



BOROUGH OF SPRING LAKE HEIGHTS

555 Brighton Avenue
Spring Lake Heights, NJ 07762
Phone: 732-449-3500 Fax: 732-449-3535

GARAGE SALE PERMIT	Application (Fee: \$5.00)	NO.	-
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SALE INFORMATION: Garage sale permits are issued for not more than three (3) consecutive days and are limited to two (2) sales within the calendar year

DATE(S) OF SALE: _____

SALE HOURS: _____

Garage Sales Are Permitted Between 9:00am-5:00pm

SALE LOCATION: _____

APPLICANT INFORMATION: Name of person, firm, group, or corporation, association or organization conducting sale

Name: _____

Address: If same as above, please check here []

Phone: _____

Has the applicant been issued a Garage Sale Permit this calendar year? [] Yes [] No

If yes, approximate date of sale: _____

APPLICANT CERTIFICATION: *I hereby certify that the above statements and the information submitted with this application are true.*

Signature: _____ **Date:** _____

[] Applicant [] Authorized Agent

PROPERTY OWNER CONSENT: This section must be completed only if the applicant is not the owner of the property where the sale is to be conducted. A letter of authorization from the property owner may be substituted.

I hereby consent to the above indicated garage sale and certify that the information submitted with this application is true.

Signature: _____ **Date:** _____

APPROVED: _____ **Date:** _____
(Authorized Signature)

THIS LICENSE MUST BE PROMINENTLY DISPLAYED DURING THE SALE.

FOR OFFICIAL USE ONLY: Fee Paid: \$5.00 [] Cash [] Check No. _____ Received By: _____ Date: _____

§ 4-4. GARAGE SALES; LAWN SALES; ATTIC SALES; RUMMAGE SALES.

§ 4-4.1. Definitions. [Ord. #11-1987, § 1] As used in this section:

GARAGE SALES - Shall mean and include all sales entitled "garage sale", "lawn sale", "attic sale", "rummage sale", or "flea market", or any similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of said sale.

GOODS - Shall mean and include any goods, warehouse merchandise or other tangible personal property capable of being the object of a sale regulated hereunder.

PERSON - Shall mean and include individuals, partnerships, voluntary associations and corporations.

§ 4-4.2. Licenses. [Ord. #11-1987, § 2]

It shall be unlawful for any person to conduct a garage sale in the Borough without first filing with the Chief of Police the information hereinafter specified and obtaining from such Chief of Police a license to do so, to be known as a "Garage Sale License". The fee for such license shall be and the same is hereby fixed at \$5. The application for a "Garage Sale License" shall be filed with the Chief of Police at least three days prior to the proposed date of sale.

§ 4-4.3. Licensing. [Ord. #11-1987, § 3]

Only two such licenses shall be issued for the same premises within a period of 12 months, except that in the event that the premises are sold or transferred within the said twelve-month period, an additional license may be issued to the new owner. Further, a separate license may be issued where more than one residential structure exists on the same premises.

A license shall be issued for not more than three consecutive calendar days and upon issuance the license must be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the licensed sale.

§ 4-4.4. Information to be Filed. [Ord. #11-1987, § 4]

The information to be filed with the Chief of Police, pursuant to this section shall be as follows:

- a. Name of person, firm, group, corporation, association or organization conducting said sale.
- b. Name of owner of the property on which such sale is to be conducted and consent of owner if applicant is other than owner.
- c. Location at which sale is to be conducted.
- d. Number of days of sale.
- e. Date and nature of any past sale.
- f. Sworn statement or affirmation by the person signing that the information therein given is full and true and known to him to be so.

§ 4-4.5. Limitations.[Ord. #11-1987, § 5] All garage sales shall be conducted between the hours of 9:00 a.m. and 5:00 p.m. only.

§ 4-4.6. Signs. [Ord. #11-1987, § 6]

No more than one sign, not exceeding 24 inches by 24 inches in area, shall be permitted for the purpose of advertising such garage sale. The sign shall have a space allotted thereon upon which shall be prominently endorsed the name and address of the person conducting the sale. If such a sign is used it shall be posted only

upon the premises on which said sale is conducted and shall be removed within 24 hours after completion of the sale.

§ 4-4.7. Persons and Sales Excepted. [Ord. #11-1987, § 7]

The provisions of this section shall not apply to or affect the following persons or sales:

- 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 are specifically named or described in the advertisement in which separate items do not exceed five in number.
- d. Any sale conducted by any merchant or mercantile or other business establishment from or at a place of business wherein such sale would be permitted by the Zoning Regulations of the Borough of Spring Lake Heights or under the protection of the Non-conforming Use Section thereof or any other sale conducted by a manufacturer, dealer or vendor, which sale is conducted on properly zoned premises, and not otherwise prohibited by any other ordinance or state.
- e. Any bona fide charitable, eleemosynary, educational, cultural or governmental institution or organization; provided, however, that the burden of establishing the exemption under this subsection shall be on the organization or institution claiming such exemption.

§ 4-4.8. Enforcement by Chief of Police. [Ord. #11-1987, § 8]

This section shall be enforced by the Chief of Police. It shall be his duty to investigate any violations of this section coming to his attention, whether by complaint or arising from his own personal knowledge, and if a violation is found to exist, he shall prosecute a complaint before the local Municipal Court pursuant to the provisions of this section. It shall be the duty of the Police Department of the Borough to bring any violations of this section of which the Police Department becomes aware during the course of its normal duties.

§ 4-4.9. Maintenance of Good Order and Traffic Flow. [Ord. #11-1987, § 9]

The person to whom such license is issued and the owner or tenant of the premises on which such sale or activity is conducted shall be jointly and severally responsible for the maintenance of good order and decorum on the premises during all hours of such sale or activity. No such person shall permit any loud or boisterous conduct on the premises nor permit vehicles to impede the passage of traffic on any roads or streets within the area and neighborhood of such premises. All such persons shall obey the reasonable orders of any member of the Police Department of the Borough in order to maintain the public health, safety and welfare.

§ 4-4.10. Penalty. [Ord. #11-1987, § 10]

Any person conducting a garage sale without being properly licensed therefor or who shall violate any of the other terms and regulations of this section, shall upon conviction thereof be subject to a fine of not less than \$25 nor more than \$100. Each day that such sale shall continue without being duly licensed shall constitute a separate violation.