

## Chapter 199

### GARAGE SALES

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[HISTORY: Adopted by the Mayor and Council of the Borough of Runnemede 10-1-1991 by Ord. No. 91-6 (Ch. 67 of the 1970 Code). Amendments noted where applicable.]

#### GENERAL REFERENCES

Peddling and soliciting — See Ch. 270.

Zoning — See Ch. 395.

#### § 199-1. Definitions.

The following terms, wherever used herein or referred to in this chapter, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context:

**GARAGE SALE** — Includes all sales known as "yard sales," "attic sales," "rummage sales" or "flea market sales" and any similar casual sales of tangible personal property which are advertised by any means whereby the public at large is or can be made aware of said sale.

**PERSON** — Any person or persons, firm, association, partnership, club or corporation.

#### § 199-2. License required; exemptions.

No person shall conduct a garage sale in the Borough of Runnemede without having first obtained a license to do so from the Borough Clerk. The provisions of this chapter shall not apply to or affect the following persons or sales:

- A. Persons selling goods pursuant to any order of any court of competent jurisdiction.
- B. Any sale conducted by a merchant or other business establishment from a place of business where sales are permitted by Chapter 395, Zoning, of the Code of the Borough of Runnemede or permitted as a nonconforming use.
- C. Any bona fide religious, educational or charitable institution or organization or governmental agency.

#### § 199-3. Application.

- A. An application for a sale under this chapter shall be filed with the Borough Clerk on a form furnished by the Borough Clerk, together with the appropriate fee therefor.

- B. The application for a sale to be conducted under this chapter shall be filed with the Borough Clerk not later than two weeks before said sale.
- C. The application shall state the following:
- (1) The name and address of the person conducting said sale.
  - (2) The name and address of the owner of the property on which said sale is to be conducted, together with the written consent of such owner if the applicant is other than the owner.
  - (3) The location on the property at which the sale is to be conducted.
  - (4) The date said sale is to take place, along with a rain date.
  - (5) The date and nature of any past sale conducted by the applicant within the Borough of Runnemede.

**§ 199-4. License fee.**

A license fee of \$5 shall be paid for each sale conducted under this chapter and shall be paid with the application. In the event that the sale does not take place for any reason, the license fee shall not be refunded.

**§ 199-5. Number of licenses permitted.**

No license shall be issued to any person more than once in any six-month period, and no license shall be issued for any location within the Borough of Runnemede more than once in any six-month period.

**§ 199-6. Term of license.**

The license issued hereunder shall authorize the holding of a garage sale for not more than one calendar day, except that a license may authorize the holding of a garage sale on a second day if rain or inclement weather prevents such sale from being held on the first designated day.

**§ 199-7. Hours of sale.**

Garage sales licensed under this chapter shall not commence before 9:00 a.m. and shall terminate by 6:00 p.m.

**§ 199-8. Items offered for sale.**

Garage sales shall offer for sale only used personal property owned by the person conducting the garage sale or by the owner of the property on which the sale is conducted. No new merchandise shall be offered for sale.

**§ 199-9. Display of license.**

The license issued hereunder shall be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the sale.

**§ 199-10. Responsibility of license holder.**

The person to whom a license is issued and the owner and/or tenant of the premises on which the garage

sale is conducted shall be jointly and severally responsible for the maintenance of good order on the premises during the hours in which a garage sale is conducted. No such person shall permit any loud or boisterous conduct on said premises nor permit vehicles to impede the passage of traffic on any streets in the vicinity of such premises. All such persons shall obey the reasonable orders of any member of the Police or Fire Department of the Borough of Runnemede in order to maintain the public health, safety and welfare. All licensed premises shall be subject to reasonable rules as may be made from time to time by the Mayor and Council of the Borough of Runnemede and shall be subject to inspection by the Construction Code Official, Chief of Police and Fire Chief or any of their agents or duly authorized representatives.

**§ 199-11. Violations and penalties.<sup>1</sup>**

Any person, firm or corporation violating any of the provisions of this chapter shall, upon conviction for such violation, be subject to the penalty as provided in § 1-15, General penalty, of this Code.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).