

2 MOVED: That the Town amend the code/Bylaws of the Town of Hull by adding a new chapter and section, to be assigned a number by the Town Clerk as follows:

## **Chapter 171**

### **REGULATION OF YARD SALES, YARD, GARAGE, TAG OR LIKE SALES**

Preamble - Whereas the holding of yard sales, yard, garage, tag or like sales, may have an impact on traffic, noise, congestion or otherwise be injurious to the public, it is declared that the public health and safety warrant this bylaw regulating same.

(a)    **Definition**

Yard sales, garage sales, tag sales or like sales are defined as: a sale or offering for sale of personal tangible property from the interior or exterior of residential premises.

(b)    **Terms and Conditions**

- 1 . No more than three (3) yard sales, garage sales, tag sales or like sales shall be held at any one location or residence per calendar year. Each day shall constitute a separate sale.
- 2 . An application for each sale shall be filed with the Town Clerk's Office with the required fee as established by the Board of Selectmen. A copy of the permit shall be forwarded forthwith to the Police Department.
- 3 . No property except personal property owned by the resident of the location of the sale, family members or neighbors shall be sold. The sale of merchandise by a business entity, new merchandise or merchandise in bulk is prohibited under this section
- 4 . Property for sale will be displayed only on the day of the sale.
- 5 . Hours of the sale shall be restricted to daylight hours, to commence no earlier than 8:00 a.m.
- 6 . The Town of Hull Police Department shall enforce this ordinance.
- 7 . Any person who violates this ordinance within a Calendar year shall be liable for a written warning on a first offense, fined one hundred (\$100) for a second offense, two hundred (\$200) for a third offense and three (\$300) for each additional offense. Each day in which any such violation shall continue shall be deemed a separate offense.

And further to amend Chapter 1 of the Code/Bylaws of the Town by inserting the following in the Table "Provisions Subject to Non-Criminal Disposition:"

<b><u>Cite</u></b>	<b><u>Provision (Enforcing Person)</u></b>	<b><u>Penalty</u></b>
<b>Chapter 171</b>	Regulation of yard Sales and the like (Police Officer)	Within same calendar year: 1st offense-warning 2nd offense-\$100.00 3 <sup>rd</sup> offense-\$200.00 4 <sup>th</sup> and additional offenses-\$300.00

The provisions of this bylaw shall not apply to yard sales conducted by an educational or charitable organization.

So voted.

Date voted: May 8, 2007