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ARTICLE A. GENERAL PROVISIONS

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Sec. 9-8-1. Garage sales, rummage sales, and yard sales.

- (a) Sales commonly known as "garage sales" or "rummage sales", conducted on residential property shall be subject to the following rules and regulations:
- (1) Such sales shall be conducted only by the owner or tenant of residential property.
 - (2) Only three (3) such sales shall be permitted in any twelve (12) month period on one residential lot. No sale shall run longer than three (3) consecutive days.
 - (3) No wares, goods, or merchandise shall be advertised or offered for sale, or swap, or given away except goods, wares, and merchandise owned by the property owner or tenant conducting the sale.
 - (4) No goods, wares or merchandise shall be purchased by the owner or tenant for the purpose of selling, swapping, or giving away same at such a sale.
 - (5) Any person desiring to conduct such a sale shall obtain a permit prior to the time that such sale is to begin. The business license clerk or their authorized representatives, shall issue a permit to the person to conduct such a sale upon payment of such permit fee as fixed time to time by the mayor and council, if the applicant otherwise meets the requirements of this section.
 - (6) A permit issued for a garage sale, rummage sale, or yard sale shall only be valid for the days specified on the permit. In the event of inclement weather or other acts of God, such permit may be validated by the business license clerk or their authorized representatives, for use on comparable days, without the payment of any additional permit fee.
 - (7) A permit issued for a garage sale, rummage sale, or yard sale shall be maintained at the sales location at all times, and shall, upon request, be made available for inspection by the business license clerk or their authorized representatives or any law enforcement officer or code enforcement officer of the city.
- (b)
- (1) Sales by religious or charitable organizations may be conducted on the property of the organization provided that they meet all requirements of items (1) through (7) above. No fee shall be required of such organizations.
 - (2) Such sales may be located on commercial premises not otherwise owned by the organization, provided prior written consent by the owner be displayed when obtaining the permit for such sale. Any such off-premises sale shall be limited to a total of two (2) per year, per location.

- (c) It shall be unlawful for any person to conduct a garage sale, rummage sale, or yard sale without first obtaining a permit as described herein or in such a manner as to violate any of the provisions of this section and the code enforcement officers and police department are authorized and directed to enforce the provisions of this section.
- (d) Only those signs issued by the city for "yard sales" are allowed, and shall be limited to two (2) such signs per yard. All other signs promoting or advertising garage sales, rummage sales, or yard sales are prohibited. The two (2) signs provided by the city may be placed as follows:
 - (1) One (1) corner directional sign may be displayed on private property with the private property owner's permission.
 - (2) One (1) sign may be displayed on the property at the place of such sale.
 - (3) No signs may be placed on utility poles or on traffic signs.
 - (4) No signs may be placed on city rights-of-way, or within five (5) feet of any street, highway, or sidewalk.
 - (5) No sign may be placed on city property.

(Code 1986, § 9-8-1; Ord. No. 88-012, 8-1-88; Ord. No. 99-018, § 1, 10-4-99; Ord. No. 11-08, §§ 1—7, 3-7-2011)

~~Editor's note—~~

Ord. No. 88-012 added subsection (b) (2) allowing sales on commercial property by religious or charitable organizations with certain limitations.

Sec. 9-8-2. Bonds; requirement to post.

- (a) Prior to the issuance of a business license to write or post bail bond the applicant shall be required to post a surety bond with a value as fixed from time to time by the mayor and council, but not less than twenty-five thousand dollars (\$25,000). The bond shall be payable to the mayor in his official capacity, and shall be contingent upon the payment of sums due the city on forfeited bonds written by the applicant. The bond shall be approved by the city manager and the chief of police.
- (b) It shall be unlawful for any person, firm, or corporation to write or post bail bonds in the city and engage in the bail bonds business, unless and until such person, firm, or corporation has obtained a license as provided in this title and has posted an approved bond as provided herein.

Sec. 9-8-3. Vending machines and amusement devices.

Vending machines, being those mechanical devices which, without attendants and for a charge, dispense products to retail purchasers, shall be allowed in the city only in compliance with the following regulations:

- (1) Each coin-operated vending machine or amusement device which is operated, maintained or used within the city shall have conspicuously stamped upon it or affixed thereon for identification purposes the name, address and telephone number, if any, of the owner or operator thereof. Such identification shall be provided by the owner or operator of the machine at his or her own expense. Each machine shall be properly licensed pursuant to Title 3, Chapter 3, and a sticker evidencing payment of the city license tax shall be provided by the city for each machine so licensed and shall be affixed to the machine by the owner or operator thereof.
- (2) Each machine must be located behind the building setback lines established in the zoning ordinance.