



Garage Sale Permit Application

Return to: Town Clerk
Town of Wappinger
20 Middlebush Rd.
Wappingers Falls, NY 12590

Name: _____
(Last) (First) (MI)

Address: _____
(Street Address)

Wappingers Falls, NY 12590
(City) (ST) (Zip)

Phone: () - -

Address of Sale: _____
(If different from above) (Street Address)

Wappingers Falls, NY 12590
(City) (ST) (Zip)

Date of Sale: _____ From: _____ (am/pm) until _____ (am/pm)
(Day One) (Time Begin) (Time End)
_____ From: _____ (am/pm) until _____ (am/pm)
(Day Two) (Time Begin) (Time End)
_____ From: _____ (am/pm) until _____ (am/pm)
(Day Three) (Time Begin) (Time End)

Do you want your event posted online: (YES) (NO)

If YES, please provide the information for your listing:

Sign: _____ Date: _____

Received by: _____ ON: _____ (DATE)

Indexed by: _____ ON: _____ (DATE)

Added to website by: _____ ON: _____ (DATE)

GARAGE AND YARD SALES

§ 143-4. Permit required; fee; conditions for sale.

- A. It shall be unlawful for any person to conduct a garage sale within the Town of Wappinger without first obtaining a garage sale permit from the Town Clerk after filing an application containing the information specified in § 143-5.
- B. It shall be unlawful for any individual to sell or offer for sale, under authority granted by this chapter, property other than personal property as defined herein. Notwithstanding the foregoing, members of more than one residence may join together in single sale held at one of their residences.
- C. No person may participate in more than four garage sales in any one calendar year.
- D. Not more than four garage sale permits shall be issued to any one person in any one calendar year.
- E. Not more than four garage sale permits shall be issued for any one premises in any one calendar year; a permit shall be deemed issued to all premises used for the garage sale.
- F. No premises may be used and no person may participate in a garage sale held on more than two consecutive weekends (or other two-day period).
- G. The maximum duration of a garage sale is three consecutive days.
- H. No personal property or goods to be sold at the yard or garage sale shall be placed or stored outside except during the permitted duration of the garage sale.
- I. A garage sale may be held during daylight hours only.
- J. The garage sale permit must be posted at a visible location to the traveling public for the duration of the sale.
- K. Each permit application shall be accompanied by a fee as set forth in Chapter 122, Article IV, § 122-16G(1) of the Code. [Amended 3-8-2004 by L.L. No. 4-2004]

§ 143-5. Application requirements.

- A. Prior to issuance of any garage sale permit, the persons conducting such sale shall file a written application form with the Town Clerk at least five business days in advance of the proposed sale. The application form shall require at least the following information:
 - (1) Full name(s) and address(es) of the applicant(s);
 - (2) The location of the premises where the garage sale will be held;
 - (3) The location of all premises where garage sales have been held by any of the same persons and premises within the current calendar year;
 - (4) The date(s) of any other garage sales held by any of the same applicants and premises within the current calendar year;
 - (5) An affirmative statement that the personal property to be sold is owned by applicant(s) as the applicant(s)' own personal property and was neither acquired nor consigned for the purposes of resale.
- B. The Town Board may by resolution require the inclusion of additional information on the application form as may be necessary to effectuate the purposes of this chapter.

§ 143-6. Exemptions.

This chapter shall not be applicable to:

- A. Persons selling goods pursuant to an order of process or pursuant to an order of a court of competent jurisdiction.
- B. Persons acting in accordance with their powers and duties as public officials.
- C. Any sale conducted by any lawful and legitimate business or commercial or industrial establishment

or any sale conducted by any other vendor or dealer in a time, place and manner not otherwise prohibited by state or local laws.

- D. Any public auction having a duration of no more than two days and conducted by an auctioneer licensed by the State of New York.

§ 143-7. Conduct.

- A. The persons to whom a garage sale permit is issued, the persons participating in the sale, and the owner, tenant or occupant of the premises where the sale is conducted shall be jointly and severally responsible for the maintenance of good order and decorum on the premises during the hours of the sale.
- B. No person shall permit any loud or boisterous conduct on the premises or permit persons or vehicles to impede the passage of traffic on any streets in the area of the premises where the sale is being conducted.
- C. In the event of an emergency, all persons to whom a permit has been issued shall obey any orders made by the Zoning Administrator, or by any police, fire or other emergency service personnel.

§ 143-8. Signs.

- A. Signs permitted. Only the following specified signs may be displayed in relation to a pending garage sale:
- (1) Two signs permitted. Two signs of not more than six square feet each are permitted to be displayed on the property of the residence where the garage sale is being conducted.
 - (2) Directional signs. Two signs of not more than six square feet each are permitted on other premises, provided that written permission to erect said signs is received from the property owners upon whose property such signs are to be posted.
- B. Time limitations. No sign or other form of advertisement shall be exhibited for more than two days prior to the day such sale is to commence.
- C. Removal of signs. All signs must be removed by the end of the final day of the sale.

§ 143-9. Parking; temporary controls.

All parking of vehicles shall be conducted in compliance with all applicable laws, codes and ordinances. Further, the Dutchess County Sheriff or his duly appointed deputies or the New York State Police may enforce such temporary controls to alleviate any special hazards and/or congestion created by any garage sales.

§ 143-10. Enforcement; penalties for offenses.

- A. This chapter shall be enforced by the Zoning Administrator, the Deputy Zoning Administrator, the Building Inspector, the Deputy Building Inspector, the Fire Inspector, the Deputy Fire Inspector, and any police agency having jurisdiction within the Town of Wappinger or any other persons who are authorized by resolution of the Town Board. [Amended 8-18-2003 by L.L. No. 10-2003]
- B. Any person who or which violates any provision of this chapter or any lawful order made pursuant to this chapter shall be subject to the payment of a fine. Such persons shall include, but not be limited to, the person(s) who applied for the garage sale permit, the owner and occupant of the premises specified on the garage sale permit application form, and all persons participating in and all premises used for the garage sale. The amount of said fine shall be as set forth in Chapter 122, Article V, § 122-20Q of the Code. Each day that the violation continues shall constitute a separate and distinct violation. [Amended 3-22-2004 by L.L. No. 5-2004]
- C. The enforcement officer may, in his/her discretion, issue a warning notice for a first violation.