

ORDINANCE NO. 398

AN ORDINANCE REGULATING GARAGE SALES  
AND REQUIRING A PERMIT THEREFORE

The City of Stayton do ordain as follows:

Section I

Definitions - The following definitions shall apply to this ordinance:

A. PERSON - Any natural person, corporation, organization, or personal representative.

B. GARAGE SALE - Any sale, displaying of goods for sale, or offer to sell, commonly known as a "garage sale," and including any auction, antique, rummage, tailgate, or any other sale of similar nature wherein all or part of the goods consist of used personal property, provided however, that such term shall not apply to any sale wherein the sale is operated by, or the proceeds go to, a recognized charitable organization or institution.

Section II

It shall be unlawful for any person to allow, permit, conduct, or operate any garage sale within the City of Stayton, unless a permit is obtained pursuant to this Ordinance and unless such person complies with the terms and provisions of this Ordinance.

Section III

A. The City Recorder or his delegate shall issue a permit for a garage sale upon application made and a \$3.00 fee paid, if it appears from the application that the applicant will comply with the terms and provisions of this Ordinance. Issuance of a permit under this Ordinance shall not constitute a waiver of the requirements of the zoning Ordinance or any other Ordinance of the City of Stayton.

B. The City Council may prescribe the form of permit and the application to be used therefore, subject to the terms of this Ordinance.

Section IV

All garage sales shall be conducted wholly within the confines of a building or other structure and all merchandise shall be kept within the building or structure for which the permit is issued.

Section V

Permits issued under this Ordinance shall be valid for such period of time as the permit states, but in no event shall a permit be issued for a period exceeding 72 consecutive hours. Not more than two permits per year shall be issued for any person or for any one location.

Section VI

Any of the requirements and limitations of this Ordinance may be waived by motion of the City Council upon application therefor by the person desiring such waiver. Application for a waiver may be oral or in writing, and if made in writing, shall give the reason for requesting such waiver.

Section VII

Penalties - Any violation of Sections II, III, IV, V, or VI of this Ordinance shall be punished by a fine not exceeding \$300.00. Each day that a sale is conducted in violation of this Ordinance shall constitute a separate offense.

Section VIII

This Ordinance being necessary for the immediate preservation of the public peace and safety, an emergency is hereby declared and this Ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

PASSED by the Council this 14th day of September, 1970.

APPROVED by the Mayor this 14th day of September, 1970.

  
MAYOR

Attest:

  
City Recorder