



CITY OF LORAIN

Application for Garage Sale Permit **Permit Must Be Visible At All Times**

****It is the recommendation of the Mayor of the City of Lorain that you maintain Social Distancing, limit the number of persons gathered at one time and the host and customers wear Face Coverings**

Name: _____ Phone: _____

Address: _____

If applicant is an organization, Name/Address/Phone of contact person:

NOTE: 2 DAYS ONLY – ONCE PER YEAR

Date(s) of Sale: _____

HOLD HARMLESS AGREEMENT: The Permit Applicant agrees to indemnify and hold harmless the City of Lorain and its agents and employees against all claims, damages, losses and expenses, including but not limited to attorney fees, sustained by any person or persons and arising out of or resulting from the performance of this contract, provided that any such claim, damage, loss or expense is not solely attributable to or caused by the negligent act or omission of the City of Lorain, its employees, agents or subcontractors.

Signature: _____ Date: _____

By signing this application, I agree to abide by the responsibilities printed on the this application and set forth in the codified ordinance

GARAGE SALE LICENSE

No. _____ - _____

Permission is hereby granted to:

Name: _____

Address: _____

Date(s) of Sale: _____

Approved By: _____

(Director of Public Service)

Date: _____

CHAPTER 769 Garage Sales

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769.01 DEFINITIONS.

For the purposes of this chapter, certain words are defined as follows:

- (a) "Person" means individual, associations of individuals, partnerships or corporations who or which conduct sales for a commission or other remuneration;
- (b) "Public sale" means any sale and delivery or offer of sale and delivery of any household furniture, furnishings, equipment, goods, wares, merchandise from in, about or upon any premises, property or residence zoned for residential use within this City to which the general public is invited pursuant to any advertisement or notice by newspaper, mail or individual flyer or otherwise;
- (c) "Garage sale" means a sale of household goods, equipment, utensils, appliances, personal clothing or effects, or other similar, personal property including such sales commonly termed "basement sales", "house sales" or "lawn sales".

(Ord. 46-89. Passed 4-3-89.)

769.02 LICENSE REQUIRED.

No person shall conduct, hold or permit a public sale or garage sale within a residential district of this City without having an unrevoked, valid license from the City for such purpose in effect at the time and issued pursuant to the provisions of this chapter. No fee shall be charged for the issuance of such license.

(Ord. 46-89. Passed 4-3-89.)

769.03 LICENSE APPLICATION AND ISSUANCE.

Licenses shall be issued by the Director of Public Service and Safety or a person acting and authorized to act on his/her behalf upon the applicant's complying with the following provisions:

- (a) Giving his/her name and permanent address;
- (b) Obtaining the license required by this chapter at least five days prior to the first day of the sale;
- (c) Giving the name and address of all persons who will be associated or engaged in such public sale;
- (d) Giving the name and address of the party for whom the sale is being held;
- (e) Giving the date of sales and number of sales in a calendar year.

(Ord. 46-89. Passed 4-3-89.)

769.04 TRAFFIC SUPERVISION DURING SALE.

The applicant shall provide sufficient parking and shall insure adequate traffic supervision to prevent traffic congestion at the time and place of the sale.

(Ord. 46-89. Passed 4-3-89.)

769.05 LICENSE EFFECTIVE PERIOD.

(a) Licenses shall be valid only for the period of the sale indicated thereon, not to exceed two consecutive days;

(b) No more than one sale per year shall be permitted at the same location.

(Ord. 182-96. Passed 10-21-96.)

769.06 DISPLAY OF LICENSE; SIGN RESTRICTIONS.

(a) Every person licensed under this chapter shall have license in his/her possession at all times when conducting a public sale or garage sale within a residential district of this City and shall display the same upon demand of any police officer, the Director of Public Service and Safety or his/her designee, and upon demand of any person who attends such public sale;

(b) No more than one sign advertising such sale, not exceeding two feet by two feet shall be located on the property where the sale is conducted. No other signs shall be used off the premises for such sales;

(c) Under no circumstances shall signs be placed or attached to utility poles;

(d) All signs shall be removed or caused to be removed by the individual who obtains the permit within twenty-four hours after the conclusion of the garage sale.

(Ord. 46-89. Passed 4-3-89.)

769.07 SALE HOURS; MERCHANDISE RESTRICTIONS.

No person shall conduct a public sale or garage sale before 9:00 a.m. of any day or after sunset of any day; or sell any household furniture, furnishings, equipment or goods which were brought into the residence or onto the property for the sole purpose of selling the same at such sale by a person who regularly furnishes such household furniture, furnishings, equipment or goods at such public sales or garage sales for profit, except for Section [769.09](#).

(Ord. 46-89. Passed 4-3-89.)

769.08 LICENSE REVOCATION.

A license issued pursuant to this chapter may be revoked by the Director of Public Service and Safety for any of the following reasons:

- (a) Fraud, misrepresentation or any false statement made to the Director in furnishing the information required by this chapter;
- (b) Fraud, misrepresentation or any false statement contained in the application for a license;
- (c) A conviction of the licensee for violation of any provisions of this chapter;
- (d) Conviction of the licensee of any felony or crime involving moral turpitude;
- (e) Conducting a public sale in any unlawful manner or in such manner as to constitute a breach of the peace.

(Ord. 46-89. Passed 4-3-89.)

769.09 EXCEPTIONS.

(a) This chapter shall not apply to any public sale conducted solely for or on behalf of any charitable, educational or religious institution when the person or persons conducting such sale receive no compensation or fees;

(b) The provisions of this chapter shall not apply to the sale of tangible, personal property made under any court order; nor to persons acting in accordance with their powers and duties as public officials;

(c) Nothing in this chapter shall in any way modify, amend or otherwise change any presently existing ordinances of the City and shall not make legal any activity that is presently illegal in the City.

(Ord. 46-89. Passed 4-3-89.)

769.10 SEPARABILITY.

Should any portion or portions of this chapter be declared to be invalid by a court of competent jurisdiction, the remaining portions of this chapter shall be unaffected by such determination and shall remain in full force and effect.

(Ord. 46-89. Passed 4-3-89.)

769.99 PENALTY.

Whoever is found guilty of violating any provision of this chapter shall be guilty of a minor misdemeanor. A separate offense shall be deemed committed upon each day during or on which the violation occurs or continues.

(Ord. 46-89. Passed 4-3-89.)

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