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**VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS**

**ORDINANCE NO. 1158**

**AN ORDINANCE AMENDING CHAPTER 15.20, GARAGE SALES,  
OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE  
REGARDING GARAGE SALES, FOR THE VILLAGE OF  
MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

**ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MELROSE PARK**

**THIS 10<sup>TH</sup> DAY OF MARCH 2008**

**RONALD M. SERPICO, Village President  
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

**Board Of Trustees**

**JOHN S. CONTEDEUCA  
CATHLEEN COSSIDENT ITALIA  
ARTURO J. MOTA  
ANTHONY J. PRIGNANO  
MARY RAMIREZ TACONI  
JAIME ANGUIANO**

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**Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 11<sup>TH</sup> day of MARCH 2008**

**ORDINANCE NO. 1158**

**AN ORDINANCE AMENDING CHAPTER 15.20 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING GARAGE SALES, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi (the “Village Clerk”), having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, numerous Village residents engage in the practice of selling household items and furnishings that have been in use in the resident’s dwelling unit; and

**WHEREAS**, the Village Board deems it advisable and necessary for the benefit of the Village and the health, safety, and welfare of its residents to establish certain regulations upon garage sales so as to ensure the orderly operation of such activities and to not disturb the residential environment of the area during the operation of such sales; and

**WHEREAS**, the Village Board deems it advisable and necessary for the benefit of the

Village and the health, safety, and welfare of its residents to amend the Village of Melrose Park Municipal Code (the "Village Code") to include provisions regarding garage sales; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Village Board does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to amend Chapter 15.20 of the Village Code by adding a new Section 15.20.120 regarding garage sales.

**Section 03. Invocation of Authority.**

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05-09 Reserved.**

**ARTICLE II.  
AMENDMENT TO CHAPTER 15.20**

**Section 10.00 Amendment to Chapter 15.20; Adding Section 15.20.120.**

That Chapter 15.20 of the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by adding the following new Section 15.20.120:

**Section 15.20.120. Garage Sales.**

A. "Garage Sale" as used in this Section shall mean, unless the context clearly specifies otherwise, a garage sale, patio sale, basement sale, backyard sale or any similar type of sale involving two (2) or more household items and/or furnishings which have been in use in the dwelling unit located on the premises on which such a sale is conducted, which is held on residential premises to which the general public is invited and which is not the general occupation of the Seller.

B. No person shall conduct, hold or engage in a Garage Sale without first having completed an application for a permit for a Garage Sale on a form prescribed and furnished by the Village Clerk and thereafter obtains a permit from the Village Clerk or deputy thereof or such other office so designated by the Office of the Mayor. The Garage Sale permit application minimally shall include the name and address of the applicant-permittee, the date(s) of the Garage Sale, that if the permit is granted the permittee will abide by all applicable codes and ordinances of the Village, and a statement that all goods and furnishings to be sold are in the possession and clean title of permittee and have not been purchased for resale.

C. The Village Clerk shall not issue a Garage Sale permit and no Garage Sale shall commence and/or continue unless there is full compliance with the following provisions:

- (1) The applicant-permittee must be an owner or tenant of the premises where such sale is to be held.
- (2) Only new or used items of personal property owned and acquired in the normal course of residential life by the applicant-permittee or members of his or her household shall be sold. Apparel to be sold shall be dry cleaned or laundered prior to sale. Items purchased for resale shall not be sold at such a permitted sale.
- (3) No more than four (4) Garage Sales shall be conducted by the same applicant or on the same premises during the preceding twelve-month period.
- (4) No sale items shall be located and no sales activities shall be conducted in the front yard area (front lawns) of any premises or

on any public sidewalk, parkway area, public right-of-way or any other public property. All sales activities shall be conducted in the rear yard, garage or on the driveway of the premises. If possible, all items of personal property shall be displayed on tables and not on the ground.

- (5) All signs, handbills or other advertising matter advertising a Garage Sale shall be located on private property in the front yard area of the premises. No signs, handbills or other advertising matter advertising a Garage Sale shall be located or posted in or upon any tree, shrub, light-post, flagpole, utility pole or any edifice used for the benefit of the general public; nor shall such be allowed upon any public parkway, building or public property in the Village. Signs advertising the Garage Sale shall not exceed the dimensions of three feet (3') by five feet (5'). Any signs posted to advertise a Garage Sale shall be removed by the applicant-permittee no later than 7:00 p.m. on the final day the Garage Sale then being held. The use of audio amplification equipment and illuminated advertising equipment to advertise the Garage Sale is specifically prohibited.
- (6) All Garage Sales shall be conducted during the months of May, June, July and August on the days of Thursday, Friday and Saturday of the third weeks of the aforesaid months and shall be conducted only between the hours of 9:00 a.m. and 6:00 p.m.
- (7) All Garage Sales shall be conducted in accordance with all other laws and ordinances in effect in the Village.
- (8) All Garage Sale permits shall be valid only for the particular sale dates and premises designated thereon and shall be prominently displayed in the front yard area so as to be easily seen by the public and shall be nontransferable.

D. There shall be no permit fee charged.

E. A minimum fine of Twenty Five and No/100 Dollars (\$25.00) and a maximum fine of Five Hundred and No/100 Dollars (\$500.00) shall be imposed for a violation of this Section.

**Section 11.00 – Section 15.00 Reserved.**

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES,  
PUBLICATION, EFFECTIVE DATE**

**Section 16.00 Headings.**

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this

Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

**Section 17.00 Severability.**

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section, or part shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

**Section 18.00 Superseder.**

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**Section 19.00 Publication.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**Section 20.00 Effective Date.**

This Ordinance shall be in effect ten (10) days following its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board of Trustees:

AYE VOTES: Trustee Italia, Trustee Mota, Trustee Prignano,  
Trustee Taconi, Trustee Anguiano

NAY VOTES:

ABSTAIN:

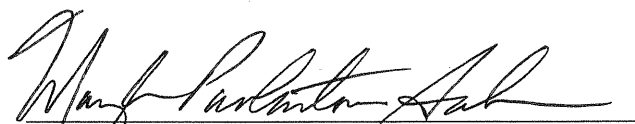
ABSENT: Trustee Conteduca

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE  
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TENTH DAY OF  
MARCH, 2008, A.D.

APPROVED:

  
RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 10, 2008  
Published in Pamphlet Form: March 11, 2008