



Town of Berryville

101 Chalmers Ct., Suite A Berryville VA22611 (P) 955-1099 www.berryvilleva.gov

YARD SALE PERMIT

| | |
|------------------------|--|
| Name of Seller | |
| Address of Sale | |
| Beginning Date of Sale | |
| End Date of Sale | |

This will be the _____ yard sale conducted at this site this calendar year.

I hereby agree to abide by the rules and regulations set forth in the Code of the Town of Berryville, Section 19.

1. Yard sale will last no more than three (3) consecutive days.
2. This permit shall be posted on site during the entire time of the sale.
3. The sale will only be open from 7:00 AM to 7:00 PM daily.
4. Only two (2) signs may be posted on the premises to advertise this sale. No signs shall be posted on utility poles or highway signs, or in any other manner in violation of State Codes or local ordinances.
5. The permit holder shall remove all signs within eight (8) hours of the conclusion of the sale.
6. All merchandise shall be removed from view within two (2) hours of the conclusion of the sale on the final day.

Signed: _____ Print Name: _____

Address: _____

Phone: _____ E-mail: _____

Date: _____

OFFICE USE ONLY _____

| | | | |
|----------|--|------|--|
| Approved | | Date | |
| Notes | | | |



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COMMUNITY YARD SALE PERMIT

| | |
|-----------------------------|--|
| Name of Organization | |
| Organization Representative | |
| Location of Sale | |
| Number of Participants | |
| Beginning Date of Sale | |
| End Date of Sale | |

I hereby agree to abide by the rules and regulations set forth in the Code of the Town of Berryville, Section 19.

1. Yard sale will last no more than three (3) consecutive days.
2. This permit shall be posted on site during the entire time of the sale.
3. The sale will only be open from 7:00 AM to 7:00 PM daily.
4. Only two (2) signs may be posted on the premises to advertise this sale. No signs shall be posted on utility poles or highway signs, or in any other manner in violation of State Codes or local ordinances.
5. The permit holder shall remove all signs within eight (8) hours of the conclusion of the sale.
6. All merchandise shall be removed from view within two (2) hours of the conclusion of the sale on the final day.



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The organization representative who makes this application acknowledges that they are responsible for ensuring that all conditions set forth in Chapter 19 of the Code of the Town of Berryville are understood and adhered to by all individual sellers participating in this event.

Signed: _____ Print Name: _____

Address: _____

Phone: _____ E-mail: _____

Date: _____

OFFICE USE ONLY _____

| | | | |
|-----------------------------|--|------|--|
| Received By | | Date | |
| Approved By Town Manager | | Date | |
| Notes | | | |

Chapter 19 YARD SALES

Sec. 19-1 Definitions

The following definitions shall apply for purposes of this Chapter:

(a) "Yard sale" - A sale of personal property not purchased for resale or obtained on consignment, operated out of a single-family, two-family or multiple-family dwelling, on a vacant lot or elsewhere, of two (2) hours or more duration, and shall include a "garage sale", "basement sale", "attic sale", "rummage sale", and "moving sale".

(b) "Community yard sale" - A yard sale organized and advertised by a not-for-profit civic organization or a homeowners association or similar neighborhood association.

(c) "Person" - An individual, corporation, partnership, limited liability company, partnership, or unincorporated association.

Sec. 19-2 Violations of chapter

Any violation of this chapter shall constitute a misdemeanor punishable by a fine not exceeding twenty five dollars (\$25.00).

Cross references: Penalty for misdemeanor, *sec.* 1-11.

Sec. 19-3 Permit Required

(a) No person shall conduct a yard sale without a permit issued by the Town Treasurer or designee.

(b) No person shall conduct a community yard sale without a permit issued by the Town Manager or designee.

(c) Applications for permits shall be made on Town forms provided for that purpose.

(d) An application for a permit may be denied if the applicant has violated the provision of this Chapter two (2) or more times in the calendar year in which the permit is being sought.

(e) There shall be a limit of six (6) yard sales authorized per calendar year

per property address.

(f) Denial of an application for a permit for a yard sale may be appealed to the Town Manager within ten (10) days. Denial of an application for a community yard sale may be appealed to the Town Council at its next regularly scheduled meeting.

(g) Permits issued under this Chapter are not transferable.

Sec. 19-4 Same - Fee

(a) There shall be no fee for a permit required by this Chapter; provided, however, that if more than two (2) such permits are issued during any calendar year for yard sales at the same location, a fee of ten dollars (\$10.00) shall be charged for each permit after the first two (2). Such fee shall not be prorated for any reason, but in case a sale for which such fee has been paid is rained out, no fee will be charged for the next sale date.

(b) A community yard sale for the purpose of raising money to be used solely for charitable, community service, or nonprofit recreational or religious purposes, consistent with the organization's charter or organizational purpose, shall be exempt from the fee provided for in subsection (a) of this section. Such exemption may be granted by the Town Treasurer, upon receipt of a written request setting forth the use of which proceeds of the sale will be applied, together with such proof as may be required by the Treasurer as to the nonprofit status of the organization.

(c) An individual's participation in a permitted community yard sale shall not count towards that individual's annual total of permitted sales.

Sec. 19-6 Sale Conditions

The following conditions shall apply to all yard sales and community yard sales:

(a) No yard sale shall continue longer than three (3) consecutive days.

(b) Yard sales shall be limited to the hours of 7:00 AM to 7:00 PM.

(c) Items to be sold shall not be displayed for sale more than two (2) hours prior to the advertised start time of the yard sale. Within two (2) hours after the conclusion of the sale or by 9:00 PM, whichever is earlier, on the final day of the sale all unsold items shall be removed from view, disposed of, or stored in a completely enclosed structure.

(d) The person to whom a permit is issued and the owner/tenant of the site

where the yard sale is held are responsible for maintaining order.

(e) The yard sale shall not obstruct the flow of traffic on a public street or pedestrian traffic on a public sidewalk.

(f) A copy of the permit shall be conspicuously displayed upon the premises during the time of the sale so it may be inspected by an authorized representative of the Town.

Sec. 19.7 Signage

The following signage conditions shall apply to all yard sales and community yard sales:

(a) No more than two (2) signs of not more than four (4) square feet may be displayed on the site where the yard sale is being conducted.

(b) No signs may be erected or placed within highway right-of-ways or upon utility poles or highway signs in violation of Code of Virginia § 33.1-373, or in violation of Town Ordinance Sec. 3-2.

(c) All signs must be removed within eight (8) hours of the conclusion of the sale.