



# TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

## Department of Planning and Development

**ROBERT D. PARISI**  
*Mayor*

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### **GARAGE SALE PERMIT APPLICATION** **PLEASE SUBMIT IN TRIPLICATE**

1. APPLICANT INFORMATION:

- a. Applicant Name: \_\_\_\_\_
- b. Name of person conducting sale (if different than Applicant): \_\_\_\_\_
- c. Applicant's Address: \_\_\_\_\_
- d. Name of Property Owner (if different than Applicant): \_\_\_\_\_

2. Location of Sale: \_\_\_\_\_

3. Telephone Number at Site of Sale: \_\_\_\_\_

4. Date(s) of Sale: \_\_\_\_\_ Time of Sale: \_\_\_\_\_

5. The Applicant is (circle one): Individual Homeowner. Charitable, Religious, or Civic Organization.

6. Have you or your organization had any garage sales within the past twelve (12) months at this location?

(circle one) YES, NO If YES, how many? \_\_\_\_\_.

7. Have you or your organization been issued any other vendor license by a local, state or federal agency? (circle one) YES, NO If YES, how many? \_\_\_\_\_ Please explain: \_\_\_\_\_.

8. Number of signs purchased: (Maximum 6) \_\_\_\_\_.

9. Verification and Authorization:

a. Applicant's Verification:

I hereby certify that the above statements made by me are true. I also certify that I will comply with Chapter 6-15 of the Township of West Orange, Ordinance #1163-93, and all other ordinances pertaining to this sale. I am aware that if any of the foregoing is false, or I do not comply with the ordinance, I am subject to fines.

\_\_\_\_\_  
Applicant's Signature and Date

b. Owner's Authorization:

I hereby certify that I am the owner of the above referenced property and I authorize the above-mentioned garage sale to take place on the property.

\_\_\_\_\_  
Owner's Signature and Date

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### FOR OFFICE USE ONLY

PERMIT # \_\_\_\_\_

AMOUNT PAID \$ \_\_\_\_\_ Signs \_\_\_\_\_



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### GARAGE SALE PROCEDURES

1. The fee for a Garage Sale license is \$5.00.
2. A Garage Sale license shall only be issued to any household twice within a twelve month period. A charitable, religious or civic organization may be allowed four licenses within a twelve month period.
3. The Garage Sale license must be prominently displayed on the premises of the sale throughout the entire period of the sale.
4. The hours of the Garage Sale shall be held between the hours of 9:00 A.M. and 6:00 P.M. only.
5. SIGNS: The signs shall be purchased from the Department of Planning and Development.

Maximum allowable quantity of signs is six; 2 will be received with the garage sale license the additional 4 can be purchased for .50 cents each.

The sign shall be posted no more than three days prior to the sale, and it shall be removed within 24 hrs. after the sale;

Signs shall be prohibited on trees, fences, rocks, curbs, walks, lamps, hydrants and bridges.

6. In the event of inclement weather, the holder of the license shall be entitled to hold the sale the following week, on the same day as originally scheduled, upon first notifying the Department of Planning and Development at 973-325-4110.



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## **5-13 GARAGE SALES.**

### **5-13.1 Definitions.**

As used in this section:

*Garage sales* shall mean and include all sales entitled "garage sale," "lawn 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 this sale.

*Goods* shall mean and include any goods, warehouse merchandise or other property capable of being the object of a sale regulated hereunder.

*Household* shall mean any single family or multi-family residential dwelling, individual apartment unit, individual cooperative unit or individual condominium unit.  
(1972 Code § 6-15.1; Ord. No. 986-89 § I; Ord No. 1163-93 § 1)

### **5-13.2 License Required; Fee.**

It shall be unlawful for any person to conduct a garage sale in the Township without first filing with the Planning Department the information hereinafter specified and obtaining from the Planning Department, a license to do so, to be known as a "Garage Sale License."

