



APPLICATION FOR TAG OR GARAGE SALE

APPLICATION FEE: \$35

NAME OF APPLICANT _____

NAME OF PERSON CONDUCTING SALE (IF DIFFERENT) _____

NAME OF OWNER OF PROPERTY _____

ADDRESS OF PROPERTY _____

DAY OF SALE CONTACT NUMBER _____

SALE WILL COMMENCE ON _____ END ON _____ NO. OF DAYS _____

RAIN DATE: _____

I, _____ BEING THE OWNER OF THE PREMISES ABOVE NOTED,
AT WHICH PLACE A CASUAL SALE PURSUANT TO CHAPTER 107 OF THE VILLAGE
CODE, DO HEREBY CONSENT TO THE HOLDING OF THE SAID SALE AT THE
ADDRESS SET FORTH ABOVE.

(SIGNATURE)

FOR OFFICE USE ONLY:

APPROVED: _____ DATE: _____

RECEIPT #: _____ AMOUNT: _____

PERMIT #: _____

Chapter 301. Garage Sales and Tag Sales

[HISTORY: Adopted by the Board of Trustees of the Village of Great Neck 5-31-1977 by L.L. No. 4-1977 (Ch. 107 of the 1976 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Penalties for offenses — See Ch. 1, Art. II.

Peddling and soliciting — See Ch. 416.

Zoning — See Ch. 575.

§ 301-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

GOODS

Includes any goods, warehouse merchandise or other property capable of being the object of a sale regulated hereunder.

PERSON

Includes individuals, partnerships, voluntary associations and corporations.

TAG SALE

Includes any sale entitled "tag sale," "garage sale," "lawn sale," "attic sale," "rummage sale" or "flea market sale" or any similar casual sale of tangible personal property, in an area the zoning for which does not permit the same, which sale is advertised by any means whereby the public at large is or can be made aware of said sale.

§ 301-2. License required; fee.

[Amended 7-7-1987 by L.L. No. 12-1987; 12-16-2003 by L.L. No. 17-2003]

It shall be unlawful for any person to conduct a tag sale in the Village of Great Neck, in an area the zoning for which does not permit the same, without first filing with the Village Clerk the information hereinafter specified and obtaining from such Village Clerk a license to do so, to be known as a "tag sale license." The fee for such license shall be in such amount as shall be prescribed from time to time by the Board of Trustees.

§ 301-3. Licensing requirements.

- A. Such license shall be issued to any one person only once within a twelve-month period, and no such license shall be issued for more than two consecutive calendar days.
- B. Each license issued under this chapter must be prominently displayed on the premises upon which the tag sale is conducted throughout the entire period of the licensed sale.

§ 301-4. Information to be filed.

The information to be filed with the Village Clerk pursuant to this chapter shall be as follows:

- A. Name of persons, firm, group, corporation, association or organization conducting said sale.
- B. Name of the owner of the property on which said sale is to be conducted and the consent of the owner if the applicant is other than the owner.
- C. Location at which the sale is to be conducted.
- D. Number of days of the sale.
- E. Date and nature of any past sale.
- F. Relationship or connection the applicant may have had with any other person, firm, group, organization, association or corporation conducting said sale and the date or dates of such sale.
- G. Whether or not the applicant has been issued any other vendor's license by any local, state or federal agency.
- H. Sworn statement or affirmation by the person signing that the information therein given is full and true and known to him to be so.

§ 301-5. Hours of sale.

All tag sales shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. only.

§ 301-6. Signs.

No more than two signs advertising such sale, each of which is no larger than 24 inches by 12 inches in size, shall be permitted. All such signs must be posted on the premises where such sale is conducted and must contain the name and address of the person conducting the sale. Sale signs must be removed within 48 hours after the completion of the sale.

§ 301-7. Persons and sales exempted.

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

- A. Persons selling goods pursuant to an order of process of a court of competent jurisdiction.
- B. Persons acting in accordance with their powers and duties as public officials.
- C. Any person selling and advertising for sale only an item or items of personal property which are specifically named or described in the advertisement and which separate items do not exceed 10 in number.
- D. Any publisher or a newspaper, magazine or other publication or other communication media who publishes or broadcasts anything in good faith without knowledge of its false, deceptive or misleading character or without knowledge that the provisions of this chapter have not been complied with.

- 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 the zoning regulations of the Village of Great Neck, or under the protection of the nonconforming use section 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 in this Code of Ordinances.^[1]

[1] *Editor's Note: Former Subsection F, pertaining to charitable, eleemosynary, educational, cultural or governmental institutions or organizations, and which immediately followed this subsection, was repealed 8-7-2012 by L.L. No. 13-2012.*

§ 301-8. Responsibility for good order.

[Amended 2-4-2003 by L.L. No. 2-2003]

The person to whom such license is issued and the owner or tenant of the premises on which such sale or activity is conducted shall be jointly and severally responsible for the maintenance of good order and decorum on the premises during all hours of such sale or activity. No person shall permit any loud or boisterous conduct on said premises nor permit vehicles to impede the passage of traffic on any public streets in the area of such premises. All such persons shall obey the reasonable orders of any member of the Police Department or Fire Department of the Village of Great Neck in order to maintain the public health, safety and welfare.

§ 301-9. Penalties for offenses.

Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, Penalties for Offenses, of the Code of the Village of Great Neck.