

**GARAGE SALE ORDINANCE
TOWNSHIP OF SOUTH HAVEN, MICHIGAN
ord. no. 36 eff. June 14, 1994**

An Ordinance to license persons conducting garage sales and to provide penalties for violations of its provisions.

THE CHARTER TOWNSHIP OF SOUTH HAVEN ORDAINS:

20.301 Sec. 1. DEFINITIONS.

A. Garage sales shall mean and include all sales in an area zoned residential entitled "garage sale," "lawn sale," "at-tic sale," "rummage sale," "flea market sale" or any sim-ilar casual sale of tangible personal property which is ad-vertised by any means whereby the public at large is or can be made aware of said sale.

B. "Goods" are meant to include any goods, warehouse mer-chandise or other property capable of being the object of a sale regulated hereunder.

C. Person shall mean and include individuals, partnerships, voluntary associations, and corporations.
(ord. no. 36 eff. June 14, 1994)

20.302 Sec. 2. PERMITS AND FEES.

It shall be unlawful for any person to conduct a garage sale in the Township without first filing with the clerk the information hereinafter specified and obtaining from such clerk a license to do so, to be known as a "Garage Sales License."
(ord. no. 36 eff. June 14, 1994)

20.303 Sec. 3. LICENSING.

Such license shall be issued to any one person only two (2) times within a twelve (12) month period and no such license shall be issued for more than two (2) consecutive calendar days.

Each license issued under this Ordinance must be prominently displayed on the premises upon which the garage sale is con-ducted throughout the entire period of the licensed sale.
(ord. no. 36 eff. June 14, 1994)

20.304 Sec. 4. INFORMATION TO BE FILED.

The information to be filed with the clerk, pursuant to this Ordinance, shall be as follows:

A. Name of person, firm, group, corporation, association, or organization conducting said sale.

B. Name of owner of the property on which said sale is to be conducted, and consent of owner if applicant is other than the owner.

C. Location at which sale is to be conducted.

D. Date, nature of any past sale.

E. Number of days of sale.

F. Relationship or connection applicant may have had with any other person, firm, group, organization, association, or corporation conducting said sale and the date or dates of such sale.
(ord. no. 36 eff. June 14, 1994)

20.305 Sec. 5. PERSONS AND SALES EXCEPTED.

The provisions of this Ordinance shall not apply to or affect the following persons or sales;

A. Persons selling goods pursuant to an order to process of a court of competent jurisdiction.

B. Persons acting in accordance with their powers and duties as public officials.

C. Any person selling or advertising for sale an item or items of personal property which are specifically named or de-scribed in the advertisement and which separate items do not exceed five in number.
(ord. no. 36 eff. June 14, 1994)

20.306

Sec. 6. NON-PROFIT CHARITABLE, RELIGIOUS OR COMMUNITY SERVICE ORGANIZATIONS.

The above shall be exempt from the two day license period lim-itation and shall be required to obtain a license, which license shall be issued for a period of not to exceed 30 days. No license fee shall be levied for said license. Such license shall be issued only once within a 12 month period.
(ord. no. 36 eff. June 14, 1994)

20.307

Sec. 7. PENALTY.

Any person, association or corporation conducting any such sale without being properly licensed therefor or who shall violate any of the other terms and regulations of this Ordinance, shall, upon conviction, be fined not less than \$25.00 nor more than \$100.00 or be imprisoned for a period not to exceed 10 days for each violation.
(ord. no. 36 eff. June 14, 1994)

20.308

Sec. 8. SEVERABILITY.

In the event that any provision or section of the within Ordinance shall be declared unconstitutional or unenforceable for any reason, such provision or section shall be severed from this Ordinance and the remaining provisions shall be enforceable without respect to the severed and unenforceable provision of section.

(ord. no. 36 eff. June 14, 1994)

20.309

Sec. 9. EFFECTIVE DATE.

This Ordinance was introduced to the Charter Township of South Haven board at a regular meeting on May 11, 1994. First Publication May 17, 1994. Adopted at a regular meeting on June 8, 1994 and will be effective on date of second publication, June 14, 1994.

(ord. no. 36 eff. June 14, 1994)