

CHAPTER 751  
Home Sales

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751. 01 DEFINITION.

"Home sale" means a sale of personal property to the general public conducted on any portion of residence property within a residential zoning district, including but not limited to, garage sales, patio sales, yard sales, carport sales, basement sales, porch sales, driveway sales and the like. (Ord. 111-72. Passed 9-11-72.)

751. 02 INTENT.

It is the intent of this chapter to regulate, restrict and control "home sales" conducted on residence premises within residential zoning districts. It is not the intent of this chapter to prevent corporations not for profit, churches, temples or recognized fraternities, sororities, clubs or lodges from conducting "home sales", provided such corporations not for profit, churches, temples, recognized fraternities, sororities, clubs or lodges conduct their sale on real estate owned and/or occupied by such organization.

It is further not the intent of the provisions of this chapter to prohibit sales conducted by nonconforming businesses located in residential zoning districts.  
(Ord. 111-72. Passed 9-11-72.)

751. 03 PROHIBITIONS; SIGNS.

(a) No person, firm or corporation shall conduct home sales within any residential zoning district without first obtaining a permit from the Public Service Director.

(b) No person, firm or corporation who has obtained a permit shall violate the rules and regulations as provided within this chapter.

(c) No home sale shall be conducted by more than one resident without the consent of the Public Service Director.

(d) No home sale shall be conducted by the same resident or member of his or her family and/or on the same residential property more than once each nine month period.

(e) No home sale shall be conducted during hours other than those hours prescribed by the Public Service Director and in no event shall a home sale last more than three consecutive days.

(f) No home sale shall offer any merchandise for sale that has been purchased by the resident for purpose of re-sale at such home sale. Any new merchandise offered for sale shall be prima-facie evidence of merchandise purchased by the resident for re-sale at such home sale.

(g) A sign, not greater in size than three feet by three feet, may be installed on the property where the sale is being conducted.

No sign shall be placed on the public right of way or on property other than where the sale is being conducted. No lighted sign shall be used.

The sign shall be displayed only during the sale and shall be promptly removed after the sale.

(h) Prior to and during the conduct of a home sale, no person shall place or display any such personal property in front of the building setback line and no person, shall place or permit any signs advertising, promoting or giving directions to such sale, at any location other than the property on which the sale is being conducted.

(i) Not more than ten articles of tangible personal property may be sold or offered for sale by the owner inside his or her residence if no signs or advertising are placed or permitted to be placed outside the residence, without obtaining a permit.

(Ord. 111-72. Passed 9-11-72.)

#### 751.04 PERMIT; APPLICATION; FEE; DISPLAY.

(a) The Public Service Director shall provide applications for permits and permits for home sales. The application for a permit shall include the name of the applicant who shall be a resident of the City, address, telephone number, length of residence within the City, nature of merchandise to be offered for sale, date of sale and hours and duration of the sale.

(b) The Public Service Director shall approve the application and shall regulate the hours of the home sale, except that no home sale shall be commenced earlier than 9 :00 a. m. nor last later than 8 :00 p. m.

(c) The Public Service Director shall charge a fee of one dollar (\$1.00) to the applicant.

(d) Every permittee conducting a home sale shall keep posted in a prominent place, upon the licensed premises, the permit certificate and shall exhibit same upon request. (Ord. 116-77. Passed 10-24-77. )

#### 751. 99 PENALTY.

Whoever violates or fails to comply with any provision of this chapter is, for a first offense, guilty of a minor misdemeanor, and for a second offense is guilty of a misdemeanor of the fourth degree.