Ordinance No. 2015-3

AN ORDINANCE OF THE CITY OF ORONOCO RELATING TO GARAGE AND RUMMAGE SALES; THE REGULATION OF PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS; RESTRICTING GARAGE AND RUMMAGE SALES THAT OCCUR DURING THE TIME PERIOD COINCIDING WITH THE EVENT KNOWN AS DOWNTOWN ORONOCO GOLD RUSH; EXEMPTING PARTICIPANTS THEREIN FROM CERTAIN REGULATIONS; AMENDING THE PROVISIONS OF TITLE 500, SECTION 504, PARAGRAPH 504.2 AND SECTION 508, PARAGRAPH 508.2 OF THE *ORONOCO CITY CODE.*

THE CITY COUNCIL OF THE CITY OF ORONOCO, MINNESOTA, DOES ORDAIN.

Section 1. The provisions of the title 500, section 504, Paragraph 504.2, of the *Oronoco City Code* are amended to read:

504.2 Restrictions and Prohibitions. The following restrictions apply to all garage and rummage sales:

1. None of the items offered for sale shall have been obtained for resale or received on consignment for sale.

2. Any garage or rummage sale (community or neighborhood sale) shall be conducted solely within the boundaries of the property owned or occupied by the occupant who is conducting the sale.

3. There shall be no more than six garage or rummage sales conducted at any one premises during any period of 12 calendar months.

4. No garage or rummage sale shall be conducted during any art of more than four consecutive days.

5. No garage or rummage sale may be conducted before 7:00 a.m. or after sundown.

6. No garage or rummage sale may be conducted on the day prior to the beginning of the annual community sale conducted by the organization known as Oronoco Downtown Gold Rush Days, Inc.; and, if conducted during the same time period, the hours such garage or rummage sale may be conducted shall be same as that of the sale activity authorized by Oronoco Downtown Gold Rush Days, Inc.

7. Any related signage shall be limited to the premises and to other residential property, provided permission from the property owner is obtained, and shall be removed at the termination of the sale. All signs shall be kept off the public right of way.

Section 2. The provisions of the title 500, section 508, Paragraph 508.2, of the *Oronoco City Code* are amended to read:

508.2 Exceptions to Definitions.

508.2.1 Wholesalers and Retailers Delivery Routes. For purposes of the requirements of this section, the terms peddler, solicitor, and transient merchant shall not apply to any person selling or attempting to sell at wholesale any goods, wares, products, merchandise or other personal property to a retailer of the items being sold by the wholesaler. The terms shall not apply to any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery of perishable food and dairy products such as baked goods and milk, nor shall they apply to any person making deliveries of perishable food and dairy products to customers on his or her established regular delivery route.

508.2.2 Garage Sales, Estate Sales, and Rummage Sales. Persons conducting the type of sales commonly known as garage sales, rummage sales, or estate sales shall be exempt from the definition of peddler, solicitor, and transient merchant, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting a court-ordered sale. Exemption from the definitions for the scope of this section shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

508.2.3 *Certain Sale Activity Conducted During an Event Sponsored by Downtown Oronoco Gold Rush Days, Inc. A person acting as a peddler, solicitor, or transient merchant during the time period of an annual community sale event sponsored by the organization known Downtown Oronoco Gold Rush Days, Inc., who is conducting such activity in conjunction with and registered with the sponsoring organization as a part of such event, shall otherwise be exempt from the licensing and registration requirements of this section.*

508.2.4 Door to Door Advocacy. Nothing in this section shall be interpreted to prohibit or restrict door to door advocacy. Persons engaging in door-to-door advocacy shall not be required to register as solicitors. The term door-to-door advocacy includes door-to-door canvassing and pamphleteering as vehicles for the dissemination of religious, political and other ideas.

Section 3. This ordinance shall be effective from and after its publication.

Passed and adopted by the City Council of the City of Oronoco, Minnesota, this 19 day

of May, 2015.

By Attest

Its Mayor Its City Clerk