

Ordinance 95-3

Garage Sales

6/13/1995

ORDINANCE NO. 95-3

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL,
BEAVER COUNTY, PENNSYLVANIA, PROVIDING FOR THE
PERMITTING AND REGULATION OF AUCTIONS, GARAGE
SALES, HOME SALES, YARD SALES AND SIMILAR
ACTIVITIES IN THE TOWNSHIP**

The Board of Commissioners of the Township of Hopewell, Beaver County, Pennsylvania, does hereby enact the following:

1. **DEFINITIONS:** As used in this Ordinance, the following words shall have these meanings:

- a. Auction - A public sale of land or goods at public outcry to the highest bidder on the spot.
- b. Charitable Organizations - Organizations consisting of, at least in part, residents of the Township of Hopewell, whose sole purpose for existence is charitable or service oriented.
- c. Garage Sale - A public sale of goods conducted in any portion of a residence.
- e. Yard Sale - An outdoor public sale of goods.
- f. Person - Any person, association, partnership, firm or corporation.
- g. Community Yard Sale - Any group of residences holding a joint outdoor yard and/or garage sale in the same residential neighborhood.

2. **PERMIT:** Except as hereinafter provided, it shall be unlawful for any person to hold any auction, garage sale, home sale, community yard/garage sale or yard sale without first obtaining a Permit in compliance with the provisions of this Ordinance.

3. **APPLICATION:** Applicants for a Permit under this Ordinance must file an Application, in writing, with the Township Code Enforcement Officer on a pre-approved form to be furnished by the Code Enforcement Officer. Said form is to include, at a minimum, the following information:

- a. Name(s), address and telephone number of applicant;
- b. Address of sale location;
- c. Type of Sale (Auction, Garage Sale, Home Sale, Community Yard/Garage Sale or Yard Sale);
- d. Types of articles to be sold;
- e. Date(s) of sale;

- f. The signature(s) of applicant(s) acknowledging the provisions of this Ordinance and affirming that the goods to be offered for sale belong to the applicant(s) or residents of his household and that the goods to be offered for sale were not purchased or obtained by applicant(s) for resale.

4. **FEES:** A fee, as set from time to time, by the Township Commissioners and as set forth in the Township Fee Resolution, shall accompany the Application. If the Code Enforcement Officer issues the Permit as requested, the fee will be used to offset expenses incurred by the Township in the issuance process. If the Code Enforcement Officer does not issue a Permit as requested in the Application, the fee will be returned to the unsuccessful applicant with reason(s) for the denial.

5. **DISPLAY OF PERMIT:** The Permit issued by the Code Enforcement Officer must be prominently displayed at all times during the permitted activity.

6. **REGULATIONS:**

- a. Auctions, Garage Sales, Home Sales, Community Yard/Garage Sales and Yard Sales shall be limited to two (2) per residence or per property if said property is not the residence of the applicant, per calendar year.
- b. A Permit to conduct an Auction, Garage Sale, Home Sale, Community Yard/Garage Sale and Yard Sale shall be effective for no more than two (2) consecutive days as listed on the face of the Application and Permit.
- c. Goods offered for sale at an Auction, Garage Sale, Home Sale, Community Yard/Garage Sale and Yard Sale shall be owned only by the property owners where the sale is conducted.
- d. It shall be unlawful to offer goods for sale belonging to non-residents, non-property owners and/or non-applicants or members of their household, to sell in any Auction, Garage Sale, Home Sale, Community Yard/Garage Sale and Yard Sale, with the sole exception of such sales conducted by a Charitable Organization.
- e. Signs advertising the permitted sale shall be in compliance with the Township Zoning Ordinance as to size.
- f. No more than three (3) signs advertising the sale shall be located off the permitted premises.
- g. No more than two (2) signs advertising the sale shall be located on the permitted premises.

- h. Signs advertising the sale shall not be erected more than, or remain posted for longer than, twenty-four (24) hours prior to and after the sale, respectively.
 - i. A Permit issued hereunder does not, under any circumstances, authorize placement of goods for sale on any street or sidewalk.
 - j. It shall be the responsibility of the applicant for any community garage/yard sale to make appropriate arrangements for the control of traffic into, within and out of the residual neighborhood where such community garage/yard sale is being conducted. Said arrangements shall be approved as shown on the Permit by the Code Enforcement Officer.
7. **PENALTY:** Any person violating any provision of this Ordinance shall, upon conviction thereof before a District Justice, be sentenced to pay a fine not to exceed Three Hundred (\$300.00) Dollars, plus costs, and in default of payment of said find, to undergo imprisonment not to exceed thirty (30) days, provided, each day's violation shall, upon conviction, be considered a separate offense hereunder.
8. **SEVERANCE:** The provisions of this Ordinance are hereby declared to be severable, and if any section, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining section, sentences, clauses and phrases of this Ordinance, but shall remain in effect, it being the intent that this Ordinance shall stand notwithstanding the invalidity of any part.
9. **EFFECTIVE DATE:** This Ordinance shall be effective immediately upon its enactment.

ENACTED AND ORDAINED an Ordinance this 13 day of _____
JUNE, 1995.

ATTEST: *Robert L. ...* BY: *...*
 Manager Township Board of Commissioners

Township of Hopewell



Beaver County Times

P.O. BOX 400
BEAVER, PA 15009-0400
AREA CODE 412 775-3200



LEGAL ADVERTISING INVOICE

TOWNSHIP OF HOPEWELL
CLARK BOULEVARD
ALIQUIPPA PA 15001

06/06/95 50.96

PROOF CHARGE IS \$3.00 FOR AFFIDAVIT, \$4.00 FOR CLERICAL FEE

ACCOUNT	INVOICE DATE	DESCRIPTION	LINES	TIMES	PROOF	TOTAL CHARGES
94249600	06/01/95	ORD GARAGE SALE	28	1	7.00	50.96
06/01/95						
DATES APPEARED						

PROOF OF PUBLICATION

The **Beaver County Times**, a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, INC., a Pennsylvania corporation, 400 Fair Avenue, West Bridgewater, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays since said date.

The attached advertisement, which is exactly as printed and published, appeared in the regular issue on 06/01/95

BEAVER NEWSPAPERS, INC.

By 

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

Before me, a Notary Public in and for such county and state, personally appeared

TERRY L. TOLSON, who being duly sworn according to law says that he is ADVERTISING DIRECTOR of BEAVER NEWSPAPERS, INC.; that neither affiant nor said corporation is interested in the subject matter of the attached advertisement; and that all of the allegations of the foregoing statement including those as to the time, place and character of publication are true.

Sworn to and subscribed before me
this 06TH day of JUNE 1995



The costs of advertising and proof, 50.96
has been paid.

Notarial Seal
Debbie L. Hays, Notary Public
Bridgewater Boro, Beaver County
My Commission Expires May 2, 1998
Member, Pennsylvania Association of Notaries

BEAVER NEWSPAPERS, INC.

By _____

ORDINANCE NOTICE
The Hopewell Township Board of Commissioners will consider the adoption of an ordinance of the Township of Hopewell, Beaver County, Pennsylvania, providing for the permitting and regulation of auctions, garage sales, home sales, yard sales and similar activities in the Township. The Commissioners will consider adoption of this Ordinance at the regular monthly meeting of June 13, 1995 at 8:00 P.M.
A copy of the full proposed text thereof may be examined by any citizen in the office of the Secretary at the Hopewell Township Municipal Building located at 1700 Clark Boulevard, Aliquippa, PA 15001.
Hopewell Township
Board of Commissioners
Patricia Lynn Yannessi/
Bates
Acting Manager
6/1/95