The fee for such license shall be fixed at five (\$5.00) dollars. (Ord. No. 1163-93 § 2)

### **5-13.3 License Required; Display.**

- a. A license shall be issued to any household only twice within a twelve (12) month period and shall specify the days of the sale. No license shall be issued for more than four (4) consecutive calendar days. A charitable, religious or civic organization shall be allowed four (4) licenses within a twelve (12) month period and may be allowed more than four (4) licenses within the same period upon the adoption of an approving resolution by the Township Council.
- b. In the event that inclement weather causes one (1) or more days of a scheduled sale to be canceled, the holder of the license shall be entitled to hold the sale the following week, on the same day of the week as originally scheduled, upon first presenting the license to the Planning Department, who shall make the necessary date changes thereon.
- c. Each license issued under this section must be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the licensed sale.  
(Ord. No. 1163-93 § 3)

### **5-13.4 Application for License.**

No Garage Sale License shall be issued unless a written application is first filed with the Planning Department containing the following information:

- a. Name of person, firm, group, corporation, association, or organization conducting the sale.
- b. Name of the owner of the property on which the sale is to be conducted, and consent of owner if applicant is other than owner.
- c. Location at which the sale is to be conducted.
- d. Number of days of the sale.
- e. Date, nature of any past sale.
- f. Relationship or connection applicant may have had with any other person conducting a sale and the date or dates of such sale.

- g. Whether or not applicant has been issued any other vendor's license by any local, State or Federal agency.
- h. A certification by the person signing that the information therein given is full and true and known to be so.  
(Ord. No. 1163-93 § 4)

**5-13.5 Hours of Sale.**

All garage sales shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. only. (Ord. No. 1163-93 § 5)

**5-13.6 Signs.**

No person shall make, cause to be made or erected signs other than those signs provided by the Township. The size of these signs shall be discretionary with the Planning Department but shall be no larger than fifteen inches by fifteen (15 x 15) inches and must be purchased from the Township. A maximum of six (6) signs may be purchased by the holder of a valid Garage Sale License at a cost equal to the price paid by the Township for the signs.

The signs shall have a space allotted thereon upon which shall be placed the name and address of the person running the sale. Signs shall not be posted more than three (3) days prior to the sale and the signs shall be removed within twenty-four (24) hours after the completion of the sale. (Ord. No. 1163-93 § 6)

**5-13.7 Exceptions.**

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

- 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.
- c. Any person selling or advertising for sale an item or items of personal property which are specifically named or described in the advertisement and which separate items do not exceed five (5) in number.
- d. Any sale conducted by any merchant or mercantile or other business establishment from or at a place of business wherein the sale would be permitted by the Zoning Regulations of the Township or under the protection of the nonconforming use section thereof or any other sale conducted by a manufacturer, dealer or vendor who would conduct the sale from properly zoned premises and not otherwise prohibited in this revision.  
(Ord. No. 1163-93 § 7)

**5-13.8 Conduct of Sale.**

The person to whom such license is issued and the owner or tenant of the premises on which the 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 the sale or activity. No person shall permit any loud or boisterous conduct on the premises nor permit vehicles to impede the passage of traffic on any road or streets in the area of the premises. All persons shall obey the reasonable orders of any member of the Police or Fire Departments in order to maintain the public health, safety and welfare. (1972 Code § 6-15.3; Ord. No. 986-89 § 3; Ord. No. 1163-93 § 8; Ord. No. 1314-95 § 2)

**5-13.9 Enforcement.**

This section shall be enforced by the Planning Department and the Police Department. It shall be the duty of the Police Department or Director of Planning or his/her designees to investigate any violations of this section coming to their attention, whether by complaint or arising from their personal

knowledge, and if a violation is found to exist, they shall issue a summons and/or prosecute a complaint before the local Municipal Court pursuant to the provisions of this section. (1972 Code § 6-15.3; Ord. No. 986-89 § 3; Ord. No. 1163-93 § 8; Ord. No. 1314-95 § 1)

**5-13.10 Penalty.**

Any person conducting any sale or similar activity without being properly licensed therefor or who shall violate any of the other terms and regulations of this section shall, upon conviction, be fined not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars or be imprisoned for a period not to exceed ten (10) days for each violation. Each day that the sale shall continue without being duly licensed shall be considered a separate violation. (1972 Code § 6-15.3; Ord. No. 986-89 § III; Ord. No. 1163-93 § 9)