

ORDINANCE NO: 2017-2170-02
REGULATING RUMMAGE SALES

THE CITY COUNCIL OF THE CITY OF BELGRADE ORDAINS:

Section 1: Definitions-

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein.

1. Rummage Sale: shall mean and include all general sales, open to the public, conducted from or on a residential premise in any zone, as defined by the zoning ordinance, for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage," "lawn," "basement," "yard," "attic," "porch," "room," "backyard," "patio," "flea market," or "rummage" sale.
2. Person: shall mean and include individuals, groups, organizations, partnerships, voluntary organizations and corporations including any charitable, educational, cultural or governmental institution or organization.

Section 2: Permitted Number of Rummage Sales Per Year -

It shall be unlawful for any resident and/or family household to conduct more than 5 rummage sales during any one (1) calendar year. Of these 5 rummage sales, three (3) can only be held during the following community events; Spring Consignment Auction/City Wide Garage Sale, August Fest, and Fall Consignment Auction. If members of more than one residence and/or family household join in the operation of a rummage sale, it shall be considered as a rummage sale for each and all such residences and/or family households.

Section 3: Hours of Operation -

Such rummage sales shall be limited to the hours of 7:00 AM to 8:00 PM of three (3) consecutive days, which will count as one rummage sale.

Section 4: Display of Sale Property -

Personal property offered for sale may be displayed within the residence, porch, in a garage, carport, and/or in any yard, but shall not be permitted within the public right of way. Unsold items must be removed from the sale site by no later than 8:00 a.m. on the date following the last day of sale.

Section 5: Advertising; Signs -

Signs advertising the rummage sale shall be permitted according to the following rules:

1. Signs may be permitted to be displayed on the property of the residence where the yard sale is being conducted.
2. Any sign posted in conjunction with a sale shall be removed from view within two (2) hours of the conclusion of the sale.
3. Nothing under this provision shall serve as authorization for any rummage sale sign to be posted on any off-premises property, utility pole, street sign, street light, stop light, fence or structure without the written consent of the owner of said premises property, sign, pole, fence. Written consent must be submitted with the Belgrade Police Department or City Clerk's office before sale can begin.
4. Signs may be located within a city street right-of-way (ROW) providing that:
 - a. Signage in the ROW must include the exact street address of the rummage sale as well as the name of the property owner and the dates of the rummage sale.
 - b. Signage located within the ROW must be no closer than three feet (3') to the driving surface of the adjacent roadway and may not be positioned such that the signage blocks the view of intersecting traffic.

- c. All signage must comply with all other provisions of the city ordinances. Any owner of rummage sale signage found in violation of any provision of city ordinance shall be subject to an administrative fine or regular citation.

Section 6: Authority -

The city police officer or any other city official designated by the City Council, shall make inspections to enforce the same and shall have the right to issue citations for violations of this Ordinance.

Section 7: Persons Exempt -

The provisions of this Ordinance shall not apply to or affect the following:

1. Persons selling goods pursuant to an order or process of Court of competent jurisdiction.
2. Persons acting in accordance with their powers or duties as public officials.
3. Persons acting in accordance with their responsibilities as court-appointed descendants' personal representatives.
4. Any bona fide charitable, educational, cultural or governmental institution, or organization when the proceeds from the sale are used directly for the institution or organization's charitable purposes.

Section 8: Penalty -

Any person violating the provisions of this ordinance shall be guilty of a petty misdemeanor. Each day a violation exists shall be a separate violation, said violations may be subject to an administrative fine, refer to City of Belgrade Fee Schedule for fee/fines.

Passed by the Council this 5th day of July 2017.



Richard Tschida, Mayor



Connie Wold, City Clerk-Treasurer

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