



ROSS TOWNSHIP

250 Anchorage Road, P.O. Box 276
Saylorsburg, PA 18353 | Phone: 570-992-4990
rosstwp@rosstwpmpcpa.gov | rosstwpmpcpa.gov
Office hours: Monday - Friday, 8:00 a.m. - 4:00 p.m.

APPLICATION FOR GARAGE SALE PERMIT

APPLICANT & PROPERTY INFORMATION

Name of person or organization conducting the sale:

Street address where the sale will be conducted:

Property owner name and address (if different):

PROPOSED SALE DATES & HOURS

Not more than 3 consecutive days. Sale hours: 7:00 a.m. - 7:00 p.m.

Day:

Date (month/day/year):

Hours:

SIGNS

Advertising sign on the sale property?

☐ Yes ☐ No

Size:

Directional signs?

☐ Yes ☐ No

If yes, give locations, sizes and owner consent:

1. Location:

Size:

Property owner signature:

2. Location:

Size:

Property owner signature:

PRIOR SALES & APPLICANT CERTIFICATION

First sale in a 12-month period: no charge. Second and third sales require a fee and an additional application. No more than 3 sales in the same 12-month period.

Previous sale dates for this applicant or these premises in the past 12 months:

I affirm that the information provided is full, complete and correct to the best of my knowledge, and agree to comply with all regulations and restrictions in Ordinance No. 47.

Applicant signature:

Phone:

Owner/occupant signature (if other than applicant):

Owner/occupant phone:

OFFICE USE ONLY - GARAGE SALE PERMIT

Fee required: ☐ Yes ☐ No

Fee: \$

Paid: \$

☐ Cash

☐ Check #

Date:

☐ Approved

☐ Denied

Reason:

Authorized Township signature:

Permit #:

TOWNSHIP OF ROSS
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 47

AN ORDINANCE REGULATING AND RESTRICTING "GARAGE SALES" AND "YARD SALES" IN THE TOWNSHIP OF ROSS, MONROE COUNTY, PENNSYLVANIA.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Ross, Monroe County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION I - TITLE - This local Ordinance shall be know as the "Ordinance Regulating and Restricting Garage Sales".

SECTION II - PURPOSE - Such rules and regulations are set forth in this Ordinance are designed to control and restrict garage sales in order to protect the public health, safety and convenience and to restrict such sales to casual and/or occasional occurrences only. The intent of this Ordinance is to eliminate perpetual prolonged and extended garage sales. Such sales if carried on indefinitely tend to become retail businesses and to create a nuisance. The provisions of this Ordinance arise from the need to limit, regulate, restrict and control garage sales.

SECTION III - DEFINITIONS - As used in this Ordinance the following terms shall have the meanings indicated:

(a) GARAGE SALES:

- (i) The sale or offering for sale of ten (10) or more new, used or secondhand items of personal property at any one premises at any one time.
- (ii) Includes all sales entitled "garage sales", "yard sales", "tag sales", "porch sale", "lawn sale", "attic sale", "basement sale", "rummage sale", "flea market sale", or any similar casual sale of tangible personal property.

(b) GOODS: Includes any goods, warehouse merchandise or other personal property capable of being the object of a sale regulated hereunder.

(c) PERSONS: Includes individuals, partnerships, family groups, voluntary associations and corporations.

