

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN
ORDINANCE NO. 2021-03

AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO REGULATE RUMMAGE SALES, TO REQUIRE A PERMIT FOR OPERATING A RUMMAGE SALE; TO LIMIT THE NUMBER OF AND DURATION OF RUMMAGE SALES WITHIN FLUSHING TOWNSHIP.

RUMMAGE SALES

1. Definitions.

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

(a) Rummage sale.

- (1) The term "rummage sale" means a sale or offering for sale of more than five items of new or used merchandise, clothing, household goods, or rummage on premises not zoned for such sale.
- (2) Any sale which meets the requirements of this definition shall be deemed to be a "rummage sale" regardless of the name or designation placed upon the sale by the person conducting same.
- (3) "Rummage Sale" shall not include a roadside stand as defined in section 20-200 of the Zoning Ordinance.

2. Permit required; display.

No person, firm, corporation, or organization shall commence a rummage sale until a permit for same has been obtained from the township clerk on forms provided by the township. This permit shall be displayed in the front window or other prominent place clearly visible from the street at the location where the sale is being conducted.

3. Number of sales permitted.

Not more than three rummage sales shall be conducted on any particular premises in any calendar year.

4. Sales to be located upon owner's premises.

A rummage sale shall be conducted only by the owners or occupants of the premises on which the sale is located.

5. Duration of sale.

A rummage sale shall be discontinued at the end of the fifth (5) calendar day following the date that the sale was commenced.

6. Signs.

No signs advertising a sale regulated by this chapter shall be placed on public property or within the public right-of-way or on any utility pole or on private property except upon the property of the owner and upon private property of another, but only with the permission and consent of the owner of that property. Such signs shall be placed in accordance with all requirements of the township sign ordinance, section 20-400 A1, et seq, of the Zoning Ordinance, except no separate sign permit will be required, so long as the rummage sale permit and the sale is conducted in accordance with the ordinance.

7. Exceptions.

The following persons and sales are excepted from the permit requirement:

(a) Any sale conducted by any merchant or mercantile or other business establishment from or at a place of business wherein such sale would be permitted by the zoning regulations of the township or under the protection of the presently nonconforming section thereof, or any other sale conducted by a manufacturer, dealer, or vendor on which sale would be conducted from properly zoned premises and not otherwise prohibited by the ordinances of the township.

(b) Any sale conducted by a bona fide charitable, religious, educational, cultural, or governmental institution or organization, provided that the burden of establishing the exemption under this chapter shall be on the organization or institution claiming this exemption.

(c) Auction by a lawfully qualified auctioneer.

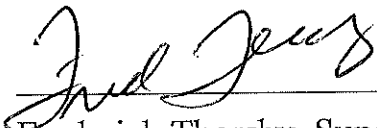
8. Sales outside the township.

No signs shall be placed or erected in any public place, in any lawns, on trees, upon any private roads or driveways or upon the exterior walls of any building or structure within the township advertising sales as defined in section , which is to occur outside the township.

9. Penalties.

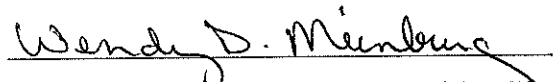
- (a) Any person violating this chapter shall be responsible for a municipal civil infraction. Subject to a fine of \$50 for first offense, \$100 for a second offense and \$150 for a third offense.
- (b) Any signs which violate this chapter shall be removed by the township police or other designated township personnel, including the code enforcement officer, and disposed of. Such removal and disposal shall be in addition to any other action to enforce this chapter. Municipal civil infraction notices or citations may be issued by such designated township personnel.

PASSED AND APPROVED BY THE CHARTER TOWNSHIP OF FLUSHING BOARD
ON THE 8th DAY OF July, 2021.



Frederick Thorsby, Supervisor

Attest:



Wendy D. Meinburg, Township Clerk

First reading: 6/10/21

Adopted: 7/8/21

