

**MEDARYVILLE TOWN COUNCIL**

**ORDINANCE NO: \_\_\_\_\_**

**LIMITING THE NUMBER OF GARAGE SALES CONDUCTED EACH YEAR**

**WHEREAS**, the Pulaski County has previously enacted zoning provisions applicable to the Town of Medaryville; and

**WHEREAS**, in residential areas of the Town, the need exists to limit the number of garage sales that can be conducted each year in Town; and

**WHEREAS**, rules and regulations are necessary to control and restrict garage sales in order to protect public health and safety and to restrict such sales as to occasional occurrences keeping in character with the neighborhood where this activity is being carried in compliance with the provisions of the Pulaski County Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Medaryville, Indiana as follows:

1. **Definition.** *Garage Sale.* A public or private sale conducted on a premise in an area within the Town where commercial activity is not permitted under the applicable zoning, whether the sale is conducted within a residence, garage, other accessory building(s), or in an open space, and which sale consists of selling or trading of personal property, such as clothing, furniture, household items, dishes, antiques or similar goods or merchandise. This shall include rummage sales and estate sales.
2. **Purpose.** The purpose and intent of this Ordinance is to eliminate the perpetual, prolonged, and extended garage sales in residential neighborhoods. Such sales, if continued indefinitely, tend to be retail businesses in residential areas creating a nuisance and often violating zoning provisions established by Pulaski County.
3. **Garage sale limits.**
  - (a) It shall be unlawful for any person, corporation, or business, including any agent or employee thereof, to hold or conduct a garage sale for more than three (3) consecutive days at the same location. In addition, it shall be unlawful for any person, corporation, or business, including any agent or employee thereof, to hold or conduct a garage sale more frequently than four (4) garage sales per calendar year at any one (1) location.
  - (b) A garage sale shall be conducted only between sunrise to sunset.
4. **Removal of sale items and equipment.** All personal property exhibited for sale and any display tables or other sales equipment outside any structure or on any lot during the garage sale shall be removed from view by the public or from adjacent property immediately following the end of the sale on the last day of the sale. Items covered by a tarpaulin, or other plastic, vinyl, rubber, cloth, or textile covering is considered to be

visible. All signs posted or erected for the garage sale shall be removed before sunset on the day following last day of the garage sale.

- 5. **Permit Required.** At least 48 hours before any yard sale is conducted, a permit for the garage sale shall be obtained from the Medaryville Town Clerk/Treasurer

All garage sale sign shall be removed within 24 hours after the conclusion of the garage sale. No signs pertaining to the garage sale shall be placed on public property. Signs may be placed on private property only with the permission of the property owner. During the course of the sale, the permit shall be prominently displayed so that it can be readily seen.

- 6. **Violation.** Any person, corporation, or business, including any agent or employee thereof, who shall hold or conduct any garage sale in violation of this section, or otherwise fails to comply with this section, shall be subject to a fine in the amount of \$100.00. Each day in violation shall be considered a separate offense.

- 7. **Exception; Town-Wide Garage Sale.** If the Town has declared a certain day to be a Town-Wide Garage sale, then no garage sale permit is required to participate in the Town-Wide Garage sale. In addition, participation in the Town-Wide Garage Sale shall not count towards the four (4) annual garage sale limits established by Section 3(a) of this Ordinance.

This Ordinance shall take effect after the same has been passed by the Town Council and any necessary publication.

Passed by the Town Council of the Medaryville, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

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Derrick Stalbaum, President  
Medaryville Town Council

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Carolyn Hager, Member  
Medaryville Town Council

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Corrie Hauptli, Member  
Medaryville Town Council

ATTEST:

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Judy Harwood, Town Clerk/Treasurer  
Medaryville, Indiana