

By-law no. 2015-12 Concerning garage sales (amending By-law no. 2014-10)

**PROVINCE OF QUEBEC
MEMPHREMAGOG RCM
MUNICIPALITY OF THE VILLAGE OF AYER'S CLIFF**

Whereas a notice of motion was given at the meeting of June 1st, 2015 for the presentation of the present by-law;

It is proposed by Councillor Christian Savoie;

Seconded by Councillor Robert Lacoste;

And resolved to adopt the present by-law and Council decrees the following :

ARTICLE 1 : TITLE

The present by-law is titled « By-law concerning garage sales ».

ARTICLE 2 : PURPOSE OF THE BY-LAW

The present by-law's purpose is to regulate the holding of garage sales on the Municipality's territory.

ARTICLE 3 : APPLICATION

Garage sales are permitted in all zones of the Municipality of the Village of Ayer's Cliff.

ARTICLE 4 : PERMIT

Any person may hold a garage sale without obtaining a permit from the Municipality. However, individuals are required to register at the Town Hall prior to the holding of the garage sale. Moreover, garage sales are subject to the conditions stipulated in this by-law.

ARTICLE 5 : AUTHORIZED OBJECTS

All garage sales should be limited to objects acquired or used for domestic use by the occupants of the property where they are exposed and whose quantity does not exceed the normal needs of these occupants. Anyone holding a garage sale is required by law to ensure that the products being sold are safe and meet current safety standards.

ARTICLE 6 : SCHEDULE FOR A GARAGE SALE

A garage sale can be held for one (1) or two (2) consecutive days. Garage sales are held on Saturdays and Sundays only.

Any garage sale held in accordance with this by-law is authorized only between seven (7 am) and four o'clock (4 pm) on Saturdays and Sundays only.

ARTICLE 7 : PHYSICAL LOCATION OF THE GARAGE SALE

No garage sale can be set up in a manner as to encroach on a public street nor on any other public or private property. However, encroachment on adjacent private land is allowed as long as the concerned owners agree. A garage sale cannot be held on a vacant lot.

ARTICLE 8 : RESTORATION

Within sixty (60) minutes following the end of a garage sale, the land used for the garage sale must be cleaned and the unsold items removed and not be visible from the street.

ARTICLE 9 : SIGNAGE

Only the signs provided by the Municipality are allowed on the property where the garage sale is being held. Only directional signs provided by the Municipality are allowed for announcing a garage sale held in the territory of the municipality.

ARTICLE 10 : RENTAL OF SIGNS

A deposit of \$ 15 per sign is required. The deposit will be reimbursed when the signs are brought back in good condition, within three (3) days following the end of the sale.

ARTICLE 11 : PURCHASE OF SIGNS

Signs can also be purchased at the Town Hall at a cost of \$ 15.00 per sign. These reusable signs are not refundable.

ARTICLE 12 : QUANTITY OF SIGNS

These signs are limited to four (4) per property where the garage sale is being held.

ARTICLE 13 : DIRECTIONAL SIGNS

The directional signs can be purchased at the Town Hall for \$ 2.50 per sign. The directional signs are used to indicate, with a felt pen, the address where the yard sale is being held. Only these directional signs can be installed on street corners. The directional signs are not refundable.

ARTICLE 14: LOCATION OF THE SIGNS

Any installation of a sign referred to in this by-law must be done on a private property and be authorized by its owner. No sign shall be located on public property. No sign shall be located so as to impair the visibility of drivers or human safety.

ARTICLE 15 : SCHEDULE FOR PUTTING UP SIGNS

Signs may be put up only 48 hours before the sale, subject to fines provided for in this by-law. All signs must be removed no later than the end of the day of the garage sale, and subject to fines provided for in this by-law.

ARTICLE 16 : CONSTATS D'INFRACTION

The Council generally authorizes the building and environment inspector and any peace officer to undertake penal proceedings against any offender of any provision of this by-law and, consequently, generally authorizes these persons to issue violations and they are responsible for application of this by-law.

ARTICLE 17 : FINES

Whosoever contravenes any of the provisions of this by-law commits an offense and is liable to a fine of two hundred dollars (\$ 200.00) for a first offense if the offender is a natural person and three hundred dollars (\$ 300.00) for a first offense if the offender is a

corporation; to a fine of four hundred dollars (\$ 400.00) for a subsequent offense if the offender is a natural person, a fine of six hundred dollars (\$ 600.00) for a subsequent offense if the offender is a moral person;

ARTICLE 18 : REPEALING OF BY-LAW NO. 99-011

The present by-law repeals By-law no. 99-011 and its amendments.

ARTICLE 19 : COMING INTO FORCE

The present by-law comes into force in accordance with the Law.

Signed and adopted by the Municipality of the Village of Ayer's Cliff at the regular sitting held July 6, 2015.

Kimball Smith

Alec van Zuiden

Directeur General / Secretary-treasurer

Mayor

Notice of motion : June 1, 2015

Adoption : July 6, 2015

Coming into force : July 7, 2015