

**MUSKEGON CHARTER TOWNSHIP
COUNTY OF MUSKEGON
STATE OF MICHIGAN**

**AN ORDINANCE TO ADD CHAPTER 8 TO THE
MUSKEGON CHARTER TOWNSHIP CODE OF ORDINANCES**

Ordinance No. 22-8

THE CHARTER TOWNSHIP OF MUSKEGON ORDAINS:

Section 1. That Chapter 8, Sections 8-1 thru 8-7, "GARAGE AND ESTATE SALES" of the Muskegon Charter Township Code of Ordinances be added as follows:

Chapter 8 GARAGE & ESTATE SALES

Sec. 8-1 Purpose and intent.

It is the intent of this chapter to regulate, control and limit the number and conducting of garage & estate sales, as they may become nuisances and safety hazards if not so regulated, and so that residential areas do not become commercialized through a proliferation of garage & estate sales and similar commercial activities.

Sec. 8-2 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Estate Sale means a sale or auction to dispose of a substantial portion of the materials owned by a person who is recently deceased or who must dispose of their personal property to facilitate a move.

Garage sale means a sale of used household effects and personal property, appliances, clothing, china, glassware, tools, toys, garden implements, recreational equipment and other such items by a person from his residence by means of a display of such items in the yard, garage, patio, parking area or other like place in, around or near such residence. "Garage sale" also means an estate sale and/or auction conducted at or around a residence or in a residential subdivision. "Garage sale" shall not mean the sale of a single automobile by means of a "For Sale" sign in the window of such vehicle parked at or near the residence.

Salesmen's or free samples means items which were packaged and designed to introduce products to consumers and which were distributed by salesmen or otherwise without charge.

Wholesale means sales in bulk or individually to dealers or persons who intend to resell such item.

Sec. 8-3 Restriction, number and duration.

- (a) There shall be no more than three (3) garage sales at any residence within any one (1) calendar year.
- (b) No garage sale may operate over more than a three (3) day period of time.
- (c) Garage sales shall only be conducted between the hours of 8:00 a.m. and 6:00 p.m.

8-4. Sales limitations.

- (a) No sale of wholesale, overstocked or excess merchandise from any form of business or commercial activity.
- (b) No salesman shall be permitted to sell and no free samples or similar items shall be sold at any garage sale.
- (c) Garage sales shall be limited to sales of items which have actually been used during the normal course of residential living at the residence at which the sale is to occur and items shall not be transported to such residence. Joint and/or group garage sales between or among two (2) or more homes shall only be permitted if all of the following apply:
 - (1) Sales shall be limited to items which have actually been used during the normal course of residential living in one (1) or more of the residences participating in the joint and/or group garage sales; and
 - (2) All of the residences participating in the joint and/or group garage sale shall be located within the same subdivision, or, if the residences are not located within a subdivision, all of the residences participating in the joint and/or group garage sale shall be located within two thousand five hundred (2,500) feet of the residence in which the sale is to occur.
- (d) Items may not be left outside after the three (3) day period of time has passed.

Sec. 8-5 Garage sale not to create nuisance.

- (a) No garage sale shall be situated so as to obstruct traffic, nor shall any garage sale patrons park their vehicles so as to obstruct traffic.
- (b) No signs advertising a garage sale regulated by this chapter shall be placed on public property, utility poles or on private property without the express consent of the owner. Within twenty-four (24) hours after the conclusion of a garage sale all signs shall be removed.
- (c) Excessive noise emanating from the area of any garage sale shall be expressly prohibited.

(d) All sales shall be conducted in a manner so as not to create a nuisance to neighboring properties.

Sec. 8-6. Exemptions.

The provisions of this chapter shall not apply to sales and/or charity bazaars held by churches or other houses of worship, schools and/or service organizations that are located in residential zoning districts provided that the sales and/or charity bazaars are held by the church or other house of worship, school or service organization, on their own property and provided that said sales and/or charity bazaars comply with all other requirements of the Muskegon Charter Township Code, including, but not limited to, the Muskegon Township Zoning Ordinance.

Sec. 8-7. Penalty.

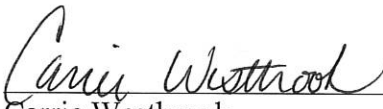
A violation of any provisions of this chapter shall be deemed a municipal Civil Infraction.

Section 2. Severability.

The provisions of this Ordinance are declared to be severable, and the holding of any court of competent jurisdiction that any section hereof is invalid shall not impair or invalidate any other section.

Section 3. Repeal of Conflicting Ordinances: All Ordinances in conflict with this Ordinance to the extent of such conflict are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective ten (10) days after adoption.


Carrie Westbrook
Muskegon Charter Township Clerk

Introduced: October 17, 2022

Adopted: November 7, 2022

Published: November 13, 2022

Effective: November 23, 2022