



APPLICANT'S AGREEMENT

I, _____ (a),
I, _____ (b), do

hereby affirm that the property to be sold was owned by the applicant as his/her personal property or by his or her immediate family and was neither acquired nor consigned for the purpose of resale. I further declare that I have familiarized myself with the rules and regulations pertaining to this permit and that upon discovery of violations to the provisions of this article the town may close the premises from such a sale in accordance with Section 26-6(a).

_____ a (Seal).
_____ (Date).
_____ b.(Seal).
_____ (Date).

DATE(S) OF PERMITTED SALE(S)

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____ \$30.00 FEE REQ'D
- 6) _____ \$30.00 FEE REQ'D
- 7) _____ \$30.00 FEE REQ'D
- 8) _____ \$30.00 FEE REQ'D

TOWN OF HALIFAX

YARD SALE
PERMIT

Town of Halifax
Post Office Box 627
Halifax, Virginia 24558
(434) 476-2343
(434) 476-6344 Fax



www.townofhalifax.com

D. T. P. Gilliam, Jr. *Mayor*
Carl Espy, IV *Town Manager*

COUNCIL
G. W. Bosiger
M. W. Bowen
W. R. Covington
S. J. Dunavant, Jr.
J. B. Powell
J. D. Thackston



TOWN OF HALIFAX
YARD SALE PERMIT

Permit # _____ Date of Issue _____

_____ Name of Applicant(a)

_____ Applicant Phone #

_____ Description of Property PRN #

_____ Property Physical Address

_____ Applicant Mailing Address

_____ Name of Property Owner (b)

_____ Property Owner Phone #

_____ Property Owner Mailing Address

_____ Designated Authority of Halifax

CHAPTER 26 BUSINESSES ARTICLE III. Yard Sales

Section 26-52. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Personal property means property which is owned, utilized and maintained by an individual or members of his residence and acquired in the normal course of living in or maintaining a residence. It does not include property or merchandise which was purchased for resale or obtained on consignment.

Yard sale means and includes all general sales, open to the public, conducted from or on a residential premise in any residential zone for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage," "lawn," "yard," "attic," "porch," "room," "backyard," "patio," "flea market," or "rummage" sale. This shall not include a situation where no more than five specific items are held out for sale and all advertisements of such sale specifically name those items to be sold.

Section 26-53. Property permitted to be sold.

It shall be unlawful for any individual to sell or offer for sale, under authority granted by this article, property other than personal property.

Section 26-54. Permit--Required.

No yard sale shall be conducted unless and until the individuals desiring to conduct such a sale shall obtain a permit therefore from the police department, setting forth the following information:

- (1) Full name and address of applicant.
- (2) The location at which the proposed yard sale is to be held.
- (3) The date when the sale shall be held (may include an alternate rain date).
- (4) The date, or dates of any other yard sales within a twelve month period starting with the first permitted yard sale.
- (5) An affirmative statement that the property to be sold was owned by the applicant as his personal property or by his or her immediate family and was neither acquired nor consigned for the purpose resale.

Section 26-55. Same--Fee.

There shall be an administrative processing fee of \$30.00 for the issuance of a permit under this article, provided, however that no fee will be charged for the first four permits issued to a residence and/or family household during any twelve month period starting with the first permitted yard sale.

Section 26-56. Same--Conditions.

(a) *Time and location of sale.* The permit issued under this article shall set forth and restrict the time and location of the yard sale. If members of more than one residence join in requesting permit, then such permit shall be considered as having been issued for each and all such residences.

(b) *Cancellation; rescheduling of sale.* Upon illness, or other unforeseen event, which necessitates the cancellation of the yard sale as proposed, the applicant may file a written request with the town manager, within five calendar days, for specific authorization to reschedule the yard sale to a new date under the terms and conditions of initial permit.

Section 26-57. Hours of operation.

Yard sales permitted under this article shall be limited in time to the hours of 8:00 a.m. to 5:00 p.m. on the days of sale. Each day shall constitute a separate yard sale.

Section 26-58. Advertising; signs.

(a) *Signs permitted.* Only the following specified signs may be displayed in relation to a pending yard sale:

- (1) *Two signs permitted.* Two signs of not more than four square feet shall be permitted to be displayed on the property of the residence where the yard sale is being conducted.
- (2) *Directional signs.* Two signs of not more than four square feet each are permitted provided permission to erect such signs is received from the property owners upon whose property such signs are placed.
- (b) *Time limitation.* No sign shall be exhibited more than two days prior to the day such sale is to be held.
- (c) *Removal of signs.* Signs must be removed each day at the close of the yard sale activities.

Section 26-58. Advertising; signs (cont'd).

(d) *Snipe signs prohibited.* No off-premise sign of any material shall be tacked, nailed stapled, pasted, painted or attached in any way to a post, tree, utility pole, tower, antenna, fence, wall or other supporting structure.

Section 26-59. Exemptions from article.

The provisions of this article shall not apply to the following:

- (1) Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
- (2) Persons acting in accordance with their powers and duties as public officials.
- (3) Any sale conducted by a licensed merchant of the town from or at a place permitted by the town manager or his designee.
- (4) Any bona fide charitable, religious, eleemosynary, educational, cultural or governmental institution or organization, when the proceeds from the sale are used directly for the institution or organizations charitable purposes and the goods or articles are not sold on a consignment basis.

Section 26-60. Right of entry.

(a) A police officer or the building official shall have the right of entry at reasonable times to any premises showing evidence of a sale for purpose of enforcement or inspection and may close the premises from such a sale or arrest any individual who violates the provisions of this article.

Section 26-61. Penalty.

Any person violating the terms of this article shall be guilty of a class 4 misdemeanor.