Borough of Emmaus ● 28 South Fourth Street ● Emmaus, PA 18049 ● 610-965-9292
www.borough.emmaus.pa.us

Sale Permit Application

Permit Fee $5.00

Please submit completed application along with your payment to the Cashier at Town Hall.

Today's Date: _____

Applicant Name: _____ Phone: _____

Applicant Address: _____

Sale Type: ☐ Auction – Valid for one day ☐ Estate Auction – Valid for one day
☐ Yard/Garage – Valid for three (3) consecutive days only*

**A permit application must be completed for each sale event. Rain dates are not included in your permit fee.*

Sale Date(s): _____, _____, _____

Items to be sold: _____

_____

Please refer to**: Borough of Emmaus Municipal Code Chapter 13: Licensing, Permits and General Regulations** for Ordinances regarding this application

I, the applicant, am affirming that the goods to be sold belong to the applicant or his household, and that said goods have not been purchased or obtained solely for this sale, with the exception of charities and service organizations as exempted by this Part.

Applicant Signature: _____

For Office Use Only

Issued Permit Number: _____ Permit Issue Date:

Borough of Emmaus Municipal Code Chapter 13: Licenses, Permits and General Business Regulations

§ 13-201. Definitions. [Ord. 493, 5/7/1973, § 1]

For the purpose of this Part, the following shall apply:

AUCTIONS A public sale of land or goods at public outcry to the highest bidder on the spot.
CASUAL SALE A sale by an individual of his personal property with no frequency or regularity.
GARAGE SALE A public sale of goods conducted in a residentially associated garage.
HOME SALE A public sale of goods including by appointment, conducted in any portion of a residence.
LAWN SALE An outdoor public sale of goods on residential property.
PERSON Any person, association, partnership, firm or corporation. In this Part, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

§ 13-202. License Required. [Ord. 493, 5/7/1973, § 2]

Except as hereinafter described, it shall be unlawful for any person to hold an auction, garage sale, lawn sale or home sale without first obtaining a license in compliance with the provisions of this Part.

§ 13-203. Application. [Ord. 493, 5/7/1973, § 3]

Applicants for a license under this Part must file with the Borough Manager an application in writing, on a form to be furnished by said officer, which shall give the following information:

1. Name and address of applicant;
2. Type of auction or sale;
3. Items to be sold;
4. Dates of sale;
5. A statement affirming that the goods to be sold belong to the applicant or his household, and that said goods have not been purchased or obtained solely for this sale, with the exception of charities and service organizations as exempted by this Part.

§ 13-204. Fees. [Ord. 493, 5/7/1973, § 4; as amended by Ord.675, 11/17/1986]

1. The license for an auction to settle an estate shall be on a no-fee basis.
2. The license for any sale governed by this Part sponsored by a charitable or service organization shall be on a no-fee basis.
3. Other fees shall be as set by resolution of Council from time to time.

§ 13-205. Issuance of License. [Ord. 493, 5/7/1973, § 5]

Upon payment of fees as listed in § 13-204, and upon determination by the Manager that the application meets all the requirements for a license, the Manager shall issue a license.

§ 13-206. Duration of License. [Ord. 493, 5/7/1973, § 6]

1. A license for an auction shall be good for one day only. In the event that inclement weather causes postponement of the auction, the license will be valid for a new date provided the Manager is notified prior to the new date.
2. A license for a garage, lawn or home sale shall be valid for three days.

§ 13-207. Display of License. [Ord. 493, 5/7/1973, § 7]

The license must be displayed at all times during auctions or sales.

§ 13-208. Limitations on Licenses. [Ord. 493, 5/7/1973, § 8; as amended by Ord. 680, 6/1/1987]

1. Garage sales, lawn sales, and home sales shall be limited to two licenses per calendar year, per residence.
2. Auctions in residential areas shall be limited to one per household per year except that this provision shall not apply when the auction is to settle an estate.
3. Items to be sold at garage sales, lawn sales, and home sales must belong solely to the household where the sale is held. It shall be unlawful to bring in and sell goods belonging to others or to purchase items specifically to sell in a garage sale, lawn sale or home sale, with the exception of such sales conducted on behalf of a charitable or service organization.

§ 13-209. Hours. [Ord. 493, 5/7/1973, § 9]

Garage sales, lawn sales, home sales may be held only between 9:00 a.m. and 8:00 p.m.

§ 13-210. Encroachment on Right-of-Way. [Ord. 493, 5/7/1973, § 10]

A license granted under this Part does not permit encroachment on the right-of-way (sidewalk or street).

§ 13-211. Casual Sales. [Ord. 493, 5/7/1973, § 11]

Nothing in this Part shall be construed to prohibit or regulate casual sales.

§ 13-212. Penalties. [Ord. 493, 5/7/1973, § 12; as amended by Ord. 675, 11/17/1986]

Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than $300; and/or to imprisonment for a term not to exceed 90 days.