVIL INFRACTION.

A person who violates this chapter is responsible for a civil infraction.

(Ord. 421. Passed 5-15-95.)

876.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(Ord. 62. Passed 7-17-78; Ord. 140. Passed 8-2-82. Ord. 422. Passed 5-15-95.)