

**UNION CITY BOROUGH
ERIE COUNTY, PENNSYLVANIA
ORDINANCE NO. 1142**

AN ORDINANCE OF THE BOROUGH TO REGULATE THE TIMING, DURATION AND NUMBER OF YARD SALES PERMISSIBLE; PROVIDING FOR A SHORT TITLE; ESTABLISHING A TIME OF REMOVAL OF YARD SALE SIGNS; PROVIDING FOR ENFORCEMENT FOR VIOLATIONS OF THIS ORDINANCE, VIOLATION TICKET DISPOSITION AND ESTABLISHING FINES AND PENALTIES; AND PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Union City Borough (the “Borough”) Council (the “Council”) has expressed concern that certain properties within the Borough have either held multiple yard sales during the course of the year, and/or yard sales for an extended period of time; and

WHEREAS, the Borough Council finds that such yard sales harm the quality and character of its neighborhoods, as well as the general welfare of the Borough; and

WHEREAS, the Borough Council finds that this Ordinance will be beneficial to the citizens of the Borough as it will appropriately regulate yard sales within the Borough and protect the general welfare of its citizens and residents;

NOW THEREFORE, this 26th day of October, 2021, **BE IT ORDAINED AND ENACTED** by the Borough Council, Union City Borough, Erie County, Pennsylvania, the following:

Section 1. Recitals That the above recitals are incorporated as if more fully set forth herein.

Section 2. Title. This Ordinance shall be referred to as the Borough of Union City Yard Sale Ordinance.

Section 3. Definitions. The following terms shall have the meanings indicated:

a) Yard Sale – shall mean any otherwise unregulated or licensed public sale of goods at a property within the Borough, including, but not limited to, residential or commercial properties, at a garage or home, or on a lawn or yard;

b) Borough – shall refer to the Borough of Union City

Section 4. Regulation.

a) It shall be unlawful for any individual, group or corporation to conduct within the Borough a yard sale or permit a yard sale to be held on property under that individuals, groups or corporations control, (1) between the months of November and April of each year; (2)

more than one (1) time per month during the months of May through October of each year; and (3) for more than three (3) consecutive days during the permitted months.

b) Any individual, group or corporation conducting a yard sale that posts yard sale advertisements within the Borough limits, whether the yard sale is held within or outside of the Borough limits, shall remove from within the Borough right-of-way all signs, flyers, posters, and bulletins no later than the next day after the yard sale. Should the yard sale for any reason not be held, all signs, flyers, posters, and bulletins advertising the yard sale, must be removed no later than the scheduled last day for the yard sale.

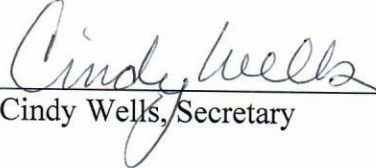
Section 5. Enforcement, Violation Ticket Disposition and Fines and Penalties. This Ordinance hereby incorporates those provisions of Borough Ordinance No. 1111, as may be amended, known as the Borough of Union City Quality of Life Ticketing Ordinance. Specifically, this Ordinance shall incorporate, as if more fully set forth herein, the entirety of Ordinance No. 1111, as may be amended, and shall be Enforced through the express provisions therein. Further, this ordinance shall follow the Violation Ticket Disposition provisions and shall offer the same Fines and Penalties as are expressed in Ordinance No. 1111, as may be amended.

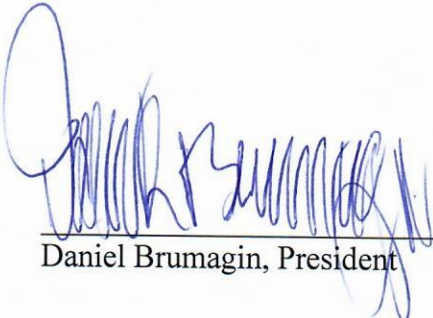
Section 6. Repealer All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 7. Severability If any sentence, clause, section or amendment of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or amendments of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or amendment thereof not been included herein.

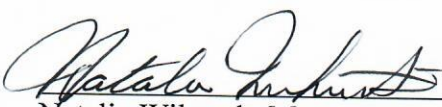
Section 8. Effective Date This Ordinance shall become immediately effective as permitted by law.

ATTEST:

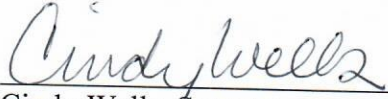

Cindy Wells, Secretary


Daniel Brumagin, President

APPROVED


Natalie Wilmoth, Mayor

I certify that the above is a true copy of the Borough of Union City, Erie County, Pennsylvania, Ordinance No. 1142 adopted by the Union City Borough Council on October 26, 2021 and advertised in the Corry Journal on October 15, 2021.



Cindy Wells, Secretary

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