

Chapter 121

GARAGE SALES

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[HISTORY: Adopted by the Mayor and Council of the Borough of Saddle River 7-12-1976 by Ord. No. 264-C. Amendments noted where applicable.]

§ 121-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

GARAGE SALES — Includes all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale" or "flea market sale" 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 — Includes any goods, merchandise or other property capable of being the object of a sale regulated hereunder.

PERSON — Includes individuals, partnerships, voluntary associations and corporations.

§ 121-2. License required; fee; limitations; display.

- A. It shall be unlawful for any person to conduct a garage sale in the Borough of Saddle River without first filing with the Borough Clerk the information hereinafter specified and obtaining from such clerk a license to do so, to be known as a "garage sale license."
- B. The fee for such license shall be as set forth in Chapter 134, Licenses and Permits.¹
- C. Only one such license shall be issued for a garage sale at any one particular dwelling or parcel of land within any one calendar year, and no such license shall be issued for more than three consecutive calendar days.
- D. Each license issued under this chapter must be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the licensed sale.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I.)

§ 121-3. Application.

Application for a license shall be made, in writing, to the Borough Clerk at least 15 days prior to the date of commencement of such sale and shall set forth the following:

- A. The name of the person, firm, group, corporation, association or organization conducting said sale.
- B. The name of the owners of the property on which said sale is to be conducted and consent of the owner if the applicant is other than the owner.
- C. The location at which the sale is to be conducted.
- D. The date or dates of the sale.
- E. The date and nature of any prior sale.
- F. The relationship or connection the applicant may have had with any other person, firm, group, organization, association or corporation conducting said sale and the date or dates of such sale.
- G. A general description of the type of goods to be sold, including a statement as to whether or not any of said merchandise was purchased by the applicant for the purpose of resale.
- H. Whether or not the sale will be held indoors or outdoors.

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§ 121-4. Hours.

Any garage sale authorized under the provisions of this chapter shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. on weekdays, exclusive of Sunday.

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§ 121-5. Advertisement.

The signs permitted in conjunction with a garage sale shall not exceed three, including one on-premises sign, and shall not exceed three square feet in area, posted only on the scheduled sale days, which signs shall be removed immediately after the consummation of the sale.

§ 121-6. Exceptions.

The provisions of this chapter 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 and 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 Chapter 210, Zoning, or under the protection of the nonconforming use provisions thereof or any other sale conducted by a manufacturer, dealer or vendor and which sale would be conducted from properly zoned premises and not otherwise be prohibited by the Code.

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§ 121-7. Enforcement.

§ 121-7

It shall be the duty of the Police Department to enforce the provisions of this chapter.

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§ 121-8. Violations and penalties.²

§ 121-8

Violation of the provisions of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I.)

