Permit Number:_____

GERRISH TOWNSHIP
PERMIT FOR GARAGE / YARD / CHRISTMAS TREES SALES

Date:_____

Name:_____

Address:_____

Date of Sale:_____Telephone Number:_____

Cash:_____Check Number:_____Issued By:_____

GERRISH TOWNSHIP

GARAGE / YARD SALE / SEASONAL CHRISTMAS TREE SALES

PURPOSE CLAUSE: It is necessary for the health, safety and welfare of the residents of Gerrish Township to regulate the number of garage sales and number of signs and traffic congestion which may occur as a result of garage/yard sales and seasonal sale of Christmas trees. Therefore, the following ordinance is necessary to prevent an unsightly number of signs of all sizes which may block vision on streets and intersections, and to prevent traffic congestion caused by customers of any such sales. Therefore, THE TOWNSHIP OF GERRISH ORDAINS:

DEFINITIONS: The term "garage sale" includes the terms "porch sale, yard sale, estate sale and any kind of outdoor auction" or other sale offering primarily used, incidental and/or sundry items for sale.

TIMES AND DURATION OF SALES: A garage sale, yard sale, porch sale or any other sale offering incidental and/or sundry items for sale shall be permitted on any one parcel or lot of property only **two (2) times during any one year**, and at no time shall such sale have a duration of more than **three (3) days.**

DANGEROUS CONDITIONS – REVOCATION OF PERMIT: The property owner must assume responsibility for parking. Automobiles or pedestrians may not be allowed to impede traffic on any adjoining roads. If traffic on any road is impeded or a dangerous condition develops on any road, the Gerrish Township Police Department may revoke the permit and close the sale for the balance of that day. Refusal to close the sale shall be a violation of this ordinance.

PERMITS: A permit for any such sale shall be obtained from the Township Offices, during normal business hours. Permits must be posted on the premises in a conspicuous place, visible from the road, at all times any signs advertising the sale are displayed or the sale is in progress.

There shall be a charge for each permit issued as established from time to time by the Township Board.

SIGNS:

a. **Lead-in signs may only be displayed during the actual sale.**
b. **One on-premises sign may be displayed for two (2) days before the sale and during the sale.**
c. **No sign may be larger than 24" x 24".**
d. **Each sign must contain the permit number, the address of the sale, and the dates of the sale.**
e. **All signs must be removed immediately at the close of the sale. If signs are left after the sale, a violation occurs.**

SEASONAL SALES OF CHRISTMAS TREES: Sales are permitted in residential districts on a minimum parcel size of 2.5 acres that is located on a county primary road for the period of November 15 through December 31 only. Such sales lots shall comply with all regulations of the Township Building and Fire Departments and all other sections of this ordinance. Lead-in signs are not permitted. A Christmas tree permit is not required if sale is located on a commercially zoning property where a business exists.

VIOLATION AND PENALTY: Any person who violates any provision of this ordinance is responsible for a civil infraction, subject to payment of a civil fine of not less than $50.00, plus applicable costs and other sanctions for each violation as authorized by Section 21 of Act No. 359 of the Public Acts of 1947, as amended, and the Gerrish Township Municipal Ordinance Violations Bureau Ordinance. Repeat offenses under this Ordinance shall be subject to increased fines as provided by this Section. As used in the Section "repeat offense" means a second (or any subsequent) violation of the same requirement or provision of this ordinance within any three (3) year period for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this ordinance shall be as follows:

1) The fine for any offense which is a first repeat offense shall be not less than $125.00, plus costs.
2) The fine for any offense which is a second offense shall be not less than $250.00, plus costs.
3) The fine for any offense which is a third repeat offense, or any subsequent repeat offense, shall be not less than $400.00 each, plus costs. Each day on which any violation of this ordinance occurs or continues, constitutes a separate offense subject to separate sanctions.

SAVING CLAUSE: A prosecution which is pending on the effective date of this ordinance and which arose from a violation of an ordinance repealed by this ordinance, or a prosecution which is started within one (1) year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance and which was committed prior to the effective date of this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

EFFECTIVE DATE: This ordinance is hereby declared necessary for the peace, health and safety of Gerrish Township and shall be effective thirty (30) days after publication. Published 8/26/91, amended 5/19/93, 3/16/98, 5/9/2000, and 8/10/2004.

I have read and will comply with this ordinance:

_____

Signature