

**CITY OF TAWAS CITY
COUNTY OF IOSCO
STATE OF MICHIGAN**

**ORDINANCE NO. 308
Adopted: June 18, 2012
Effective: July 8, 2012**

An Ordinance to regulate, control and limit the holding of garage sales, as they may become nuisances and safety hazards if not so regulated, and so that residential areas do not become commercialized through a proliferation of garage sales and similar commercial activities.

THE CITY OF TAWAS CITY, MICHIGAN ORDAINS:

SECTION 1 Definitions.

Garage sale shall mean and include all sales entitled "garage sale," "lawn sale," "attic sale," "rummage sale," "yard sale," "flea market sale," or any similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of said sale.

SECTION 2 Restriction, number and duration.

- (a) There shall be no more than two (2) garage sales at any residence within any one (1) calendar year.
- (b) No garage sale may last more than four (4) consecutive calendar days.
- (c) Garage sales shall only be conducted between the hours of 8:00 a.m. and 6:00 p.m.

SECTION 3 Garage sale not to create nuisance.

- (a) No garage sale shall be situated so as to obstruct traffic, nor shall any garage sale patrons park their vehicles so as to obstruct traffic.
- (b) No signs advertising a garage sale regulated by this ordinance shall be placed on public property or utility poles. Signs placed on private property will require consent of the property owner.
- (c) Any, and all, signs advertising a garage sale will not be erected prior to the day preceding the start of the sale, and within twenty-four (24) hours after the conclusion of a garage sale all signs shall be removed.
- (d) Signs are not to exceed two (2) square feet.
- (e) Excessive noise emanating from the area of any garage sale shall be expressly prohibited.

SECTION 4 Exemptions.

The provisions of this ordinance shall not apply to sales and/or charity bazaars held by churches or other houses of worship, school and/or service organizations that are located in residential zoning districts provided that the sales and/or charity bazaars are held by the church or other house of worship, school or service organization, on their own property and provided that said sales and/or charity bazaars comply with all other requirements of the Tawas City Code, including, but not limited to, the Tawas City Zoning Ordinance.

SECTION 5 Penalty.

Any person, persons or entity violating any of the provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed \$500.00 and/or imprisonment in the county jail for a period not to exceed 90 days. Further, a person who violates the provisions of this ordinance in addition to penalties set forth herein shall be presumed to be operating a nuisance *per se* and shall be subject to suit or injunction to enjoin further conduct.

SECTION 6 EFFECTIVE DATE.

This Ordinance shall become effective as provided in accordance with the Charter and Ordinance of the City of Tawas City.

All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall take effect upon publication.

Dated:

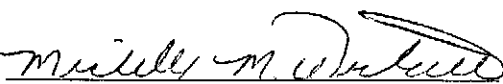
This Ordinance was enacted by the City Council of the City of Tawas City, State of Michigan on the 18th day of June, 2012 and approved by its Mayor and Clerk on said date.

CITY OF TAWAS CITY

By: 
Duane C. Walters

Its: Mayor

CITY OF TAWAS CITY

By: 
Michelle M. Westcott

Its: Clerk