

Town of Somers Tag Sale Ordinance

Section 1 -- Definitions

a. Personal Property

Property which is owned, utilized and maintained by an individual or members of his/her residence and acquired in the normal course of living or maintaining a residence. The term 'personal property' shall not include merchandise which was purchased for resale or obtained on consignment

b. Tag Sale

Includes all sales of more than five items of personal property, open to the public including, but not limited to all sales entitled tag, garage, lawn, yard, attic, porch, driveway, room, back-yard, patio, flea market, estate, or rummage sale

c. Resident

The person occupying residential premises in the Town of Somers as tenant or owner

Section 2 – Eligibility

A resident of the town of Somers may conduct a tag sale at his residence. Two or more residents of the Town may jointly conduct a tag sale at one of their residences. A recognized local charitable or civic organization may conduct a tag sale and the fees waived at the discretion of the Board of Selectmen.

Section 3 – Permit Required

No tag sale shall be conducted unless the individual desiring to conduct such tag sale has obtained a permit from the Chief of Police or his/her designee. Application for a permit shall be made no less than five (5) days prior to the proposed date of the tag sale. Identification of residency is to be provided at time of permit application.

Section 4 – Hours

All tag sales shall be limited in duration to no more than three (3) consecutive days. On each such day, no tag sale shall start before 8:00 am and end at 6:00 pm

Section 5 - Limitation

- a. No person conducting a tag sale shall offer goods obtained on consignment or for the purpose of earning a fee, commission, or other compensation
- b. No more than three (3) such permits may be issued to one residence and/or family household during any calendar year.
- c. No sale item shall be located and no sales activities shall be conducted on any public sidewalk, or other public property

Section 6 – Signs

- a. A maximum of six (6) temporary signs not exceeding four square feet each, for purposes of necessary direction to the site of the tag sale, may be placed off the premises at the nearest principal street intersection.
- b. Two (2) additional temporary signs not exceeding six square feet each may be placed on the private premises of the sale site.
- c. No sign shall be placed more than twenty-four hours prior to the opening hour of the sale
- d. All signs advertising the sale shall be removed within twenty-four (24) hours after the time limit for such sale
- e. Signs may not be placed on utility poles or trees

Section 7 -- Parking

All parking of vehicles shall be conducted in compliance with all applicable laws and ordinances. The Police Department may establish and enforce temporary controls to alleviate any special hazards and/or congestion created by any tag sale

Section 8 -- Enforcement

A police officer shall have the right of entry to any premises showing evidence of a tag sale for the purpose of enforcement or inspection. The officer shall have the authority, through the Board of Selectmen, Chief of Police and/or his/her designee, to close the premises from such a sale from an individual who violates the provisions of this ordinance.

Section 9 – Fees

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|---------------------------|-----------------|
| Tag Sale Permit: | \$ 5.00 per day |
| Failure to Remove Signs: | \$ 50.00 |
| Failure to Obtain Permit: | \$ 25.00 |

Board of Selectmen Approval:

Public Hearing Date:

Legal Notice Publication:

Effective Date:

Town of Somers
Tag Sale Permit

**Permit shall be conspicuously posted on the premises
Valid only on dates specified**

Fee: \$ 5.00/day

| |
|-------------------|
| Application Date: |
| Sale Date (s): |

| | |
|-------------------------|---------------|
| Name of Applicant: | Phone Number: |
| Name of Property Owner: | Phone Number: |

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|------------------|
| Address of Sale: |
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Conditions:

1. No sign may be posted on trees, or utility poles. A penalty of \$50.00 may be assessed for not removing signs
2. Only articles from the Owner's/Applicant's premises may be sold
3. No articles for sale may be located on sidewalks or other public property
4. If traffic hazards are created, the Police Department may revoke this permit
5. Maximum of six temporary signs not exceeding four square feet each
6. Sale may begin at 8:00 am and end at 6:00 pm. A penalty of \$25.00 imposed for not obtaining a tag sale permit
7. Adequate parking and control of parking is the responsibility of the permit holder. The Somers Police Department, if adequate parking is not available, may revoke the permit.

I agree to abide by all regulations/conditions as set forth in the Town of Somers Ordinance.

Signature

Date: _____