SECTION IV - PERMIT REQUIRED; FEE; CONDITION FOR SALE

- (a) It shall be unlawful for any person to conduct a garage sale within the geographic boundaries of the Township of Ross, without first obtaining a garage sale permit from the Township Office after filing an application containing the information specified in the form of permit application attached or any amended form of permit application.
- (b) The first garage sale permit issued to any one person or for any one premises within one (1) twelve (12) month period shall be issued without charge. For the second and third such permits issued in any twelve (12) month period, there shall be a non-refundable fee in the amount of ten (\$10.00) dollars, payable upon submission of each permit application.
- (c) Such permit shall be issued to one (1) person for one (1) specific premises or location only one (1) time within a two (2) week period. No more than three (3) permits for garage sales shall be issued for the same premises or to the same person in any twelve (12) month period.
- (d) No permit shall be issued for a garage sale for longer than three (3) consecutive days.
- (e) Each permit issued under this Ordinance must be prominently displayed on the garage sale premises throughout the entire period of the sale and must be exhibited to any Township Officer or Police Officer upon request.
- (f) No more than three (3) families or householders may participate in any garage sale by furnishing goods, wares or merchandise for sale, and/or by engaging in the sale of the goods, wares and merchandise.
- (g) No music, games or other entertainment or activities may be conducted at the time when and in the place where the sale is held; and there shall be no unnecessary or excessive noise.

- (h) The sale shall be limited to possessions of the holder of the permit (and the other families and householders referred to in section "(f)" above). It shall be unlawful to engage or employ any individual, organization or other entity to plan, arrange, conduct, promote or supervise any such sale.
- (i) None of the following may be sold or offered for sale at any garage sale:
 - A. anything for which a separate license is required by law or by any federal, state or municipal regulation; or
 - B. anything of an explosive, poisonous or dangerous nature.
- (j) All garage sales held pursuant to these provisions shall be conducted between the hours of 7:00 A.M. and 7:00 P.M., only on the day or days for which a permit was issued.

SECTION V - ADVERTISEMENT

- (a) Garage sales may be advertised through newspaper or other media.
- (b) A sign no larger in size than two by two (2 x 2) feet may be installed on the property where the sale is being conducted. In addition, no more than four (4) other directional signs no larger in size than two by two (2 x 2) feet may be installed on private property with the permission of the said property's owner. The signs may be displayed only twenty-four (24) hours prior to the date of the sale and shall be removed within twenty-four (24) hours after the sale is concluded.
- (c) No sign or other display advertising the sale shall be placed on the public right-of-way. No lighted or illuminated signs shall be used. No signs shall be permitted which are pasted, stapled, nailed or otherwise permanently attached to public utility poles or trees, or to any traffic control devices (which would include but not be limited to street signs) within the right-of-way of any street.

SECTION VI - EXEMPTIONS - This Ordinance shall not be applicable to:

- (a) Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
- (b) Persons acting in accordance with their powers and duties as public officials.
- (c) Any person selling or advertising for sale an item or items of personal property which do not exceed nine (9) in number.
- (d) Any sale conducted in the regular course of an established business or commercial or industrial establishment which is operating consistent within any applicable provisions of the Township Subdivision and Land Development Ordinance and which is not otherwise prohibited by the laws and other Ordinances of the Township of Ross, Monroe County, Commonwealth of Pennsylvania, or this Ordinance.
- (e) Any public auction conducted by an auctioneer, licensed by the Commonwealth of Pennsylvania, having a duration of no more than two (2) DAYS.

SECTION VII - PENALTIES FOR OFFENSES - Any person, firm, association, corporation or other entity conducting any garage sale as herein defined without being properly permitted therefor, or who shall violate or fail to comply with any provisions adopted pursuant to this Ordinance or any rules or regulations properly adopted pursuant to this Ordinance, or who makes any false statement on any application provided for herein shall be deemed to be in violation hereof and upon conviction shall be liable for a fine not less than fifty (\$50.00) dollars nor more than three hundred (\$300.00) dollars for each day that any such sale without permit or other violation continues.

SECTION VIII - SEVERABILITY - If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid and the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, to that end the provisions of this Ordinance are severable.

SECTION IX - EFFECTIVE DATE - This ordinance shall become effective immediately upon adoption.

ENACTED AND ORDAINED THIS 29th day of April, 1998.

TOWNSHIP OF ROSS

By:

Howard Beers Jr.

Donald Kungel

D. D. Shy

Supervisors

ATTEST:

Alvin Price
Township Secretary