



TOWN OF EDGARTOWN
OFFICE OF THE SELECTMEN
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YARD SALE BY-LAW REGULATIONS

On June 22, 1982 the Town voted to adopt the following by-law:

It shall be unlawful for any person to conduct a yard sale within the limits of the Town of Edgartown without first obtaining a permit from the Board of Selectmen. Any persons violating this by-law shall be punished by a fine of not more than \$50.00 for each offense.

In order to carry out the provisions of the by-law, the Board voted to adopt application and permit guidelines and regulations. Such regulations are designed to protect public health, safety and convenience and to restrict such sales to casual and/or occasional occurrences only in keeping with the character of the neighborhood where the activity is carried on and with the zoning by-laws of the Town of Edgartown. The intent of this by-law is to eliminate perpetual, prolonged and extended yard sales in residential areas. Such sales, if carried on indefinitely, tend to become retail businesses in residential areas and zones and usually violate the zoning by-law of the Town.

On December 7, 1982 it was voted to adopt the following:

On November 16, 2015 it was voted to change the fee from \$25.00 to \$10.00

1. DEFINITIONS - The following terms shall have the meanings indicated:

YARD SALES

- A. The offering for sale of ten (10) or more new, used or second-hand items of personal property at any one (1) residential premises at any one (1) time.
- B. Includes all sales in residential areas entitled "Garage Sales", "Yard Sales", "Tag Sales", "Porch Sales", "Lawn Sale", "Attic Sale", "Basement Sale", "Rummage 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 the sale. A flea market is not a yard sale.
- C. Town of Edgartown – includes all residential dwellings located within any of the zoning districts whether or not said areas are residential, business or otherwise, within the geographic boundaries of the Town of Edgartown.

2. PERMIT REQUIRED; FEE; CONDITIONS FOR SALES

- A. It shall be unlawful for any person to conduct a yard sale within the geographic boundaries of the Town of Edgartown without first obtaining a yard sale permit from the Board of Selectmen after filing an application therefore.

- B. The fee for such a permit shall be Ten dollars (\$10.00).
 - C. Such permit shall only be issued to the person or persons residing on the premises. **No more than two (2) licenses for yard sales shall be issued for the same premises or to the same person in any twelve month period.**
 - D. No permit shall be issued for a yard sale longer than one (1) day.
 - E. Each permit issued under these regulations must be prominently displayed on the yard sale premises throughout the entire period of the sale.
 - F. In case of inclement weather whereby a scheduled yard sale cannot be held, said sale can be held on the rain date(s) as specified on the application.
3. HOURS OF SALE – All yard sales held pursuant to these provisions shall be conducted between the hours of 9:00 AM to 7:00 PM.
4. ADVERTISEMENT
- A. Yard sales may be advertised through the newspapers or other media.
 - B. A sign no larger than four square feet may be installed on the property where the sale is being conducted. The sign shall be displayed only during the sale and shall be removed immediately after the sale is concluded.
 - C. No sign or other display advertising or providing direction to the premises shall be placed on any property other than where the sale is conducted. No lighting or illuminated signs shall be used.
5. PARKING – The permit holder shall be responsible for the parking of vehicles. Under no circumstances shall vehicle be allowed to park on public ways whereby the flow of traffic will be diverted in any way. No parking is allowed on any portion of a hard surfaced public way unless such way has space provided for parking. Parking that causes traffic problems may result in the halting of the sale and revocation of the permit.
6. ENFORCEMENT
- A. This by-law shall be enforced by the Board of Selectmen.
 - B. It shall be the duty of the Board of Selectmen to investigate any violations of the by-law coming to its attention, whether by complaint or rising from the member(s) knowledge.
 - C. If after investigation a violation is found to exist, the Board of Selectmen shall prosecute a complaint in District Court pursuant to the provisions of the by-law.
 - D. It shall be the duty of the Edgartown Police Department to bring to the Selectmen's attention for further investigation any alleged violations which the Police Department becomes aware of during the course of its normal duties.
 - E. The person to whom the yard sale permit was issued and the person conducting the sale and the owner, tenant, or occupant of the premises where the sale or activity is conducted shall be jointly or separately responsible for the maintenance of good order and decorum on the premises during the hours of such sale or activity.

- F. No such person shall permit any loud or boisterous conduct on said premises or permit vehicle to impede the passage of traffic on any roads or streets in the area of the premises where the sale is being conducted.
 - G. All such persons shall obey reasonable orders from any member of the Edgartown Police department or the Edgartown Fire Department in order to maintain the public health, safety, and convenience.
7. PENALTIES FOR OFFENSES – Any person, firm, association, corporation or other entity conducting any such sale of similar activity without being properly licensed therefore or who shall violate or fail to comply with the provisions adopted pursuant to this law or any other rules, terms, regulations, or provisions adopted pursuant to this by-law shall be deemed to be in violation and the violator(s) shall be liable for the fine of not more than fifty dollars for each offense and each day that such sale or violation continues without being duly licensed shall be considered.