

ORDINANCE NO. 2024-_____

AN ORDINANCE REGULATING RUMMAGE, YARD, OR GARAGE SALE SALES WITHIN THE VILLAGE OF WINNEBAGO

WHEREAS, the Village of Winnebago ("Village") has determined the need to regulate Rummage, yard, or garage sale sales to maintain public safety, ensure orderly use of residential areas, while remaining consistent the Village's Unified Development Ordinance (UDO); and

WHEREAS, the Village seeks to define and regulate the duration, frequency, and signage associated with such sales, ensuring consistency with the Village's zoning regulations and ordinances.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Winnebago, Illinois, as follows:

SECTION 1: DEFINITIONS

For the purposes of this ordinance, the following terms shall have the meanings ascribed to them:

- *Rummage, yard, or garage sale* shall mean a public sale by the individual, owner, or occupant of a dwelling of items of personal property accumulated at a dwelling and sold in or around the garage or yard area, but not within the dwelling itself.
- *Personal Property* means property which is owned, utilized and maintained by an individual or residents of a dwelling acquired in the normal course of living or maintaining a dwelling. It does not include merchandise which was purchased for resale or obtained on consignment.
- *Village Wide Garage Sale* shall mean an event designated by the Village, typically held over a weekend, during which the Village coordinates and promotes community-wide garage sales. The event is advertised through the Village's website, social media platforms, newsletters, and other official communication channels.

SECTION 2: ZONING REQUIREMENTS

Rummage, yard, or garage sale sales shall be conducted only in residentially zoned districts 1 (Single Family Residential), 2 (Two Family Residential), and 2M (Multifamily Residential) within the Village of Winnebago, except as provided in Section 4 of this ordinance.

SECTION 3: REGULATIONS

1. No more than three (3) garage, yard, and/or rummage sales shall be held at anyone premises within the Village during any calendar year.
2. Each sale shall not exceed three (3) consecutive days in duration.

3. It is unlawful for any individual to display items for sale on exterior property before the first day or after the final day of the rummage, yard, or garage sale. Items having been for sale must be removed from exterior display within five hours of the close of the final day of the sale.
4. It is unlawful for any individual to display items on the public right-of-way including, but not limited to, sidewalks, streets, and alleys.
5. The owner or tenant of the premises on which such rummage, yard, or garage sale or other similar 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 individual shall permit any loud or boisterous conduct on the premises nor permit vehicles to impede the passage of traffic on any roads or streets in the area of such premises. All such individuals shall obey the orders of any member of the police, fire, or code enforcement departments in order to maintain the public health, safety, and welfare of the Village. Failure to abide by this Section shall constitute a nuisance.
6. A Village police officer, the Village code enforcement officer, or any other official designated by the Village President or Village Administrator to make inspections to enforce Village regulations, shall have the right of entry to any premises showing evidence of a rummage, yard, or garage sale for the purpose of enforcement or inspection and may close the premises from such a sale if the sale is in violation of this article.

SECTION 4: VILLAGE WIDE GARAGE SALE PROVISION

1. Participating in the village wide garage sale is not included in the total garage sales and the time limits outlined in Section 3-1 and Section 3-2.
2. A garage, yard, and/or rummage sale may be conducted on commercially zoned property during the Village Wide Garage Sale.

SECTION 5: HOURS OF OPERATION

A garage, yard, and/or rummage sale may be conducted only between the hours of nine o'clock (9:00) A.M. and five o'clock (5:00) P.M. on each day of the sale.

SECTION 6: SIGNAGE

1. Signs advertising a garage, yard, and/or rummage sale shall comply with the provisions of the Village's Unified Development Ordinance (UDO).
2. In no event shall any such sign be posted on private property without the owner's permission, nor shall any sign be posted on Village or other public property.

SECTION 7: ENFORCEMENT AND PENALTIES

Any violation of this ordinance shall be punishable by a fine of not less than two hundred fifty dollars (\$250.00) for a first offense; five hundred dollars (\$500.00) for a second offense; and seven hundred and fifty dollars (\$750) for a third or each subsequent offense.

SECTION 8: EFFECTIVE DATE

This ordinance shall become effective immediately upon passage by the Board of Trustees of the Village of Winnebago, and publication of the same in pamphlet form.

APPROVED this ____ day of _____, 2024

Franklin J. Eubank, Jr., President of the Board of Trustees
of the Village of Winnebago

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED:

APPROVED:

PUBLISHED IN PAMPHLET FORM:
