

ORDINANCE NO. 15-09

AN ORDINANCE REGULATING OCCASIONAL SALES WITHIN THE VILLAGE OF SPENCER, OHIO, AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

1. **Definitions.**

As used in this Ordinance, unless the context clearly indicates or requires a different meaning:

- (a) "Directional sign" means any sign offering directions to a sale premises and located other than on the sale premises.
- (b) "House sign" means any sign designating the location of a sale and located on the sale premises.
- (c) "Occasional sales" means those sales of goods, wares, and merchandise commonly known as garage sales, basement sales, yard sales, and rummage sales, conducted on an infrequent and unscheduled basis on premises zoned or used for residential purposes.
- (d) "Person" means any individual, firm, or corporation, but shall not include any charitable or religious organization.

2. **Time Limitations.**

No person shall conduct or allow any other person to conduct an occasional sale on premises zoned or used for residential purposes in excess of three (3) consecutive days, or conduct more than one such occasional sale on the same premises in any one (1) calendar month period, by the same household. Further, no occasional sale shall begin before 9 a.m. nor continue later than 6 p.m. on those days provided for herein. This Ordinance excludes any Village of Spencer community yard sale days.

3. **Limitation on Display of Goods.**

A person who is conducting an occasional sale may place on display any goods, wares, or merchandise under the provisions of this Ordinance up to the front property line. Such displays may not extend beyond ten feet (10') from the street or sidewalk line (whichever is closest to the house).

4 **House Sign Limitations; Banners; Streamers; etc.**

All house signs shall be displayed only in the area from the street or sidewalk line (whichever is closest to the house) to the thirty-foot (30') line of the premises where the sale is to be held. House signs shall not exceed six square feet in gross surface area for each exposed face, nor exceed an aggregate of twelve square feet, and each may be elevated to a height no greater than three feet from the ground to the top of the sign. All other items which are used to draw attention to the sale, including, but not limited to, banners, streamers and like, are hereby prohibited.

5. **Directional Signs.**

One directional sign is allowed at the nearest intersection to the garage sale. The dimensions and elevation are limited as per section 4 above, and such signs shall not be placed in any manner so as to obstruct any line of vision for drivers of any vehicle.

6. **Sign Removal.**

All signs authorized under the provisions of this Ordinance shall be removed no later than three (3) hours after the conclusion of the sale and in no event later than 9 p.m. on the Sunday of the sale.

7. **Penalty.**

Whoever violates any provision of this Ordinance is guilty of a minor misdemeanor and shall be fined not more than One Hundred Dollars (\$100) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

8. **Emergency Clause.**

This Ordinance is declared to be an emergency measure necessary to preserve the public peace, health, safety, and welfare of the residents of the Village of Spencer, and for the particular reason that there need to be regulations concerning garage sales to ensure safety of the streets

and aesthetics of the Village, and this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 17, 2009



TOMMY RAMEY, Mayor

ATTEST:



SHERI RAMEY, Village Fiscal Officer