

BOROUGH OF NORWOOD

APPLICATION FOR GARAGE SALE PERMIT

Permit Number: _____

Date Permit Issued: _____

Owner of Premise: _____

Address: _____, Norwood, NJ 07648

Phone Number: _____

Dates of Sale(s) (may not exceed two (2) days):

_____ 9 AM – 6 PM

_____ 9 AM – 6 PM

Please state the number of sales in this calendar year which were conducted by the applicant in Norwood and/or which were conducted at this location, also state dates of such sales:

Number of Sales: _____ Dates of Sale(s): _____

PERMIT FEE \$5.00/day: _____

- Signs shall not be larger than eighteen by twenty-four inches (18'x24") inches
- Signs shall have a space provided thereon upon which shall be inserted the location of the sale, the permit number and the name of the person conducting the sale (the name may be excluded if the person conducting the sale is a private resident of the Borough)
- No signs shall be posted more than five (5) days before the first date of the garage sales and all signs shall be removed within forty-eight (48) hours after the conclusion of the sale
- If it rains, license must be brought back to the Borough Clerk's Office for a new date

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS COMPLETE AND IS KNOWN TO BE TRUE

Signature : _____ Date: _____

Name: _____

Address: _____

Phone Number : _____

I HAVE RECEIVED AND UNDERSTAND ALL THE INFORMATION INCLUDING BOROUGH ORDINANCE NO. 06:10, REGARDING ALL THE RULES AND REGULATIONS OF HAVING A GARAGE SALE. I AGREE TO THE ABOVE REGULATIONS STATED.

Signature: _____ Date: _____

*Borough of Norwood, NJ
Monday, October 21, 2019*

Chapter 137. Garage Sales

[HISTORY: Adopted by the Mayor and Council of the Borough of Norwood 6-7-2006 by Ord. No. 06:10. Amendments noted where applicable.]

GENERAL REFERENCES

Penalties and fines — See Ch. 174.

§ 137-1. Definitions.

The following terms when used in this chapter shall be defined as follows:

GARAGE SALES

All sales of goods entitled "garage sale," "yard sale," "attic sale," "rummage sale," or "flea market sale," or any similar casual sale of tangible personal property that is advertised by any means whereby the public at large is or can be made aware of the sale.

GOODS

Any goods, warehouse merchandise, or other property capable of being the object of a sale regulated hereunder.

PERSON

Individuals, partnerships, companies, voluntary associations, and corporations.

§ 137-2. Conduct of sales.

The following regulations shall limit the conduct of garage sales within the Borough:

- A. No person shall hold or conduct a garage sale without obtaining a permit from the Borough pursuant to this chapter.
- B. No person shall conduct a garage sale within 90 days of the date of any previous garage sale conducted by that person.
- C. No location or address shall serve as a site of any garage sale within 90 days of the date of any previous garage sale held at the location.
- D. All garage sales shall be limited to the hours between 9:00 a.m. and 6:00 p.m. on any given day.
- E. No single garage sale shall continue for more than two days.
- F. No signs shall be used to advertise garage sales except those authorized by this chapter.
- G. All signs advertising garage sales must be removed within 48 hours after 6:00 p.m. of the

last day of the sale.

- H. Permits must be prominently displayed at the time and location of the sale.
- I. Applicants will have the option of requesting by telephone from the Borough Clerk the approval of one one-week extension of any permit issued if the sale is not conducted on the date permitted because of weather conditions.

§ 137-3. Permits; fees.

- A. Permit required. It shall be unlawful for any person to conduct a garage sale in the Borough without first filing with the Borough Clerk the information hereinafter specified and obtaining from the Borough Clerk a permit for the garage sale.
- B. Fee. The fee for a garage sale permit is \$5 per day.
- C. Frequency of permits. No permit shall be issued to any one person within 90 days of the issuance of a permit to that person, nor shall any permit be issued for any location for a garage sale within 90 days of the issuance of a permit for that location.
- D. Display of permit. Each permit issued under this chapter must be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the sale.

§ 137-4. Contents of permit application.

The following information shall be filed with the Borough Clerk for each permit for a garage sale.

- A. The name of the person or organization conducting the sale.
- B. The name of the owner of the property on which the sale is to be conducted.
- C. The location or address where the sale is to be conducted.
- D. The number of days and the dates of the sale.
- E. The dates of previous sales by the applicant and the dates of previous sales at the location.
- F. A statement by the applicant confirming that the information provided in the application is complete and known by the applicant to be true.

§ 137-5. Signs.

[Amended 12-13-2017 by Ord. No. 17:16]

All signs advertising garage sales:

- A. Will comply with the regulations for temporary signs for private sales and events, which are contained in Chapter **233** of this Code; and
- B. Will have a space for the insertions of the sale's location, the permit number, and the

name(s) of the person(s) or entity conducting the sale. The names may be excluded if a Norwood resident is holding the sale.

§ 137-6. Exemptions.

The provisions of this chapter shall not apply to or affect the following persons or sales:

- A. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
- B. Person acting in accordance with their powers and duties as public officials.
- C. Any person selling or advertising for sale an item or items of personal property that are specifically named or described in the advertisement and that separate items do not exceed five in number.
- D. Any publisher of a newspaper, magazine, or other publication or other communication media that publishes or broadcasts in good faith without knowledge of its false, deceptive, or misleading character or without knowledge that the provisions of this chapter have not been complied with.
- E. Any sale conducted by any merchant or mercantile or other business establishment from or at a place of business wherein the sale would be permitted by the zoning regulations of the Borough or under the protection of the nonconforming use section thereof or any other sale conducted by a manufacturer, dealer, or vendor that would be conducted from properly zoned premises and not otherwise prohibited in the Code of the Borough.
- F. Any bona fide charitable, eleemosynary, educational, cultural, or governmental institution or organization; provided, however, that the burden of establishing the exemption under this subsection shall be on the organization or institution claiming the exemption. Organizations claiming this exemption must still apply for a permit and use signs permitted by this chapter; however, the fee for the permit shall be waived.

§ 137-7. Enforcement.

This chapter shall be enforced by the Borough's Police Department, Construction Code Official, and the Zoning Enforcement Officer; provided, however, that the Police Department shall notify the Construction Code Official or Zoning Enforcement Office of any violations of this chapter that come to the attention of the Department either by complaint or by observation of a patrolling officer.

§ 137-8. Liability.

Adherence to this chapter shall be the responsibility of the person to whom a permit is issued and the owner or tenant of the premises on which a sale is conducted. In addition to any other duties or obligations imposed by this chapter, the responsible persons, as set forth herein, shall cooperate with the members of the Police Department of the Borough, the Construction Code Official, or the Zoning Enforcement Officer in ensuring that the conduct of the sale does not impede the normal flow of traffic or otherwise endanger the health, safety, and welfare of persons present at the sale and other the residents of the Borough.

§ 137-9. Violations and penalties.

Any person convicted of violating the provisions of this chapter shall be subject to the penalties set forth in Chapter 174, except that the fine for each sign in violation of this chapter shall be \$10 per sign.