

ARTICLE XII. - SALE OF SECONDHAND, USED OR SURPLUS PERSONAL PROPERTY

Sec. 26-301. - Authorization and definition.

This article is intended to authorize the residents of the City of Oxford to periodically dispose of personal property and belongings through use of yard sales and to prevent any person from conducting an unlicensed business every weekend within the City of Oxford. Yard sales are permitted within the municipal limits of the City of Oxford under certain terms and conditions as herein set forth.

Yard sale: The term "yard sale" means the display of and offer for sale of personal property on the premises of any property within the city limits. Such sales commonly occur at the residence of an applicant and in such places as the yard, garage, basement, or other portion of the applicant's property. The term "yard sale" shall include such terms as garage sale, basement sale, carport sale, moving sale, rummage sale, flea market sale, estate sale or any other type of residential sale of tangible personal property such as, but not limited to, household items, clothing, tools, toys, recreation equipment, or other used or secondhand items normally found in and about the home and advertised to the public.

(Ord. No. 2017-13, § 1, 6-13-2017)

Sec. 26-302. - Permit.

A permit shall be required for any person(s) conducting a yard sale. The permit must be procured prior to the commencement of the sale and may be obtained in the office of 311 located within City Hall. The office of 311 is authorized to prepare a permit application form which shall include all pertinent information necessary to identify the applicant(s), the date(s) and time(s) of the permitted sale, and the sale site. The permit application shall not require the disclosure of the applicant's social security number. The cost of the permit shall be determined by the city council. The permit authorizing the yard sale shall be displayed in plain site on the property during the duration of the sale.

(Ord. No. 2017-13, § 2, 6-13-2017)

Sec. 26-303. - Conditions of conducting the sale.

Upon submission of an application and issuance of a permit to conduct a yard sale within the City of Oxford the applicant(s) shall abide by the following conditions:

- (a) Only one yard sale per 30 days with a maximum of six per year shall be permitted at any single location. The property location shall be identified as the physical address assigned thereto and shall include the dwelling or any part thereof, yard, open field, barn, accessory building, and parking area. One extra yard sale shall be permitted if satisfactory proof of a bona fide change in ownership/occupancy of the real property is first presented to the office of 311;
- (b) A sale may be conducted by a single person, multiple persons, churches, social, civic, or charitable organizations. All items sold must originate as the legal property of the applicant(s) participating in the sale or members of the organizations. Goods must be surplus to the needs of the owner and shall not include any items purchased new for resale;
- (c) A permitted yard sale shall be limited to four consecutive days of operation and must be conducted during daylight hours only. Daylight hours shall consist of the hours between 7:00 a.m. until sunset;
- (d) Yard sales may be conducted on private property and on public property with the expressed permission of the office of 311 or any person designated by the mayor. No merchandise shall be placed upon public right-of-ways, to include streets and sidewalks. All merchandise displayed must be a sufficient distance from public roadways in order to avoid obstruction of view or traffic hazards;

- (e) All unsold merchandise remaining on the permitted site at the conclusion of the sale must be removed therefrom immediately. Merchandise sold to purchasers must be removed from the permitted sale site within 24 hours of the conclusion of the sale;
- (f) The issuance of a yard sale permit shall signify the consent and permission for personnel of the City of Oxford, to include law enforcement officers, to enter the permitted sale site to monitor, inspect, and determine compliance with this article;
- (g) If the permitted sale is not held on the date listed on the permit due to inclement weather, the applicant(s) may reapply within five days at no additional fee.

(Ord. No. 2017-13, § 3, 6-13-2017)

Sec. 26-304. - Advertising of yard sales.

A yard sale may be advertised to the public by means of newspapers, radio, television, handbills, and signs. In the event an applicant chooses to advertise a permitted yard sale by means of signage or handbills, the following restrictions shall apply:

- (a) Signs may not be posted until a permit to conduct the sale has been issued. No more than two signs may be placed upon the permitted property;
- (b) Signs and handbills may not be placed on utility poles, public property or right-of-ways. Handbills may be posted on private bulletin boards or inside places of business with the consent of the owner;
- (c) A sign may not be displayed more than two days prior to the commencement date of the sale and must be removed immediately following the conclusion of the sale. Persons who post signs at any location other the permitted property could be cited under the offense of littering.

(Ord. No. 2017-13, § 4, 6-13-2017)

Sec. 26-305. - Penalty.

Any person conducting a yard sale without being properly permitted or who should violate any of the terms and regulations contained in this ordinance shall, upon conviction, be punished with a fine of not less than \$25.00 nor more than \$500.00.

(Ord. No. 2017-13, § 5, 6-13-2017)