

**SAVILLE TOWNSHIP**

**ORDINANCE NO. 2015- 5**

AN ORDINANCE REGULATING LAWN, YARD, GARAGE AND TAG SALES INDOORS OR OUTDOORS IN THE TOWNSHIP OF SAVILLE, COUNTY OF PERRY AND COMMONWEALTH OF PENNSYLVANIA, REQUIRING A PERMIT THEREFORE AND PRESCRIBING PENALTIES FOR VIOLATIONS.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Saville Township, Perry County, Pennsylvania, and IT IS HEREBY ORDAINED AND ENACTED by the authority of the same:

**SECTION 1**

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated in this Section.

"Lawn, yard, garage and tag sales" shall mean a sale, open to the public, of new used or previously owned personal property; including but not limited to goods, wares, merchandise and clothing, held on vacant property or on the lawn, yard, porch, patio or in the garage, residence or other out-building of the person who obtains a permit for such sale as provided by this Ordinance.

"Person" shall mean any natural person or persons, association, partnership, firm, corporation or other entity. The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

**SECTION 2**

No person shall cause or permit any lawn, yard, garage or tag sale to take place upon any property owned by such person without first having obtained a permit therefore. Application for such permit shall be made to the Secretary of the Township by the person at whose residence such sale shall be held and such application shall state the name of the applicant, the location of the proposed sale, the day or days on which the sale is to be held and the names and resident addresses of all other persons who are to contribute personal property to the sale. Such permit shall be issued by the Township Secretary upon the filing of an application. No fee shall be charged by the Township for the issuance of a permit.

**SECTION 3**

Not more than four (4) permits shall be issued under this Ordinance to the same person in any one calendar year and not more than four (4) sales shall be held from any

one location in any one calendar year.

#### **SECTION 4**

Every permit shall be issued under the following conditions, and failure to comply with any condition shall constitute a violation of this Ordinance and shall entitle the Township Secretary to declare the permit revoked, without refund of any part of the permit fee to the holder.

- a.) the sale shall be held at the location stated in the application and on the permit;
- b.) the permit shall be valid for two (2) consecutive days as stated on the permit except that the permit may specify one or two alternate "rain dates" in case of inclement weather on one or two, as the case may be, of the dates first specified on the permit;
- c.) no more than three (3) families or householders may participate in the sale by furnishing personal property for sale and/or by engaging in the sale of personal property;
- d.) no sale shall commence before 7:00 o'clock a.m. or after 7:00 o'clock p.m., prevailing time, on any day;
- e.) no music, games or other entertainment or activities may be conducted at the time when and the place where the sale is held and there shall be no unnecessary or excessive noise.

#### **SECTION 5**

The permit holder must exhibit the Permit at the time of sale in full view of the public at all times.

#### **SECTION 6**

No notice, advertisement or directional sign pertaining to such sale shall be placed or posted:

- a.) on any post or pole used for traffic signs or signals;
- b.) on the surface of any street, curb or sidewalk; or
- c.) without permission of the owner or occupant of the property, anywhere on private property. Upon conclusion of the time stated in the permit for the holding of such sale, the holder of the permit shall remove and take away all such notices, advertisements and directional signs not previously removed and taken away.

#### **SECTION 7**

None of the following may be sold or offered for sale:

- a.) anything for which a separate license is required by law or by any federal, state or municipal regulations;

b.) anything of an explosive, poisonous or dangerous nature.

**SECTION 8**

Any person, firm, association, corporation or other entity conducting any such sale or similar activity without being properly licensed therefore, or who shall violate or fail to comply with any provisions adopted pursuant to this Ordinance or any other rules, terms, regulations or provisions adopted pursuant to this Ordinance or making any false statement on any application provided for herein shall be deemed to be in violation and the violator(s) shall be liable for a fine of not less than Fifty (\$50.00) Dollars nor more than Three Hundred (\$300.00) Dollars per day that such sale or violation continues without being duly permitted shall be considered and shall constitute a separate violation.

**SECTION 9**

The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

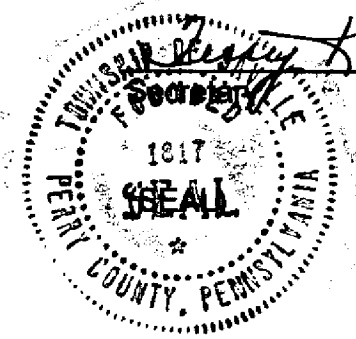
**SECTION 10**

This Ordinance shall take effect five (5) days after its enactment.

ENACTED AND ORDAINED THIS 3<sup>RD</sup> DAY OF AUGUST, 2015.

THE BOARD OF SUPERVISORS  
OF SAVILLE TOWNSHIP

ATTEST:



*Christy L. Ulrich*  
Secretary

By

*Gregory D. Lutz*  
Chairman of the Board

By

*[Signature]*  
Supervisor

By

*Glenn A. Fisher*  
Supervisor