

**PARADISE TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2008-03

**AN ORDINANCE REGULATING AND RESTRICTING YARD SALES,
REQUIRING PERMITS FOR YARD SALES AND PRESCRIBING PENALITIES
FOR VIOLATIONS IN PARADISE TOWNSHIP, YORK COUNTY**

BE IT AND IT IS HEREBY ORDAINED by the Board of Supervisors of Paradise Township, York County, Pennsylvania as follows:

SECTION 1. SHORT TITLE.

This Ordinance shall be known as "The Paradise Township Yard Sale Ordinance".

SECTION 2. PURPOSE.

This Ordinance shall establish and implement uniform regulations for conducting yard sales in Paradise Township.

SECTION 3. DEFINITIONS.

Terms, words, and phrases used in this Ordinance, unless otherwise expressly stated, shall be construed as defined in this Section. Those terms, words, and phrases not herein defined shall have the meaning customarily assigned to them or such as the context may imply.

YARD SALE – The term Yard Sale shall include any type of such sale of items from any property in Paradise Township regardless where on the premises the items for sale are actually located. The term Yard Sale shall include, but is not limited to the following terms: garage sale, tag sale, porch sale, lawn sale, attic sale, basement sale, rummage sale, flea market sale, and any similar casual sale of personal property.

SECTION 4. PERMIT REQUIRED; FEE FOR PERMIT.

It shall be unlawful for any owner of property in Paradise Township to conduct, or allow to be conducted, a Yard Sale upon the premises unless a Yard Sale permit is first obtained from Paradise Township. There shall be no fee charged for said permit.

SECTION 5. YARD SALE REGULATIONS.

The following regulations shall apply to all Yard Sales in Paradise Township:

- (a). There shall be no more than two (2) Yard Sales conducted on any one property in any calendar year.
- (b). No Yard Sale shall continue for more than three (3) consecutive days.

- (c). The hours during which a Yard Sale may be conducted shall be from 7:00 a.m. until 5:00 p.m.
- (d). No more than one (1) sign, either single-sided or double-sided, shall be erected to advertise a Yard Sale. Such signs may not be erected more than forty-eight (48) hours prior to the commencement of a Yard Sale. Signs advertising a Yard Sale shall not be placed in a public street right-of-way. The signs must be removed within twenty-four (24) hours after the cessation of the Yard Sale.
- (e). No portion of a Yard Sale shall take place within a public street right of way.
- (f). There shall be no parking, stopping, or standing of vehicles within the traveled portion or berm of the road as a result of a Yard Sale. It shall be the responsibility of the owner(s) of the property for which a Yard Sale permit is issued to demonstrate as part of the permit application that arrangements have been made for off-street parking for customers of the Yard Sale and for persons engaged in the Yard Sale.

SECTION 6. PENALTY FOR VIOLATIONS.

- (a). The Paradise Township Board of Supervisors hereby authorizes the Northern Regional Police Department to enforce the provisions of this Ordinance in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Board of Supervisors may authorize others to enforce this Ordinance by resolution.
- (b). Any person who shall violate any of the provisions of this Ordinance shall, upon summary conviction, be subject to a penalty of not less than \$200 nor more than \$600 per violation. Should such person refuse or neglect to pay such penalty, such person shall be subject to imprisonment to the extent allowed by law for the punishment of summary offenses. In addition to the penalties for said violation, the person so convicted shall be responsible for all costs incurred, including filing and attorney's fees.
- (c). A separate offense shall arise for each day or portion thereof in which a violations is found to exist or for each section of this Ordinance which is found to have been violated.

SECTION 7. REPEALER. The provisions of any prior Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

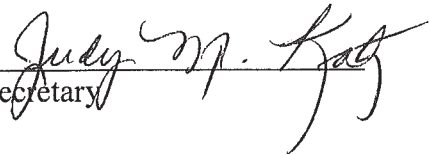
SECTION 8. SEVERABILITY. The provisions of this Ordinance are severable. In the event that any provision, section, sentence, clause, or part of this ordinance shall be held to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, section, sentence, clause, or part of this Ordinance. It is hereby declared to be the intent of this Township that such remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective five (5) days after enactment.

ENACTED AND ORDAINED this 10th day of November, 2008.

Attest:

**PARADISE TOWNSHIP BOARD
OF SUPERVISORS**


Secretary

By: 
Chairman