



Ordinance # _____

An Ordinance to Regulate the Number and Duration of Garage/Yard Sales

The Township of Quincy determines that it is in the best interest of the citizens of Quincy Township to adopt regulations governing the number and duration of garage sales.

SECTION A PURPOSE.

The Township Board finds that perpetual, prolonged, and extended yard sales, if continued indefinitely, tend to become retail businesses in residential areas and zones, create noise, traffic congestion, unsightly signage, and other nuisances. The rules and regulations contained herein are designed to control and restrict yard sales in order to protect the public health, safety and convenience of the citizens of Quincy and to restrict sales to casual or occasional occurrences only, in keeping with the character of the residential neighborhoods. The Township Board finds a need to limit, regulate, restrict and control yard sales.

SECTION B DEFINITIONS AND ABBREVIATIONS.

Words and terms not defined in this Ordinance shall have the meanings given them in the Zoning Ordinance of the Township of Quincy, or in the absence of definition in said Ordinance, such words and terms shall have their customary dictionary definition.

Yard Sale - The sale of personal property from any premises, whether advertised in local media, by signs, or otherwise as a yard sale, barn sale, garage sale, household sale, moving sale, or other sale, whether accomplished by direct sale or auction; or sales conducted by civic groups, school groups, church groups, charitable or fraternal organization and other non-profit organization if such sale is held within the Township.

Residential Premises - A building or structure having at least one dwelling unit and the lot of land associated therewith.

Personal Property- Shall mean tangible property which is owned, utilized and maintained by an individual or members of a residence or acquired in the normal course of living in or maintaining a residence, such as, but not limited to, household items, clothing, tools, toys, recreation equipment, or other used or second-hand items normally found in and about the home and advertised to the public.

Person - Shall mean any natural person or persons, association, partnership, firm, corporation or other entity.

Calendar Year - January through December

SECTION C GARAGE/YARD SALE REGULATIONS

47 Cole St

Quincy

Michigan

49082

517.639.9065

www.Quincy-MI.org

Residents are limited to three yard sales per year, not to exceed three consecutive days, per calendar year. If a sale is held on a holiday weekend (Memorial Day, 4th of July, or Labor Day), a fourth day is allowed.

SECTION D EXEMPT GARAGE SALES

The provisions of this Ordinance shall not apply to or affect the following: (1) Persons selling goods pursuant to an order of process of a court of competent jurisdiction. (2) Persons acting in accordance with their powers and duties as public officials. (3) Any sale conducted by any merchant or mercantile or other business establishment on a regular, day-to-day basis from or at the place of business wherein such sale would be permitted by zoning regulations of the Township, or under the protection of the nonconforming use section thereof, or any other sale conducted by a manufacturer, dealer or vendor in which sale would be conducted from properly zoned premises, and not otherwise prohibited by other ordinances. (4) Garage sales that are established on a community wide basis (e.g. US-12 Garage sales, etc).

SECTION E SEVERABILITY

Should any provision or section of this ordinance be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of the remaining provisions or sections, which shall remain in full force and effect.

SECTION F CONFLICT

Should any provision of this ordinance be found to be in conflict with any other provision of the Ordinances of the Township of Quincy, the provision in this ordinance shall be deemed the controlling provision.

SECTION G PENALTIES

Any person who violates any provision of this article is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than fifty dollars (\$50), plus costs and other sanctions. Repeat offenses are subject to a payment of a civil fine of not less than two hundred and fifty dollars (\$250), plus costs and other sanctions, for each infraction. Each day violations continue shall constitute a separate offense.