



APPLICATION FOR YARD/GARAGE SALE

in the
Municipality of Tweed

I hereby make application for the grant of a licence to authorize me to hold a yard/garage sale within the Municipality of Tweed. I confirm that my yard/garage sale will be carried out in accordance with By-Law 2003-23 (copy attached) which regulates the selling of goods, wares, and merchandise by means of garage or yard sales. See reverse side for information relating to the placement of signs advertising your yard sale.

NAME OF APPLICANT: _____

ADDRESS: _____

PHONE: Residence _____ Business _____

On the following day(s): _____

During the hours of: _____

Address of premises where the trade or business will be carried on, if different from above:

Nature of goods to be sold:

In cases where joint application for a yard/garage sale is made, in addition to name and address of Principal Applicant above, please give names and addresses of other applicants participating in sale:

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

DECLARED before me at the Municipality of Tweed in the County of Hastings this _____
day of _____, _____.

Signature of Applicant

For Municipality of Tweed

MUNICIPALITY OF TWEED

NOTICE re: SIGNS - Yard Sales

Municipality of Tweed By-Law No. 2005-41 outlines the guidelines for the placement of signs on municipal property, including the placement of temporary signs for advertising yard sales.

The following are some of the provisions set out in the by-law:

- signs may not be attached to any tree located on municipal property.
- signs may be permitted for the duration of the event only, and must be removed from municipal property immediately following the event.
- no sign shall obstruct pedestrian or vehicular traffic, obscure visibility, or interfere in any way with traffic control signs already in place.

Further details on the placement of signs for yard sales can be obtained from the municipal office.

The placement of signs along provincial highways, including Highway # 37 and Highway # 7, is under the authority of the Ministry of Transportation.

MTO does not allow advertising signs of any kind along these highways. Signs, including yard sale signs, must be placed at least 3 metres behind the property line.

Further details on the placement of yard sale advertising signs along Hwy # 37 and Hwy # 7 can be obtained from the Ministry of Transportation.

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2003-23

Being a By-Law to regulate the selling of goods, wares and merchandise in all areas of the Municipality by means of garage or yard sales.

WHEREAS Section 150 (1) of the Municipal Act, 2001 provides that a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality;

AND WHEREAS Section 150 (2) of the Municipal Act, 2001 provides that a municipality may exercise its licensing powers under this Section 1, including imposing conditions, for the purposes of health and safety, nuisance control, and consumer protection;

AND WHEREAS the Council of the Corporation of the Municipality of Tweed deems it necessary for the good and protection of the residents of the municipality to impose conditions on the sale of goods, wares and merchandise by means of garage or yard sales;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

1. Definitions.

In this by-law:

- a) "Garage Sale" or "Yard Sale" shall mean and include any general sale to the public of personal property from any residential premises in any residential zone as defined in the Municipality's Comprehensive Zoning By-Law, including but not limited to all sales entitled garage, lawn, yard, attic, porch, driveway, room, backyard, patio, flea market or rummage sale.
 - b) "Personal Property" shall mean property which is owned, used and maintained by an individual or members of his or her residence and acquired in the normal course of living in or maintaining a residence. It does not include merchandise which was purchased for resale or obtained on consignment.
2. That it shall be unlawful for an individual to sell or offer for sale under authority granted by this by-law property other than personal property.
 3. That no garage sale shall be held by anyone within the Municipality of Tweed unless and until such time as a licence has been issued in accordance with this by-law.
 4. That any individual desiring to conduct a garage sale shall apply to the Clerk of the Municipality and shall complete and file the form supplied for this purpose.
 5. That the fee for such licence application shall be in accordance with the schedule of fees passed by by-law by the Council of the Corporation of the Municipality of Tweed.
 6. That such licence shall limit the garage sale to one location, and the location of the sale shall be at the address of the applicant or in the case of a joint application, at the address of the principle applicant named in the application. A joint application for a garage sale may be made by up to four applicants.
 7. That such licence shall limit the sale to a period of three consecutive days, and the hours of sale on the said three consecutive days shall be limited to 7:00 a.m. to 9:00 p.m. on each day.

8. That no person or householder at a given address shall be entitled to a licence for more than two garage sales per calendar year, and in the case of a joint application, this provision shall apply notwithstanding the fact that the garage sale took place at another of the joint applicant's address.
9. That the licence issued pursuant to this by-law shall be kept during the period of the sale at the location of the sale, and shall be produced for inspection on demand by the By-Law Enforcement Officer of the Municipality of Tweed, who may as a condition of the licence attend on and enter the premises at any time during the period of the sale.
10. That any licence issued under this by-law may be revoked or any application for a licence may be refused by the Council of the Municipality of Tweed if the application submitted by the applicant or licence holder contains false, fraudulent or misleading information.
11. That should any individual be convicted of an offense under this by-law, the Clerk of the Municipality shall cancel any existing garage sale licence held by the individual and not issue to such individual another garage sale licence for a period of two years from the date of the conviction.
12. That every article sold and every day on which a sale is conducted in violation of this by-law shall constitute a separate offence.
13. That any person who contravenes any provision of this by-law is guilty of an offence and upon conviction thereof shall be liable to a fine as provided under the Provincial Offences Act and every such penalty shall be recoverable under the Provincial Offences Act.
14. That this by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 2nd day of July, 2003.

Read a third and final time, passed, signed and sealed in open Council this 2nd day of July, 2003.

REEVE

CLERK