

WEST BLOOMFIELD CHARTER TOWNSHIP CODE
SECONDHAND GOODS

ARTICLE I. IN GENERAL

Secs. 19-1—19-15. - Reserved.

ARTICLE II. GARAGE SALES

Sec. 19-16. - Purpose and intent.

It is the intent of this article to regulate and control the holding of garage sales, as they may become nuisances and safety hazards if not so regulated, and so that residential areas do not become commercialized through a proliferation of garage sales and similar commercial activity.

(Ord. No. 93, § 1.00, 9-20-76)

Sec. 19-17. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings respectively ascribed to them in this section:

Estate sale means a sale to liquidate an estate and which is conducted by a professional estate sale company by selling the personal property belonging to the occupants of a residential dwelling and conducted at the residence.

Garage sale means a sale conducted by a person from his or her residence of the personal property belonging to the resident, including liquidation sales conducted by the resident, whereby household items are displayed in the yard, garage, patio, parking area or in, around or near the residence. It shall also include joint neighborhood garage sales. Garage sale shall not mean the sale of a single automobile by means of a "For Sale" sign in the window of such vehicle parked near a residence.

Salesmen's or free samples means items which were packaged and designed to introduce products to consumers and which were distributed by salesmen or otherwise without charge.

Wholesale means sales in bulk or individually to dealers or persons who intend to resell such items.

(Ord. No. 93, § 2.00, 9-20-76; Ord. No. C-93-A, § 1, 1-25-99; Ord. No. C-760-A, § 1, 11-17-14)

Cross reference— Definitions and rules of construction generally, § 1-2

Sec. 19-18. - Garage sale permit required.

No person shall hold a garage sale within the township without first obtaining a permit therefor. Application for a permit shall be made to the township clerk's office on forms to be provided by the township clerk. A garage sale permit fee shall be set by resolution of the township board and shall be paid before a garage sale permit is issued. The fee shall include the cost of issuance of two (2) garage sale signs. Up to three (3) additional signs may be purchased at the clerk's office for five dollars (\$5.00) per sign.

(Ord. No. 93, § 3.00, 9-20-76; Ord. No. C-760-A, § 1, 11-17-14)

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Sec. 19-19. - Garage sale restrictions on number, duration and signs.

- (a) No person shall have more than two (2) garage sales at any location per calendar year.
- (b) No garage sale may last more than seventy-two (72) hours.
- (c) Only township-issued garage sale signs are permitted to be used to advertise a garage sale in the township. The number of garage sale signs that may be placed around the township are limited to no more than a total of five (5) garage sale signs. Garage sale signs may be used on the dates of the garage sale and shall be removed the day after the garage sale ends.
- (d) Garage sale signs shall not be allowed within the public road right-of-way, and must be placed a minimum of twenty (20) feet off the edge of the road. Garage sale signs shall not be attached to any fence, post, wall, tree, pole, or upon any other structure in any street, highway, alley, or public place in the township. Property owner permission is required prior to placement upon private property.

(Ord. No. 93, § 4.00, 9-20-76; Ord. No. 93-A, 6-19-78; Ord. No. C-760-A, § 1, 11-17-14)

Sec. 19-20. - Sales limitations.

- (a) No wholesale sales shall be made at any garage or estate sale.
- (b) No salesmen shall be permitted to sell non-household goods at the home and no free samples or pre-packaged products shall be sold at any garage or estate sale.
- (c) Garage and estate sales shall be limited to sales of items which had actually been used in the normal course of residential living in the home at which the sale is to occur and shall not be transported to such home for purposes of sale.
- (d) For joint garage sales between or among two (2) or more homes, the following shall apply:
 - (1) Sales shall be limited to items which had actually been used in the normal course of residential living in one of the homes participating in the garage sale; and
 - (2) All of the homes participating in the garage sale shall be located within the same subdivision, or, if the homes are not located within a subdivision, all of the homes participating in the garage sale shall be located within two thousand five hundred (2,500) feet of the home in which the sale is to occur.

(Ord. No. 93, § 5.00, 9-20-76; Ord. No. C-93-A, § 2, 1-25-99; Ord. No. C-760-A, § 1, 11-17-14)

Sec. 19-21. - Sale shall not create a nuisance.

- (a) No garage or estate sale shall continue later than one-half hour after sunset, nor begin prior to 9:00 a.m.
- (b) No garage or estate sale shall be situated so as to obstruct traffic, nor shall any patrons park their vehicles so as to obstruct traffic.
- (c) Excessive noise emanating from the area of any garage or estate sale is expressly prohibited.

(Ord. No. 93, § 6.00, 9-20-76; Ord. No. C-760-A, § 1, 11-17-14)

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Sec. 19-22. - Responsible party.

- (a) The person to whom a permit has been issued under this article, identified on the garage sale permit, shall be responsible for compliance with this article, and with all other applicable laws and ordinances in connection with the garage sale.
- (b) If the garage sale is conducted by an organization, entity or more than one individual, a specific individual shall be identified as the person responsible for such compliance.
- (c) The person to whom the permit has been issued, and identified on the permit, shall present a recognized form of identification (e.g., State of Michigan Driver's License) at the time the garage sale permit is secured from the township clerk's office. The driver's license number or other form of identification number shall be written on the application.

(Ord. No. 93-B, § 1, 8-16-99; Ord. No. C-760, § 1, 5-23-12)

Sec. 19-23. - Estate sale restrictions on duration and signs.

- (a) A permit is not required for an estate sale conducted by a professional estate sale company.
- (b) No estate sale shall last more than ninety-six (96) hours.
- (c) The number of estate sale signs erected within the township shall not exceed fifteen (15) temporary signs. All estate sale signs shall be removed the day after the estate sale ends.
- (d) Estate sale signs shall not exceed three (3) square feet in size, shall not be allowed within the public road right-of-way, and must be placed a minimum of twenty (20) feet off the edge of the road. Estate sale signs shall not be attached to any fence, post, wall, tree, pole, or upon any other structure in any street, highway, alley or public place in the township. Property owner permission is required prior to placement upon private property.

(Ord. No. C-760-A, § 2, 11-17-14)

Secs. 19-24—19-50. - Reserved.