

Garage Sale Permit Application

Permit No. _____

City of Lafayette

PO Box 55, 486 3rd Street, Lafayette OR 97127

Phone (503) 864-2451; Fax (503) 864-4501

Internet address: www.ci.lafayette.or.us

Name of Applicant(s): _____	
Location of Sale: _____	
Contact Phone Number(s): _____	
Property Owner: _____	
Date(s) of Sale: _____	Hours of Operation: _____ a.m. / p.m. to _____ a.m. / p.m.

POLICY: The following regulations are established by City of Lafayette Ordinance No. 593, adopted on November 8, 2007.

- Persons wishing to conduct a garage sale must first obtain a free permit from City Hall, which shall be posted on the premises for the duration of the sale. The purpose of the permit is to identify the responsible person(s) conducting the sale and to provide important information regarding this ordinance and other applicable laws.
- No person or household shall hold more than four (4) garage sales in a calendar year. A calendar year begins January 1, and ends December 31. If members of more than one residence join in holding a garage sale, then such sale shall be considered as having been held for each and all such residences. Garage sales may only be held between the hours of 8:00 a.m. and 7:00 p.m., and may be held for no more than three (3) consecutive days.
- Personal property offered for sale may be displayed within the residence, in a garage, carport, and/or in the yard of the residence; and only in such areas. No property offered for sale shall be displayed in any public right-of-way, sidewalk, alley, or street. All personal property relating to the garage sale must be removed from view of the public by the end of the third day.
- Signs found within the City which are unlawfully posted upon utility poles, regulatory signs or posts, or are placed on sidewalks, in the right-of-way, or any other area not allowed by this ordinance, are hereby declared a nuisance to public safety, as they detract from the driving public's attention to traffic signals as well as other vehicular and pedestrian traffic. Police officers or city staff may summarily remove posted signs. If no request is received for the return of the sign within two working days, the signs shall be destroyed. In the enforcement of this ordinance, it shall be a presumption that an address or telephone number listed on any garage sale sign shall be that of the individual(s) responsible for posting the sign. In addition, any signs directing the public by way of arrows or other directional symbols or phrases to a particular residence shall be presumed to have been erected by the owner(s) or occupant(s) of said residence.
- The individual or individuals operating a garage sale and the owner or tenant of the premises upon which the sale or activity is conducted shall be jointly and severally held responsible for compliance with these regulations as well as the maintenance of order and decorum on the premises during all hours of such sale or activity. No such individual shall permit any loud or boisterous conduct on the premises, nor permit vehicles to impede the passage of traffic on any road or street in the area of such premises.

I have read the above policy and agree to the terms established by Ordinance No. 593. I understand that if I am found in violation of this ordinance or any part thereof, I am subject to the penalties as established.

Signature of Applicant(s): _____

FOR OFFICE USE ONLY			
DATE RECEIVED: _____	BY: _____	DATE ISSUED: _____	BY: _____
STANDARD PERMIT: <input type="checkbox"/>	DELINQUENT PERMIT: <input type="checkbox"/>		
PERMIT APPLICATION DENIED: <input type="checkbox"/>	REASON: _____		

GARAGE SALES

7.900 Definitions. For the purpose of sections 7.900 to 7.995, the following definitions shall apply:

Garage Sale. General sales open to the public conducted from or on a residential premises, or from a temporarily arranged site elsewhere within the City with the permission of the property owner, for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage, moving, lawn, yard, attic, porch, rummage, backyard, patio, basement," or other similarly intended nature.

Personal Property. Property which is utilized, owned and maintained by an individual or by members of a residence and acquired in the normal course of living in or maintaining of a residence. It does not include merchandise which was purchased for resale or obtained from close-outs, fire sales, or other quantity liquidations, or commercial consignments.

7.905 Number of Garage Sales. No person or household shall hold more than four (4) garage sales in a calendar year. A calendar year begins January 1, and ends December 31. If members of more than one residence join in holding a garage sale, then such sale shall be considered as having been held for each and all such residences.

7.910 Hours of Operation. Garage sales may only be held between the hours of 8:00 a.m. and 7:00 p.m.

7.915 Number of Days. Garage sales may be held for no more than three (3) consecutive days.

7.920 Display of Sales Merchandise. Personal property offered for sale may be displayed within the residence, in a garage, carport, and/or in the yard of the residence; and only in such areas. No property offered for sale shall be displayed in any public right-of-way, sidewalk, alley, or street. All personal property relating to the garage sale must be removed from view of the public by the end of the third day.

7.925 Permits on Premise. Persons wishing to conduct a garage sale must first obtain a free permit from City Hall, which shall be posted on the premises for the duration of the sale. The purpose of the permit is to identify the responsible person(s) conducting the sale and to provide important information regarding this ordinance and other applicable laws.

7.930 Delinquent Permits. If the person(s) conducting a garage sale fail to obtain a permit to the sale, a police officer or city staff will advise the responsible person(s) to immediately obtain a delinquent permit at City Hall; if it is after City Hall business hours, a weekend, or a holiday, they must obtain the delinquent permit on the first business day following the sale. Issuance of a delinquent permit constitutes a first violation warning and prevents a citation from being issued.

7.935 Advertising Signs. Only the following specified signs may be displayed in relation to a pending garage sale:

- (1) Two signs of not more than six square feet each shall be permitted to be displayed on the property of the residence or location where the garage sale is being conducted;

- (2) Two signs of not more than three square feet each are permitted, provided written permission to erect the signs is received from the property owners upon whose property such signs are to be placed;
- (3) None of these signs shall be placed in the public right-of-way.
- (4) No sign or other form of advertising shall be displayed for more than two days prior to the day such sale is to commence;
- (5) All signs must be removed within 24 hours of the termination of the garage sale.

7.940 Illegal Signs, Disposition. Signs found within the City which are unlawfully posted upon utility poles, regulatory signs or posts, or are placed on sidewalks, in the right-of-way, or any other area not allowed by this ordinance, are hereby declared a nuisance to public safety, as they detract from the driving public's attention to traffic signals as well as other vehicular and pedestrian traffic. Police officers or city staff may summarily remove posted signs. If no request is received for the return of the sign within two working days, the signs shall be destroyed.

7.945 Owner Presumption. In the enforcement of this ordinance, it shall be a presumption that an address or telephone number listed on any garage sale sign shall be that of the individual(s) responsible for posting the sign. In addition, any signs directing the public by way of arrows or other directional symbols or phrases to a particular residence shall be presumed to have been erected by the owner(s) or occupant(s) of said residence.

7.950 Responsibility of Operator and/or Owner. The individual or individuals operating a garage sale and the owner or tenant of the premises upon which the sale or activity is conducted shall be jointly and severally held responsible for compliance with these regulations as well as the maintenance of order and decorum on the premises during all hours of such sale or activity. No such individual shall permit any loud or boisterous conduct on the premises, nor permit vehicles to impede the passage of traffic on any road or street in the area of such premises.

7.955 Penalties. Any person violating any of the provisions of this ordinance shall be deemed guilty of a violation and, upon conviction, shall be fined not less than \$25.00, nor more than \$100.00 for each day that a violation exists, excluding court costs and assessments. The amount of the fine will be dependent upon prior violations.

[Sections 7.900-7.955 added by Ordinance 593 on Nov. 8, 2007]