

**§ 147-1. Definitions.**

The following terms as used herein shall be defined as follows:

**GARAGE SALE** — All sales often referred to as "garage sale," "lawn sale," "driveway sale," "rummage sale" or "flea market sale" or any similar or casual sale of tangible personal property, which is advertised by any means, whereby the public at large is or can be made aware of such sale.

**GOODS** — Tangible personal property capable of being the object of a garage sale.

**PERSON** — Individuals, partnerships, corporations, voluntary associations or organizations.

**§ 147-2. License required; license limited.**

- A. No person shall conduct a garage sale within the Borough of Leonia without first obtaining a garage sale license from the Borough Clerk. The fee for said license shall be as set forth in Chapter 123, Fees.
- B. Only two such licenses shall be issued for garage sales at any one particular dwelling or parcel of land within any one calendar year. Each such license shall authorize a garage sale for a period of not longer than three consecutive calendar days and shall be prominently displayed on the premises upon which the garage sale is authorized, during the authorized hours, throughout the entire period of the licensed sale.

**§ 147-3. Application for license.**

Application for a license shall be made, in writing, on a form provided by the Borough Clerk, at least seven days prior to the date of the commencement of such sale. The form provided by the Borough Clerk shall set forth the following:

- A. The name of the person conducting said sale.
- B. The name of the owners of the property upon which the sale is to be conducted and the consent of the owner, if the applicant is other than the owner.
- C. The sale dates.
- D. The date and nature of prior sale.
- E. The relationship of the applicant to the holder of prior license issued to the same property.
- F. The general description of the type of goods to be sold, including a statement that said goods were not purchased for the purpose of resale.

**§ 147-4. Hours of sale.**

Garage sales shall be conducted, exclusively, between the hours of 9:00 a.m. and 7:00 p.m.

**§ 147-5. Advertisement of sale.**

The advertisement of a garage sale shall be regulated as follows:

- A. Only one outdoor sign shall be permitted.
- B. Such sign shall not exceed three square feet in size.
- C. Such sign shall be displayed only on the dates and during the hours of sale.
- D. Such sign shall only be displayed on the premises upon which the garage sale is authorized.

**§ 147-6. Exceptions.**

The provisions of this chapter shall not apply to or affect the following persons or sales:

- A. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
- B. Persons acting in accordance with the powers and duties as public officials.
- C. Any person selling or advertising for sale an item or items of personal property which are specifically named or described in the advertisement and which separate items do not exceed five in number.
- D. Any recognized nonprofit, civic or religious organization, such as church or synagogue, veterans' organization, health organization, school, etc.
- E. Any sale conducted by any merchant or mercantile or other business establishment from or at a place of business wherein such sale would be permitted by Chapter 290, Zoning, or under the protection of the nonconforming use provisions thereof or any other sale conducted by a manufacturer, dealer or vendor and which sale would be conducted from properly zoned premises and not otherwise prohibited.