

## **Ordinance 21-05**

### **Yard/Garage Sales**

#### **Sections:**

<b>5.05</b>	<b>Definition</b>
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<b>5.05.03</b>	<b>Signs</b>
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#### **5.05 Definition**

For purposes of this chapter, a yard/garage sale defined to mean the sale of any new or used personal property, which sale is conducted on or about the premises of a private residence or in any zoning area that permits single-family residential use, by any resident or residents of a neighborhood, one of whom must be the occupant of the premises, and which sale is open to the public.

#### **5.05.01 Permit**

It shall be unlawful for anyone to conduct a yard/garage sale in the area described in section 5.05 without first obtaining a permit from the town clerk for each sale a minimum of forty-eight (48) hours prior to the commencement of said sale, and such permit shall be posted at the site of the sale. The cost of each permit is to be \$5.00. The maximum period of each permit is two consecutive days. All participants in any joint sale must be named on the permit. The maximum number of permits allowed per year is four for any one family unit location, lot or premises.

#### **5.05.02 Parking Requirements**

Parking shall be provided for all persons attending a garage sale in a manner that would not affect the free flow of traffic on a public street near the yard/garage sale.

#### **5.05.03 Signs**

Signs advertising yard/garage sales can be put up not earlier than 48 hours prior to sale and must be taken down within 24 hours of the end of sale.

#### **5.05.04 Hours**

A yard/garage sale shall be limited to the hours between 8:00 AM and 7:00 PM.

**5.05.05 Alcoholic Beverages**

Alcoholic beverage of any type shall not be served or given on or near the premises where a yard/garage sale is held.

**5.05.06 Display of Goods**

Goods for sale at a garage sale shall not be displayed on public property or right of way, neither shall such goods be displayed on private property in a manner which will materially impede visibility of a pedestrian or vehicular traffic on or off the premises.

**5.05.07 Inspections**

For the purposes of enforcing the provisions of this division, the city and its proper nominees, representatives and employees shall have the right of entry to any premises showing evidence of a yard/garage sale and may close the premises from such a sale where any provisions of this division are being violated.

**5.05.08 Penalty**

Violation of this division or failure to comply with any of its provisions shall be a misdemeanor, punishable, upon conviction, in accordance with section "A- C". Each day such violation continues shall be considered a separate offense.

Those penalties are as follows:

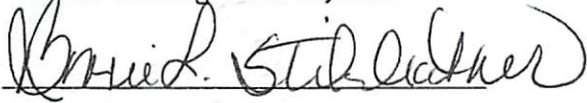
- A. Wherever in the Code, or in any ordinance or resolution of the city, or rule or regulation or order promulgated by any officer or agency of the city under authority duly vested in him or it, any act is prohibited or is declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or misdemeanor, and no specific penalty is provided for the violation thereof, the violation of any such provision of the code or any such ordinance, resolution, rule, regulation or order shall be punished by a fine of not more than \$100.00 or by imprisonment for not more than 30 days, or both.
- B. Except as may otherwise be provided, each day any violation of the Code or any such ordinance, resolution, rule, regulation, or order shall continue shall constitute a separate offense.
- C. Any person or entity who violates any provision of the Code or any code adopted pursuant to this Code, excluding any provision regulating the use of motor vehicles on public roads, may be issued a uniform ordinance summons in a form prescribed by South Carolina Code Ann. Section 56-7-80. Issuance of the uniform ordinance summons shall vest jurisdiction in the municipal court to hear and dispose of the charge for which the uniform ordinance summons was issued and served. The uniform ordinance summons may be issued by any city law enforcement officer or any other city official or employee designated by the city manager as a

code enforcement officer. The amount of the bond prescribed by the municipal judge for the offense and the procedure for posting bond shall be noted on the uniform ordinance summons. City law enforcement officers or code enforcement officers are prohibited from accepting bonds. The uniform ordinance summons shall not be used to perform a custodial arrest. The uniform ordinance summons shall contain a notice that failure to appear before the court without having posted bond or without having been granted a continuance is a misdemeanor punishable by a fine up to \$500.00 or imprisonment for up to 30 days, or both.

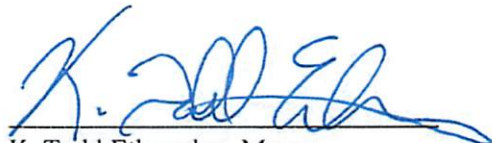
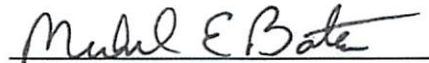
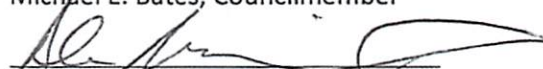


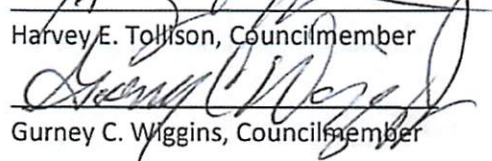
D. Special Exemptions to the Ordinance must be approved by the Town of Jackson.

First Reading: **May 11, 2021**

Second Reading: **June 08, 2021**



Attest: Bonnie L. Stikeleather, CMC  
Town Clerk/Treasurer

  
K. Todd Etheredge, Mayor  
Michael E. Bates, Councilmember  
Alan Meierhenry, Councilmember  
Michael Percival, Councilmember  
Lynn R. Sullivan, Councilmember  
Harvey E. Tollison, Councilmember  
Gurney C. Wiggins, Councilmember