

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 303

AN ORDINANCE REGULATING LAWN, YARD, GARAGE AND TAG SALES, INDOORS OR OUTDOORS IN THE TOWNSHIP OF WASHINGTON, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, REQUIRING A PERMIT THEREFORE AND PRESCRIBING PENALTIES FOR VIOLATIONS.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same:

SECTION I:

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated in this section.

“Lawn, yard, garage and tag sales” shall mean a sale, open to the public, of new or previously owned personal property; including but not limited to goods, wares, merchandise and clothing, held on vacant property or on the lawn, yard, porch, patio or in the garage, residence or other out-building of the person who obtains a permit for such sale as provided by this Ordinance.

SECTION II:

No person shall cause or permit any lawn, yard, garage or tag sale to take place upon any property owned by such person without first having obtained a permit therefore. Application for such permit shall be made to the Township by the person at whose residence such sale shall be held and such application shall state the name of the applicant, the location of the proposed sale, the day or days on which the sale is to be held. Such permit shall be issued by the Township upon the filing of an application with the required fee, as stated in the current year’s Resolution fee schedule.

SECTION III:

Not more than four (4) permits shall be issued under this Ordinance to the same person in any one calendar year and not more than four (4) sales shall be held from any one location in any one calendar year.

SECTION IV:

Every permit shall be issued under the following conditions, and failure to comply with any condition shall constitute a violation of this Ordinance and shall entitle the Township to declare the permit revoked, without refund of any part of the permit fee to the holder:

- A. The sale shall be held at the location stated on the application and on the permit;
- B. The permit shall be valid for only three (3) consecutive days as stated on the permit except that the permit may specify one or two alternate "rain dates" in the case of inclement weather on one or two, as the case may be, of the dates first specified on the permit.
- C. No sale may commence before 8:00 AM or after 7:00 PM, prevailing time, on any day
- D. No music, games or other entertainment or activities may be conducted at the time when and the place where the sale is held and there shall be no unnecessary or excessive noise.

SECTION V:

Because the sale is temporary in nature and permissible in residential districts where commercial activities are not permitted, such sale shall be limited to possessions of the holder of the permit. It shall be unlawful to engage or employ any individual, organization or other entity to plan, arrange, conduct, promote or supervise the sale.

SECTION VI:

The permit must be displayed in full view of the public at all times.

SECTION VII:

No notice, advertisement or directional sign pertaining to such sale shall be placed or posted:

- a. On any post or pole used for traffic signs or signals;
- b. On the surface of any street, curb or sidewalk; or
- c. Without permission of the owner or occupant of the property, anywhere on private property. Upon conclusion of the time stated in the permit for the holding of such sale, the holder of the permit shall remove and take away all such notices, advertisements and directional signs not previously removed and taken away.

SECTION VIII:

None of the following may be sold or offered for sale:

- a. Anything for which a separate license is required by law or by any federal, state or municipal regulation;
- b. Anything of an explosive, poisonous or dangerous nature.
- c. Anything that was purchased and brought to the property specifically for the sale

SECTION IX:

Any sale not in full compliance with this Ordinance shall be considered a Commercial Flea Market which will require zoning review and approval and shall be required prior to any sales taking place.

Any person who shall violate or fail to comply with any of the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before any District Magistrate in the County of Northampton, be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars and the costs of prosecution, and in default of payment of such fine shall be sentenced to imprisonment in the County Jail for not more than thirty (30) days; provided, however, that each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

SECTION X:


The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 14th day of December, 2022.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By: 
Robert Smith, Chairman

By: 
Carl Tolino, Vice Chairman

By: 
Justin Huratiak

ATTEST:

By: 
Gail Putvinski, Secretary