

Doris A. Ward
Treas. Clerk
Town Of Coupeville

An Ordinance regulating "yard sales", as that term is defined herein, within the Town of Coupeville, Washington, providing permits for yard sales, and fixing criminal penalties.

BE IT ORDAINED BY THE Town Council of the Town of Coupeville, Washington, as follows:

SECTION I: Definition of Terms:

(A) The term "yard sale" shall mean the sale of personal property by a person who does not regularly and continually sell personal property as an on-going business and the location of the sale of personal property is conducted in, about, or near the residence or real property under the afore-said person's control, whether or not said sale occurs either completely or partially inside or outside of any building, under cover, partially under cover and/or in the open.

(B) The term "personal property" shall mean all property other than real property; however, the term as used herein shall not be applicable to the exclusive sale of personally owned farm equipment, motor vehicles, lumber, and/or fruit and vegetables being sold and displayed within the Town of Coupeville.

(C) The term "person" shall mean any individual, corporation, partnership or other business entity.

SECTION II: No person shall hold a yard sale within the Town of Coupeville without having first obtained a written permit from the Office of the Town Clerk, which permit shall be issued if the Town Marshall determines that the location of the yard sale will not create a public nuisance, nor be hazardous for the general use of the Public upon the streets of the Town of Coupeville. No fee shall be charged for the issuance of the yard sale permit. The person to whom the permit is issued shall post the same in public view at the site of the yard sale during all times that the yard sale is in progress.

SECTION III: All yard sales shall be subject to the following regulations, which regulations shall appear on the face of the yard sale permit:

(1) No more than five (5) families shall participate in any one yard sale.

(2) No person shall place any cards or placards advertising a yard sale on any real property without first obtaining consent of the owner of the real property. All yard sales' signs shall not be posted more than seventy-two (72) hours prior to the sale and shall be removed within twelve (12) hours after the completion of the sale.

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(3) No person shall operate, conduct, manage, or permit a yard sale upon his premises, or other real property under his control more often than once during a three month period, and the sale during that three month period may not be for a period longer than three (3) consecutive days.

(4) All yard sales shall be conducted during day light hours only.

(5) All items for sale at a yard sale shall be restricted to personal property of the persons conducting the yard sale (not more than five (5) families) and no persons conducting a yard sale may accept or include for sale personal property taken on consignment from another, nor personal property which has been purchased primarily for re-sale.

(6) Any person violating any portion of this Ordinance shall be guilty of a criminal misdemeanor and fined in the sum not less than Fifty (\$50.00) Dollars per violation of this Ordinance, and each violation of this Ordinance shall be deemed to be a separate and distinct offense constituting a separate misdemeanor.

SECTION IV: This Ordinance shall be in full force and effect after its passage and posting as required by Law.

PASSED by the Town Council and approved by its Mayor on this 24th day of October, 1983.

THE TOWN OF COUPEVILLE

BY: Lew L. Haddy
MAYOR

ATTEST:

Dennis A. Ward
TOWN CLERK

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