

TOWN OF MUNDARE

BYLAW NO. 744/04

The Council of the Town of Mundare properly assembled enacts as follows:

1. This bylaw is known as the “Garage Sale Bylaw”.

DEFINITIONS

2. In this bylaw:
 - a. "garage sale" means any garage sale, yard sale, auction sale or any similar type of sale;
 - b. “merchandise” means any items that are offered for sale or are sold at a garage sale.

GARAGE SALES

3. No more than two garage sales can be held at any residence in a year.
4. A garage sale held during the Community Wide Garage Sale is not included in the limit as per section 3.
5. A garage sale cannot be held on an empty lot unless the lot is listed on the same title as a lot with a residence.
6. A garage sale cannot last longer than three days.
7. The maximum hours of operation for a garage sale are 7:00 a.m. to 9:00 p.m.
8. Any merchandise must be removed from display to the public within 24 hours of the end of a garage sale.

AUTHORITY

9. The Town may remove or stored any merchandise that continues to be displayed more than 24 hours after the end of a garage sale.
10. After 14 days, the Town may dispose of any merchandise removed as per section 9 in any manner chosen.
11. Any costs associated with the removal or storage of any merchandise becomes a debt owing to the Town and can be added to the property taxes.
12. The bylaw enforcement officer is authorized to issue a ticket to any person who the bylaw enforcement officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

OFFENSES AND PENALTIES

- 13. Any person who contravenes a provision of this bylaw is guilty of an offence and is liable to a penalty as set out in Schedule A.
- 14. Despite section 13, any person who commits a second or subsequent offence within one (1) year of committing the first offence is liable to a fine as set out in Schedule A.
- 15. Any offence for which a penalty is not provided is liable to a fine as set out in Schedule A.
- 16. A violation ticket may be issued:
 - i. either personally; or
 - ii. by mailing a copy to last known mailing address.
- 17. Where a contravention of this bylaw is of a continuing nature, further tickets may be issued by the bylaw enforcement officer, however, no more than one ticket may be issued for each day that the contravention continues.
- 18. Payment of a ticket may be made to the Town in lieu of prosecution.

GENERAL

- 19. Nothing in this bylaw relieves any person from complying with any Federal, Provincial or other Town law, order, regulation or bylaw.
- 20. Nothing in this bylaw limits the right of the Town to obtain compensation for or to maintain an action for loss of or damage to property from or against any person responsible.
- 21. If any section of this bylaw is declared invalid, then the section is severed and the remaining bylaw shall remain in force.
- 22. Schedules A can be changed by a resolution of council.

READ a first time on June 1, 2004.

READ a second time on June 1, 2004.

READ a third time on June 1, 2004.

Mayor

CAO

SCHEDULE A**Penalties**

<u>First Offence</u>	<u>Section</u>	<u>Penalty</u>
More than two garages sales in a year	3	\$100.00
Garage Sale held on an empty lot	5	100.00
Garage sale lasting longer than three days	6	100.00
Violation of hours of operation	7	100.00
Merchandise not removed within 24 hours of the end of a garage sale	8	100.00
<u>Second Offense</u>		
Second of subsequent offence within one year of the original offence	14	twice the original fine
Offence with no penalty	15	100.00