

City of New Rochelle Municipal Code
Chapter 160: Garage Sales

§ 160-1

Definitions and word usage.

- A. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number the plural number. The word "shall" is always mandatory and not merely directory.
- B. For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

GARAGE SALE

Includes all general sales, open to the public, conducted from or on a residential premises for the purpose of disposing of Personal Property, including but not limited to all sales entitled "garage," "lawn," "yard," "attic," "porch," "room," "backyard," "tag," "patio," "flea market" or "rummage" sale.

PERSONAL PROPERTY

Property which is owned, utilized and maintained by a person and/or his or her household and acquired in the normal course of living in or maintaining a residence, which shall not include merchandise purchased for resale or obtained on consignment.

§ 160-2

Permit; fee; insurance.

No person or neighborhood association shall display, offer for sale, or sell Personal Property at a Garage Sale without first obtaining a permit therefor from the City Clerk, upon payment of a fee as set forth in Chapter **133**, Fees, of the City Code, and upon submission of evidence of public liability insurance coverage, naming the owner of the lot upon which such Garage Sale shall be held as insured in minimum coverage amount of \$500,000.

§ 160-3

Number of sales and days restricted.

No person or his or her household shall hold, on his or her residential premises, or participate in, through his or her neighborhood association, more than an aggregate of two Garage Sales in any given calendar year. No neighborhood association shall hold more than four Garage Sales in any given calendar year. Each Garage Sale shall be limited to not more than three consecutive days.

§ 160-4

Hours of operation.

No person or neighborhood association shall hold a Garage Sale other than during the hours of 9:00 a.m. to 6:00 p.m.

§ 160-5

Exemptions.

The provisions of this chapter shall not apply to or affect the following:

- 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.

§ 160-6

Penalties for offenses.

- A. Every article of Personal Property displayed, offered for sale, or sold in violation of this Chapter shall constitute a separate offense under this Chapter. In addition, each and every day a Garage Sale is conducted in violation of this Chapter shall constitute a separate offense.
- B. Any person or neighborhood association conducting a Garage Sale in violation of this Chapter shall, upon