

Ordinance for Yard and Barn Sales



Town of York, Maine

Most Recently Amended: May 16, 2015

Prior Dates of Amendment: May 22, 2010

Date of Original Enactment: November 21, 1978

ENACTMENT BY THE LEGISLATIVE BODY

Date of the Town vote to enact/amend this Ordinance: May 16, 2015

Certified by the Town Clerk: May Anne Dyer-Marsch on June 19, 2015
(signature) (date)

ORDINANCE FOR YARD AND BARN SALES

This Ordinance shall apply to Yard, Porch, Barn and Garage Sales and Auctions and Flea Markets.

I. PURPOSE

To prevent the establishment of a business outside the permitted zones and to insure that goods be from the premises of the sale and brought in for sale purposes. This Ordinance shall not apply to commercial auction halls, where an auctioneer brings in goods and conducts auctions on a recurring basis.

II. PERMIT REQUIRED

No private, residential, yard, porch, barn, garage sale, auction or flea market will be permitted until:

- A. A sale shall be registered with the Police Department of the Town of York; and
- B. A permit has been issued by the Police Department for the registered sale.

III. REQUIREMENTS AND RESTRICTIONS

- A. The permit shall be posted in a conspicuous place.
- B. There shall be no more than two (2) sales a year to a residence.
- C. Each sale shall be no more than three (3) consecutive days.
- D. This permit may be canceled if in the opinion of a Police Officer there is a vehicular or pedestrian problem because of inadequate off-street parking arrangements.

IV. VIOLATIONS/PENALTIES

Any person who violates this ordinance shall be subject to a civil penalty of \$100.00 for the first offense, \$150.00 for the second offense, and \$250.00 for the third and subsequent offenses.

V. WAIVER/PAYMENT OF FINES

Any person charged with a violation of this section, shall be allowed to waive such violation and tender to the Town of York the fine amount if paid within 20 days of issuance of the summons. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fine, the matter will be closed in the York Police Records system and listed as a subsequent offense for future violations.

If the offender chooses not to pay the waiver fine, he/she shall appear in court on the specified date to answer for the ordinance violation. If the offender is found to have committed the offense in court, fines, applicable court fees, attorney's fees, and prosecution costs may apply.

Ordinance re-created as a Word file by the Community Development Department to reflect the May 22, 2010 amendments.