

VILLAGE OF SHEPHERD

An ordinance to regulate yard sales, garage sales, storage and repair of motor vehicles in residential areas, and the accumulation of junk in the Village.

THE VILLAGE OF SHEPHERD ORDAINS:

Section One (1): Definitions

As used in this chapter:

- (a). "Goods" means any goods, warehouse merchandise or other property capable of being the object of a sale regulated under this chapter.
- (b). "Yard Sale" means all sales entitled "yard sale", "lawn sale", "garage sale", "attic sale", "rummage sale", or "flea market sale", or any similar 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.

Section Two (2): Duration and Frequency

No person shall conduct a yard sale in the Village more than four times within a twelve month period, and no such sale shall be conducted for a period exceeding three consecutive calendar days. [Exception: Period of three consecutive days shall be waived during Spring Festival Week] If a motor vehicle is being sold, not more than one motor vehicle shall be advertised at a time as being for sale, or be parked and be advertised as being for sale, on a residential lot. In addition, not more that two motor vehicles shall be advertised as being for sale and be parked on a residentially used or zoned lot during a calendar year, and no vehicle shall be parked on a residential lot with a for sale sign on it for more than thirty days in a calendar year.

Section Three (3): Signs

The following rules will apply to the display of any sign displayed for the purpose of advertising a yard sale:

- (a) Yard sale signs are permitted in all zoning districts.
- (b) Yard sale signs may not exceed six square feet per sign face or have more than two faces.
- (c) Yard sale signs may not exceed eight feet in height;
- (d) Yard sale signs may be displayed free-standing, on a wall or in a window
- (e) Yard sale signs may be displayed during the sale period only and the signs shall be removed from all locations immediately following the sale.

Section Four(4): Exceptions to Chapter

This chapter shall not apply to or affect:

- (a) Persons selling goods pursuant to an order or process of a court of competent jurisdiction;
- (b) Persons acting in accordance with their powers and duties as public officials; or
- (c) Persons selling or advertising for sale items of personal property which are specifically named or described in the advertisement and which separate items do not exceed five in number

Section Five(5): Storage and Repair of Vehicles, Utility Trailers and Wagons

- (a) The repair, restoration, storage and maintenance of vehicles on any residentially used property is prohibited unless occurring entirely inside a fully enclosed building. Inoperable or unlicensed vehicles and vehicle parts shall also be stored inside a building.

The following, however, shall not be subject to the aforementioned requirements of this section: Procedures or projects on vehicles that last less than forty-eight (48) hours in duration to complete. Procedures or projects or sequences of procedures or projects that result or which may result in a vehicle being immobile or inoperable for more than forty eight (48) hours may only be done within a fully enclosed building, and may not have any part of the procedure or project, for example but not limited to, welding, grinding, sanding, painting, major motor vehicle repairs, or any other activity lasting less than forty eight (48) hours, done outside the building.

- (b) It shall be unlawful for the owner, tenant or lessee of any lot in any residentially used property to permit the open storage or parking outside of a building of semi tractor trucks and/or semi trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery unless parked thereon while in use in construction being conducted on such lot, and/or more than one noncommercial utility trailer or wagon designed for pulling behind a motor vehicle which may be used for hauling, but not including recreational vehicles.
- (c) Nothing in this section shall be deemed to alter any of the provisions of the Village of Shepherd Zoning Ordinance or other ordinances of the Village.

Section Six (6): Junk on Residential Parcels

No junk shall be permitted to accumulate on a lot outside of an enclosed building which is zoned or used as a residential lot, provided, however, that nothing in this section shall be deemed to prohibit the establishment and use of a compost pile as otherwise is permitted by this ordinance.

Section Seven (7): Appearance Tickets

The Police Chief and the appointed officers of the Police Department, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2)). Appearance tickets shall be in such form as determined by the Village Attorney and shall be in conformity with all statutory requirements.

Section Eight (8): Penalty

Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not less than twenty five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or imprisoned not more than ten days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section Nine (9): Conflicting ordinances

All ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section Ten (10): Ordinance taking effect.

This ordinance shall take effect (30) days after adoption by the Village Council.