

## Chapter 28

### SECONDHAND GOODS\*

#### Article I. In General

Secs. 28-1 – 28-30. Reserved.

#### Article II. Garage Sales

Sec. 28-31.	Definitions.
Sec. 28-32.	Conduct of sales.
Sec. 28-33.	Permit required; display.
Sec. 28-34.	Filing of information.
Sec. 28-35.	Exceptions.

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\***Cross reference** – Business regulations, ch. 8

**State law references** – Licensing of secondhand and junk dealers, MCL 445.401 et seq.; precious metal and gem dealer act, MCL 445.481 et seq.

## POTTERVILLE CODE

## SECONDHAND GOODS

### ARTICLE I. IN GENERAL

(Ord. No. 100, § 2, 7-11-1977)

**Secs. 28-1 – 28-30. Reserved.**

### ARTICLE II. GARAGE SALES

#### Sec. 28-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Family* mean two or more person related by blood, marriage or adoption, or a group not to exceed two persons not related by blood or marriage, occupying a single premises and living as a single housekeeping unit.

*Front yard* means the open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the building.

*Garage sale* means and includes the public sale of any new or used tangible personal property which is conducted at a private residence in a residentially zoned district and which is advertised by any means, and shall include, by example and not by way of limitation, all sales entitled “garage sale,” “yard sale,” “lawn sale,” “attic sale,” or “rummage sale,” when conducted on a private residence.

(Ord. No. 100, § 1, 7-11-1977)

**Cross reference** – Definitions generally, § 1-2.

#### Sec. 28-32. Conduct of sales.

No person or family shall conduct any garage sale within the city except pursuant to the following regulations:

- (1) No more than two garage sales may be conducted at any residential premises within any one calendar year.
- (2) No garage sales may be conducted, nor any goods publicly displayed, for a period of more than 72 consecutive hours.

#### Sec. 28-33. Permit required; display.

(a) It shall be unlawful for any person to conduct a garage sale in the city without first filing with the clerk the information specified in this article and obtaining from such clerk a permit to do so, to be known as a garage sale permit.

(b) Each permit issued under this article must be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the permitted sale.

(Ord. No. 100, § 3, 7-11-1977)

#### Sec. 28-34. Filing of information.

The information to be filed with the clerk pursuant to this article shall be as follows:

- (1) The name of the person conducting the sale.
- (2) The name of the owner of the property on which the sale is to be conducted, and the consent of the owner if the applicant is other than the owner.
- (3) The location at which the sale is to be conducted.
- (4) The number of days of the sale.
- (5) The entry and nature of any past sale.
- (6) The relationship or connection the applicant may have had with any other person conducting the sale and the dates of such sale.
- (7) Whether or not the applicant has been issued any other vendor's license by any local, state, or federal agency.
- (8) A sworn statement or affirmation by the person signing that the information therein given is full and true and known to him to be so.

(Ord. No. 100, § 4, 7-11-1977)

POTTERVILLE CODE

**Sec. 28-35. Exceptions.**

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

- (1) Persons selling goods pursuant to a court order license to sell.
- (2) Persons acting in accordance with their duties as public officials.
- (3) Any person selling or advertising for sale items of personal property which are each specifically named or described in the advertisement for sale and which separate items do not exceed five in number.

(Ord. No. 100, § 6, 7-11-1977)