

CITY OF ROLLING FIELDS, KENTUCKY
ORDINANCE 01-03

AN ORDINANCE RELATING TO THE PROHIBITION OF GARAGE SALES.

BE IT ORDAINED BY THE CITY OF ROLLING FIELDS:

Section 1. Definitions.

(a) Garage sales shall mean and include all sales entitled "garage sale", "lawn sale", "estate sale", "attic sale", "rummage sale", "flea market sale", or any similar casual sale of multiple items (more than five in number) of tangible personal property from a residence or residential property which is advertised by any means whereby the public at large is or can be made aware of said sale.

(b) Goods are meant to include any goods, furniture, fixtures, equipment or personalty, capable of being the object of a sale.

(c) Person shall mean and include individuals, partnerships, voluntary associations and corporations, and shall include both the owner(s) of the item(s) being sold and the person(s) advertising or selling.

Section 2. Garage Sales Prohibited. No person shall advertise or conduct a garage sale in the City of Rolling Fields.

Section 3. Penalties.

(a) Criminal

1. Any person who shall violate any provision of this Ordinance shall be fined not less than \$20 nor more than \$100 for each offense, and the sale of each item sold shall constitute a separate offense.

2. Where Kentucky Revised Statutes mandates a fine higher than that stipulated herein, the fine contained in Kentucky Revised Statutes shall apply.

(b) Civil.

1. Any person who shall violate any provision of this Ordinance shall subject the offender to a civil penalty equal to the greater of \$50 per item sold or \$500.

2. The civil penalty provided herein may be recovered by the City in civil action in the nature of a debt if the offender does not pay the penalty within twenty (20) days after the offender has been cited for the ordinance violation. As used herein "cited" shall mean notified of the violation and the penalty in writing by an elected or appointed official of the City or the official attorney for the City, or any police department serving the City. The civil penalty may be used as an alternative to or in conjunction with the criminal penalties authorized herein.

Section 4. Enforcement.


1. Any violation of this Ordinance shall subject the offender to fines, penalties, and forfeitures that may be imposed by law, and the City may secure injunctions and abatement orders, when appropriate, to insure compliance with its ordinances as authorized by KRS 83A.065.

2. This Ordinance may be enforced by any one or all or a combination of the remedies authorized by this Ordinance.

Section 5. This Ordinance shall take effect upon its adoption and publication as required by law.

First reading held June 21, 2001.

Second reading passed and approved 9-20, 2001.


William J. Conway, Mayor

Attest:


Richard Herrmann, City Clerk