

## Legal Notice

At the regularly scheduled meeting on August 12, 2024, the Town Council of Glenwood, Indiana will consider the approval of 2024-6 an ordinance authorizing garage sales in the Town of Glenwood. The meeting will be at 7:00 P.M. in the Town Hall.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in the public meeting should notify the town as soon as possible but no later than Wednesday, August 7, 2024 by 7:00 p.m. Communication can be via phone at 765-679-5600 or email at Clerk-Treasurer@TownofGlenwood.IN.gov. A request can also be mailed through the U. S. Postal Service to be received by August 7, 2024.

**WHEREAS**, garage sales in the Town of Glenwood shall be conducted in a manner to preserve the integrity of the Town and comply with the Rush County's zoning regulations. Zoning regulations can be found on the Rush County website, rushcounty.in.gov under the county office for Planning and Zoning. This ordinance replaces Glenwood's Ordinance 2007-1.

**WHEREAS**, the Town Council of the Town of Glenwood desires that garage sales in the Town be conducted to preserve the integrity of the Town's zoning regulations.

**THEREFORE**, be it ordained by the Town Council of the Town of Glenwood, Indiana as follows:

### SECTION 1. DEFINITIONS

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

- A. Garage sale means any garage, porch, patio, tag or yard sale which:
1. Is conducted from a residence (single-family or multi-family) within the Town which is displayed in the open, clear view of the public, in a garage, in the yard, or adjacent to a dwelling house or other building primarily used for residential purposes;
  2. Which is conducted by a single person or group of persons; and
  3. Which sells household goods, furniture, equipment, tools and/or personal items, which are the possession of the sellers.

### SECTION 2. PURPOSE OF ARTICLE

The purpose of this article is to regulate the conduct of garage sales in the Town so as to preserve the integrity of the Town's zoning regulations.

### SECTION 3. EXCEPTIONS

Sales conducted for retail or wholesale purposes are not subject to this article and must follow the Rush County Zoning Ordinance requirements.

The Town Council may waive a garage sale time period and permit requirement if a group of residents make a request at the council meeting to promote a town-wide garage sale. This might occur simultaneously with a local event that may draw traffic through town. Having garage sales simultaneously with the Rush County Steam Show is an approved exception.

### SECTION 4. TIME LIMITS

Garage sales are limited as follows:

- B. Garage sale means any garage, porch, patio, tag or yard sale which:
1. Only four (4) sales per calendar year may be conducted from any one (1) location;
  2. Each sale may be active and display items for sale for a period not to exceed three (3) consecutive days. At the end of any sale period all sale items and display paraphernalia must be removed from public view.
  3. All displays and transactions shall be limited to the hours from 7:00 a.m. to 6:00 p.m. on each day of the sale.

## SECTION 5. GARAGE/YARD SALE PERMIT

- A. A Garage/Yard Sale Permit must be completed and provided to the Town at least one day prior to the sale. It can be scanned and emailed to [Clerk-Treasurer@TownofGlenwood.IN.gov](mailto:Clerk-Treasurer@TownofGlenwood.IN.gov) or dropped in the utility box at Town Hall.
- B. This permit can be found on the Town's website, [glenwoodtown.com](http://glenwoodtown.com). The forms can also be requesting at least five days prior to the sale by sending an email to Clerk-Treasurer@TownofGlenwood.IN.gov or by leaving a message requesting the form be mailed. The phone message must include the name and address for mailing.

## SECTION 6. CITATIONS

The Town Council or designee may issue a Town ordinance violation citation to a person who violates this ordinance. The citation shall impose a Seventy-five dollar (\$75.00) fine. The violation may be not submitting a permit and/or violating the number of sales permitted.

## SECTION 7. SIGNS

Signs giving notice of the garage must follow the Rush County Zoning Ordinance requirements.

- A. No signs or other promotional material will be placed on any private property unless permission is first obtained from the owner.
- B. No signs or other promotional material will be placed on any public property unless written permission is obtained from the governing body thereof. Obtaining permission at a town council meeting will be considered written permission.

## SECTION 8. PENALTY

- A. A person who violates any provision of this ordinance shall be subject to a fine of Seventy-five dollars (\$75.00) plus the reasonable attorney's fees incurred in enforcing such provision, for each violation; provided, however, that the fine and attorney's fees for each violation shall not exceed two thousand five hundred dollars (\$2,500.00) in amount. Each day any violation is committed or permitted to continue shall constitute a separate offense.
- B. The Town Council or designee may elect to furnish a person in violation of this ordinance, a citation allowing such person up to fourteen (14) days to pay the fine or fines herein to the Clerk-Treasurer of the Town of Glenwood to be deposited in the General Funds of the Town. In such event, the ordinance violation charge shall not be filed unless the offender fails to pay the fine to the Clerk-Treasurer within the allotted time.

## SECTION 9. REPARABILITY CLAUSE

If any part of this ordinance is deemed by any court of law to be unconstitutional or otherwise unenforceable, then all other parts of this ordinance not so determined to be in violation of the constitution or unenforceable, shall continue in full force and effect as if such objectionable portions of this ordinance were never a part hereof.

Mary M. Richardson  
Glenwood Clerk-Treasurer