BOROUGH OF LAVALLETTE

OFFICE OF ADMINISTRATION
1306 GRAND CENTRAL AVENUE
LAVALLETTE, NJ 08735
(732) 793-7477
Fax (732) 830-8248
www.lavallette.org

Application for _____Sale Fee $10.00
(Insert; Garage, Lawn, Rummage, Flea Market, Etc.)

Name: _____Phone Number _____
Address:_____

Dates of Sale:_____ Number of days of sale_____
(For not more then 2 consecutive days)

All garage sales shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. only
Has this event been issued any other vendor's license by any local, state or federal agency. Yes ☐ No ☐
If yes please list:

All garage sales shall be conducted between the hours of 9:00am and 6:00pm only. No more then one permit allowed in a 12 month period, the only exception being the Town Wide Yard Sale.

Ordinance No. 375(1975-14)
Ordinance No. 413(1975-14)

Signature of applicant_____ Date_____
If applicant is not the owner of the home please include a letter from the homeowner authorizing the sale.

----------Do not write below this line – Office use only ----------

License Number_____

Remarks:
_____
_____

Issued by Order of Mayor And Council

Date Issued: _____

_____
Donnelly Amico
Municipal Clerk

ARTICLE IV Garage Sales

§ 50-9. Definitions.

As used in this article, the following terms shall have the meanings indicated:

GARAGE SALE — Includes all sales entitled “garage sale,” “lawn sale,” “attic sale,” “rummage sale,” “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 said sale.

GOODS — Includes any goods, warehouse merchandise or other property capable of being the object of a sale regulated hereunder

PERSON — Includes individuals, partnerships, voluntary associations and corporations.

§ 50-10. License required; fee.

It shall be unlawful for any person to conduct a garage sale in the Borough of Lavallette without first filing with the Borough Clerk the information hereinafter specified and obtaining from such Clerk a license so to do, to be known as a “garage sale license.” The fee for such license shall be $8 except on the date of the Borough-Wide Garage Sale Day. The Borough Council shall annually, by resolution, establish a date for a Borough-Wide Garage Sale Day. The fee for a license on the date of the Borough-Wide Garage Sale Day shall be $10.

§ 50-11. License restrictions; display.

A. The license shall be issued only to premises on which a residential dwelling is located, it being the intention to prohibit garage sales on vacant lots and further to limit the issuance of said permits to specified premises rather than to any individual.

1 The license may be issued to any premises only once in any calendar year, and the license shall be issued for no more than two consecutive calendar days. Furthermore, no person, firm, group, corporation or association shall directly or indirectly conduct a garage sale at any premises within the Borough of Lavallette more than once in any calendar year. Charitable, religious and civic organizations may be allowed more than one license with the approval of the Mayor and Council.

2. In the event that inclement weather prevents the licensee from holding the garage sale, the licensee shall advise the Municipal Clerk of this occurrence on the first business day following the date of the proposed garage sale. The licensee may elect two alternative consecutive days for holding a substitute sale by providing written notice to the Municipal Clerk; however, the alternate dates must be within 14 days of the original proposed sale dates.

B. Each license issued under this article must be prominently displayed on the premises upon which the garage sale is conducted throughout the entire period of the licensed sale.

C. Any written notice advertising a garage sale must make reference to the official permit number assigned by the municipality. In the event this provision is violated, the license will be immediately null and void upon the public release of such written notice which fails to contain reference to the official license number.

§ 50-12. Application information.
The information to be filed with the Borough Clerk, pursuant to this article, shall be as follows:

A. Name of person, firm, group, corporation, association or organization conducting said sale.

B. Name of owner of the property on which said sale is to be conducted and consent of owner if applicant is other than owner.

C. Location at which sale is to be conducted.

D. Number of days of sale.

E. Date and nature of any past sale.

F. Relationship or connection applicant may have had with any other person, firm, group, organization, association or corporation conducting said 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. Sworn statement of affirmation by the person signing that the information therein given is full, true and known to him/her to be so.

§ 50-13. Hours of sale.
All garage sales shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. only.

§ 50-14. Signs.

A. Signs posted or handbills advertising a garage sale, as herein defined, shall be of a size not larger than 12 inches by 12 inches and must contain, in addition to the definition of the type of sale being advertised, the name, address and telephone number of the person conducting the sale, the number of the permit issued by the Borough of Lavallette and the dates for which such permits were issued.

B. All such signs shall be removed within 48 hours after the completion of the sale. Newspaper advertisement of such sale shall contain the same information as required in the case of signs.

§ 50-15. Exceptions.
The provisions of this article 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 or personal property which is specifically named or described in the advertisement and which separate items do not exceed five in number.

D. Any publisher of a newspaper, magazine, other publication or other communication media who publishes or broadcasts in good faith without knowledge of its false, deceptive or misleading character or without knowledge that the provisions of this article have not been complied with.

E. Any sale conducted by any merchant or other business establishment in a place of business wherein such sale would be permitted by the zoning regulations of the Borough of Lavallette Editor's Note: See Ch. 90, Zoning or under the protection of the nonconforming use section thereof, or any sale conducted by a manufacturer, dealer or vendor, which sale would be conducted from properly zoned premises and would not otherwise be prohibited in the Borough ordinances.

F. Any bona fide, charitable, eleemosynary, educational, cultural or other organization or association not for profit may be exempted from the four-day limitation, fixed by § 50-11 hereof, upon demonstrating to the Borough Council its right to such exemption. The production of a certified copy of a certificate of incorporation, pursuant to Title 15 of the Revised Statutes of New Jersey, shall be presumptive evidence of the right of such organization to this exemption.

§ 50-16. Enforcement.

A. This article shall be enforced by the Police Department of the Borough of Lavallette. It shall be the duty of the Chief of Police, or his/her designated deputy, to investigate any violation of this article.

B. The person to whom such license is issued and the owner or tenant of the premises on which such 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 such sale or activity. No such person shall permit any loud or boisterous conduct on said premises nor permit vehicles to impede the passage of traffic on any roads or streets or interfere with the orderly passage of pedestrian traffic on sidewalks in the area of such premises. All such persons shall obey the reasonable orders of any member of the Police Department of the Borough of Lavallette in order to maintain the public health, safety and welfare.