

CITY OF CORUNNA
ORDINANCE NO. 09-02

AN ORDINANCE TO AMEND CHAPTER 34 – ENVIRONMENT – ARTICLE V.
GARAGE SALES (SECTIONS 34-120 THROUGH 124)

THE CITY OF CORUNNA ORDAINS:

AMENDMENTS TO CHAPTER 34 – ENVIRONMENT – ARTICLE V. GARAGE SALES, SECTIONS 34-120 THROUGH 124 OF THE CITY CODE OF THE CITY OF CORUNNA, MICHIGAN, shall be as follows:

ARTICLE V. GARAGE SALES

Sec. 34-120. Purpose and intent.

The city council finds that repeated sales of various types of personal property made from residential premises, wherein newspaper advertisements, signs or other means of notification invite the general public to shop at such residential premises, where the property is displayed for sale in the garage, an outbuilding, in the yard area, in the dwelling, or all or a combination of such locations, have become a nuisance to the community. The council finds that locations where successive sales occur create vehicular traffic problems and detract from the tranquility and privacy of neighborhoods. The council finds that a limited number of occasional sales from any residential premises do not have an adverse effect on the community. The council further finds that this article offers the minimum regulation necessary to protect the health, safety and welfare of this community in such regard.

Sec. 34-121. Definitions.

(a) For the purpose of this article, the term "occasional sale" shall mean and include "garage sale", "basement sale" and "rummage sale" and any similar terms such as "attic sale", "lawn sale", "flea market sale", "estate sale", or any similar "casual sale", etc., shall mean sale of tangible personal property, whether used, secondhand, damaged or discarded, not otherwise regulated in this Code, advertised by any means whereby the public at large is or can be aware of such sale.

(b) For the purpose of this article, the term "person" shall mean and include individuals, groups, organizations, partnerships, voluntary associations and corporations.

Sec. 34-122. Exemptions.

(a) Three occasional sales by persons selling household or personal items belonging to them (subject to the conditions listed under Section 34-123), or to any sale regulated under any other provisions of ordinances of the city. Home occupations regulated under chapter 86 of this Code are specifically distinguished from this exemption through: The prohibition of yard or window displays for home occupations; the size restrictions of the occasional sale; the limitation of occasional sale items to used, secondhand, damaged or

discarded materials; and the restrictions against persons seeking on-site services or products from home occupations.

(b) At a sale specifically authorized by statute or judicial order and conducted strictly in conformity with such statute or order or conducted under judicial supervision.

(c) For the personal property exposed for sale, offered for sale or displayed upon land which is exempt from taxation under 1893 PA 203, as amended, and the proceeds of the sale are applied to a charitable, religious or governmental purpose.

Sec. 34-123. Conditions.

An occasional sale shall be authorized only in the following manner and under the conditions stated:

(1) Two occasional sales may be conducted from any lot occupied for residential purposes within a calendar year with no sale to last more than three consecutive days in duration.

(2) No sale shall begin prior to 8:00 a.m. or extend beyond 7:00 p.m.

(3) During the day and hours of the sale only, a person may place not more than three signs, not in excess of four square feet each, upon private property only, advertising the location, dates and time of the garage sale.

(4) The existence of signs in violation of the provisions of subsection (3) above shall be prima facie evidence of a violation of this chapter by the occupants of the premises whose location is indicated by said signs.

Sec. 34-124. Enforcement.

Any police officer of the city and/or the building inspector shall enforce this article by confiscating any signs erected in violation of chapter 58 ordering the cessation of any sale being conducted in violation of this article or directing any other necessary corrective action. Any police officer or the building inspector is authorized to issue an appearance ticket for violation of this article.

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CITY OF CORUNNA

BY: _____

Charles Kerridge

Its: Mayor

BY: _____

Nichole L. Cowdrey

Its: City Clerk

