

**ORDINANCE NO. 2017 – 5**

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**AN ORDINANCE OF THE COUNCIL OF THE CITY OF ANNA, ILLINOIS  
CONCERNING THE REGULATION OF YARD SALES  
WITHIN THE CITY OF ANNA'S CORPORATE LIMITS**

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**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ANNA**

**SEPTEMBER 19, 2017**

ORDINANCE NO. 2017 – 5

AN ORDINANCE OF THE COUNCIL OF THE CITY OF ANNA, ILLINOIS  
CONCERNING THE REGULATION OF YARD SALES WITHIN THE CITY OF ANNA'S  
CORPORATE LIMITS

**WHEREAS**, the City Council of the City of Anna, Illinois is authorized by the Illinois Municipal Code to enact such ordinances as it deems necessary for the public health, safety and welfare of the citizens of the City of Anna, Illinois; and

**WHEREAS**, the City Council deems it necessary and appropriate to adopt a uniform set of rules and regulations for yard sales conducted within It's corporate limits;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ANNA, UNION COUNTY, ILLINOIS, AS FOLLOWS:**

CITY OF ANNA, ILLINOIS  
YARD SALES RULES AND REGULATIONS  
EFFECTIVE DATE: SEPTEMBER 19, 2017

Following are the rules and regulations for permissible yard sales within he Anna, Illinois City limits:

A. DEFINITIONS:

- (1) "Yard Sale": The term "yard sale" shall mean any display of merchandise/property for sale or barter at a non-commercial location. Events commonly known as "garage sales", "tailgate sales", flea markets", "house sales", "moving sales", or similar designations, shall be defined as "yard sales" and be subject to this ordinance.
- (2) "Charitable Organization": means an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit to the public.
- (3) "Educational Organization": means an organization or institution organized and operated to provide systematic instruction in useful branches of learning methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

- (4) “Fraternal Organization”: means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for this that otherwise would be cared for by the government.
- (5) “Nonprofit Organization”: means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.
- (6) “Religious Organization”: means any church, congregation, society, or organization founded for the purpose of religious worship.
- (7) “Veteran Organization”: means an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

B. WHO MAY HAVE YARD SALES: People who are residents of the City of Anna, Illinois, Additionally, bone fide charitable, educational, fraternal, nonprofit, religious, and veteran’s organizations that maintain a location within the corporate limits of the City of Anna, and which operate without profit to their members. Finally, the City Council may, upon written request, permit “special event” yard sales such as the “River to River Yard Sale”, upon such terms and conditions as the council in it’s sole discretion, deems appropriate.

C. LOCATION OF YARD SALES:

- 1. Individual Residents: Yard sales shall be held on the premises of the individual Anna resident conducting the sale.
- 2. Organizations: Yard sales shall be held on the premises where the organization is located in the City of Anna. Provided however, the City Council may, upon written request, and at its sole discretion, allow an organization to conduct a yard sale at an off-site location.
- 3. Special Event Yard Sales: Shall be held at locations approved by the City Council.

D. WHEN YARD SALES MAY BE CONDUCTED:

1. Individual Residents: Yard sales shall be permitted one time monthly per residence. Each yard sale can be set up as early as Thursday, and shall be taken down/cleaned up no later than 5:00 p.m. on the immediately following Sunday. There shall be no yard sales between 5:00 p.m. Sunday and Thursday.
2. Organizations: Yard sales shall be permitted one time monthly at the organization's location in Anna, or at the alternate location approved by the Anna City Council. Each yard sale can be set up as early as Thursday, and shall be taken down/cleaned up no later than 5:00 p.m. on the immediately following Sunday. There shall be no yard sales between 5:00 p.m. Sunday and Thursday.
3. Special Event Yard Sales: Special Event Yard Sales shall be permitted at such times as the Anna City Council, in its sole discretion, approves.

E. LIMITATIONS:

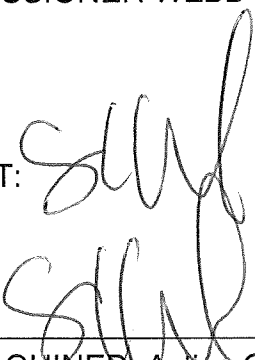
1. It shall be unlawful for anyone to conduct a retail selling business as a yard sale, or to engage in any sales other than of their own used property, junk, antiques or other discarded items of property.
2. No booths or concession stands shall be incorporated in any permitted yard sale except as approved by the Anna City Council upon written request, and at the Council's sole discretion.
3. Yard sale signs shall not exceed four (4) square feet, shall not be erected more than five (5) days prior to the scheduled yard sale, and shall be removed immediately following the event. In no event may a yard sale sign remain posted more than twelve hours after the conclusion of the permitted yard sale.
4. No yard sale signs shall be posted on utility poles or City owned poles (i.e., stop signs, speed restriction signs, no parking signs, street signs, etc.)

F. PENALTY: Any person or organization found guilty of violating any of the provisions of the City of Anna, Illinois' Yard Sale Ordinance shall be fined not less than \$120.00 for each provision violated, but not to exceed a total of \$1,200.00 for violations in a single yard sale. Violations at subsequent yard sales shall result in additional fines, per yard sale, in conformity with the provisions of this Ordinance.

PASSED and ADOPTED this 19<sup>th</sup> day of September, 2017

  
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STEVE HARTLINE, Mayor

<u>RECORD OF VOTE:</u>	<u>YEA</u>	<u>NAY</u>
MAYOR HARTLINE	<u>X</u>	_____
COMMISSIONER BIERSTEDT	<u>X</u>	_____
COMMISSIONER ISOM	<u>X</u>	_____
COMMISSIONER KAMP	<u>X</u>	_____
COMMISSIONER WEBB	<u>X</u>	_____

ATTEST:   
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STEVE GUINED, Acting City Clerk

(CORPORATE SEAL)

FILED FOR RECORD ON 9/20, 2017