

CHAPTER 117 GARAGE SALES

[HISTORY: Adopted by the Town Board of the Town of Mamaroneck 12-19-1973 as L.L. No. 1-1973 (Ch. 29 of 1975 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Signs — See Ch. [175](#).

Solid waste — See Ch. [183](#).

Zoning — See Ch. [240](#).

§ 117-1 Purpose.

This chapter is intended to control, regulate and license the conduct of sales commonly referred to as "garage sales" and "yard sales" within residential areas of the unincorporated area of the Town of Mamaroneck and to distinguish such sales, as herein defined, from those business uses which are prohibited in residential districts by Ch. [240](#), Zoning, of the Code of the Town of Mamaroneck on the ground that such sales are not business uses.

§ 117-2 Type of sales; where permitted.

Garage sales, yard sales and tag sales permitted hereunder are those sales of household and personal articles owned by the resident of the premises where sold or by not more than two additional residents of the Town of Mamaroneck or an immediate relative of such resident and not acquired for the purposes of sale, said sales being confined to the area within the lot lines and back from the sidewalk or, if there is no sidewalk, at least 10 feet back from the street line.

§ 117-3 License required; application.

A.

No person shall establish, operate, maintain or conduct a yard sale or garage sale, or both, within the boundaries of the unincorporated area of the Town of Mamaroneck unless he shall first obtain a license for such garage sale or yard sale from the Town Clerk. Every applicant for a license for such sale shall apply for said license to the Town Clerk and shall provide the Town Clerk with the following information:

(1)

The name and address of the applicant, the names and addresses of other residents whose property will also be offered for sale (who shall also sign the application) and the name and address of the real party in interest, if he is other than the applicant.

(2)

The date, time and place of the proposed garage or yard sale.

(3)

A statement that he has read and understood § [117-2](#) hereof and that the proposed sale falls within the definition therein.

B.

Any such license, if issued by the Town Clerk, shall permit such sale for a period of time not exceeding three consecutive days in any calendar year at any one residence (provided, however, that in the event of rain or similar inclement weather, one or more of such days can be postponed to a later date specified in the application) and shall limit the hours of such sale on those days from 9:00 a.m. to 6:00 p.m. No such license shall be granted for a sale in an apartment building without the written permission of the landlord or his designated agent.

§ 117-4 Signs.

[Amended 11-16-1988 by L.L. No. 7-1988]

A.

No more than four temporary signs of no more than one square foot each in area may be placed off premises. Said signs shall be provided by the Town Clerk upon approval of the permit application and shall contain the following information only:

(1)

The name and address of the license holder.

(2)

A legend stating the type of sale being conducted.

(3)

The location and days of business of the sale.

B.

One sign not to exceed six square feet in area may be displayed behind the street line at the premises at which the sale is to be conducted.

C.

No sign shall be displayed more than 48 hours in advance of the sale and must be removed within 24 hours after the conclusion of the sale.

§ 117-5 Inspections.

All licensed premises shall at all times be subject to such reasonable rules as may be made from time to time by the Town Board of the Town of Mamaroneck and shall be subject to inspection at all times by the Police Chief or any other duly authorized representative of the Town of Mamaroneck.

§ 117-6 License fee.

[Amended 11-16-1988 by L.L. No. 7-1988]

Upon application for a license pursuant to § [117-3](#) hereof, the applicant shall pay a license fee in an amount established by the Town Board by resolution.

Editor's Note: See Ch. [A250](#), Fee Schedule.

§ 117-7 Penalties for offenses.

A.

The violation of any of the provisions of this chapter is hereby declared to be an offense, and any person violating the same shall be guilty of an offense and shall, upon conviction before a Town Justice, be punished by a fine not exceeding \$100 or, in default of payment of such fine, by imprisonment for a term not exceeding 30 days.

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

B.

In addition to the penalties prescribed herein, any sale of articles other than those described in § [117-2](#) hereof in a residential district, whether or not a license for a yard sale or garage sale has been granted, shall be deemed a violation of Ch. [240](#), Zoning, of the Code of the Town of Mamaroneck and subject to the penalties therein prescribed.