

YARD SALE ORDINANCE TOWNSHIP OF LAPEER

ORDINANCE NO. 22.1

THE TOWNSHIP OF LAPEER ORDAINS:

Section 1 **DEFINITION**

The term "yard sale" shall mean any offering for sale of items of personal property (commonly referred to as garage sales, rummage sales, barn sales, tent sales, estate sale, etc.). The term "yard sale" shall not include the offering for sale of a single item only (such as a single automobile). The term "yard sale" shall not include sales which are conducted as part of a permanent commercial enterprise located on property zoned for commercial use.

Section 2 **NUMBER OF YARD SALES**

No more than two yard sales shall be conducted within any twelve month period at any one location or by any one person within the Township.

Section 3 **SETBACKS**

Any items offered for sale at a yard sale shall be displayed no closer than twenty-five feet from the road right of way line.

Section 4 **SIGNS**

Any sign advertising a yard sale shall be located on private property pursuant to the consent of the property owner. No such signs shall be placed upon any public property. All yard sale signs shall be removed within twenty-four hours of the conclusion of the sale.

Section 5 **DURATION OF SALE**

All yard sales must be completed within nine (9) consecutive days of the first day of the yard sale.

Section 6 **CHARITABLE PURPOSE YARD SALES**

The restrictions of this Ordinance may be waived by motion of the Township Board for yard sales which are conducted by charitable organizations such as: Churches, 4-H, Boy Scouts, etc.

Section 7 **PENALTY & ENFORCEMENT**

Any person, firm or corporation who violates any of the provisions of this ordinance will be held responsible for a municipal civil infraction and for creating a public nuisance, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Lapeer Township Civil Infraction Ordinance.

Section 8 **SEVERABILITY**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 9

REPEAL OF PRIOR ORDINANCE AND ITS AMENDMENTS

The former Lapeer Township Yard Sale Ordinance No. 22, adopted on June 3, 1982 is hereby repealed.

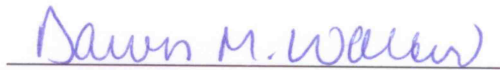
Section 10

EFFECTIVE DATE

This ordinance was adopted by the Township Board of the Township of Lapeer, Lapeer County, Michigan at a meeting duly called and held on the 14th day of November 2011 and was published in the LAView newspaper on the 24th day of November 2011. This ordinance shall take effect thirty (30) days after publication.



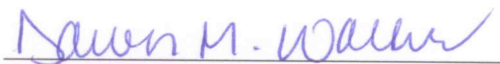
Scott Jarvis
Lapeer Township Supervisor



Dawn M. Walker, CMC
Lapeer Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Lapeer Township Board, County of Lapeer, State of Michigan, at a duly held meeting on the 14th day of November 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.



Dawn M. Walker, CMC
Lapeer Township Clerk