

## ORDINANCE NO. 2012-05

### **AN ORDINANCE OF COUNCIL OF THE BOROUGH OF SOUTH GREENSBURG, WESTMORELAND COUNTY, PENNSYLVANIA, ESTABLISHING REQUIREMENTS, PERMIT FEES AND PENALTIES RELATING TO GARAGE AND YARD SALES.**

The Borough of South Greensburg hereby ordains as follows:

**WHEREAS**, the Borough of South Greensburg wishes to regulate garage and yard sales to address public safety, public health and other legitimate concerns relating to the conduct of business within the Borough; and

**WHEREAS**, the Borough of South Greensburg wishes to regulate such affairs through the use of pre-sale permitting.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by Council of the Borough of South Greensburg, Westmoreland County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

#### **Garage/Yard Sale Regulation, Permitting and Penalties**

##### **Definitions**

The following terms shall have the meanings indicated:

*Garage/yard sale* – any public sale of goods on residential property including, but not limited to, residential properties, garage, home, lawn or yard. The sale of an individual item, such as a vehicle, is not covered by this Ordinance.

*Household* – the individual who applies for a permit and anyone who resides in that individual's residence.

*Permit* – the form that must be obtained, completed and submitted along with the respective fee to the Secretary of the Borough of South Greensburg prior to conducting a yard sale.

##### **Permit Required; Removal of Signs**

1. It shall be unlawful for any individual, group, corporation or other entity to conduct within the Borough of South Greensburg a garage/yard sale or permit a garage/yard sale to be held within the Borough on residential property under the individual's, group's, corporation's or other entity's control without first obtaining a garage/yard sale permit from the Borough.
2. Any individual, group, corporation or other entity conducting a garage/yard sale within the Borough of South Greensburg or outside the Borough limits or any individual, group, or corporation posting advertisements within the Borough limits for a garage/yard sale to be held inside or outside the Borough limits shall remove from within the Borough rights-of-way all signs, flyers, posters and bulletins no later than the date after the garage/yard sale. Should the garage/yard sale for any reason not be held, all signs, flyers, posters and bulletins advertising the garage/yard sale, must be removed no later than the scheduled last day for the garage/yard sale.

**Frequency and Duration Limitations**

1. Two garage/yard sales are permissible per household or residence in any 12-month period.
2. The maximum duration of any garage/yard sale shall be 2 consecutive calendar days.
3. The approved garage/yard sale must be held within 15 days of the issuance of the permit for that yard sale.

**Fee for Permit**

1. The fee for the first permit issued to a household within any 12-month period shall be Five (\$5.00) Dollars.
2. The fee for the second permit issued to a household within the same rolling 12-month period as the first permit shall be Five (\$5.00) Dollars.
3. All permit fees shall be paid prior to issuance of the permit.
4. Duly qualified non-profit service organizations and charitable organizations may obtain up to two yard sale permits in any 12-month period without payment of any fee.
5. Neighborhood groups of five families or more may conduct one garage/yard sale per year without payment of any fee; however, such neighborhood group must obtain a permit in accordance with this Part.

**Exceptions: Permit fees and permits are not required for those events sponsored by the Borough of South Greensburg or its departments.**

**Violation/Penalty**

Any person, firm, corporation or other entity who or which shall violate any provision of this Ordinance, upon conviction thereof, shall be sentenced to a fine of not more than Fifty (\$50.00) Dollars, plus costs incurred by the Borough to enforce said violation. Each day that a violation continues or each Section of this Ordinance which shall be found to have been violated shall constitute a separate offense.

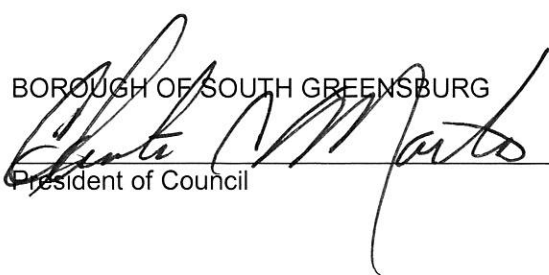
All Ordinances or parts of Ordinances, inconsistent herewith be and the same are hereby repealed.

**ORDAINED AND ENACTED** into an ordinance of the Borough of South Greensburg this 14th day of May, 2012.

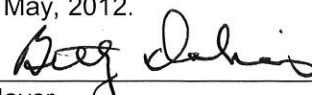
ATTEST:

  
\_\_\_\_\_  
Borough Secretary

BOROUGH OF SOUTH GREENSBURG

  
\_\_\_\_\_  
President of Council

**EXAMINED AND APPROVED** this 14th day of May, 2012.

  
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Mayor