

Public Hearing Minutes
Monday, October 15, 2012

Present: Chairman Smith; Selectman Darcy; Selectman Ebbighausen; Selectman Rideout; Selectman Schill, and TA Collins.

7:00 p.m. Chairman Smith opened the Public Hearing.

Public Hearing regarding the Amendment to the Traffic and Yard Sale Ordinance.

Proposed changes to the Traffic Ordinance were to section 2. Parking Regulations I. H. “any place where official signs prohibit parking *including the alleyway surrounding the Town Hall. Official government and emergency vehicles are permitted to park in the alleyway only*”

TA Collins spoke about a complaint of a landlord of Depot Street, regarding 15 minute parking in front of his building.

Proposed changes to the Yard Sale Ordinance were to Definitions: Yard sale: “A *“Yard Sale” for the purpose of this ordinance shall be deemed to be the sale of used items offered to the public in an indoor or outdoor display on property normally used for purposes other than such sales. Examples of other purposes include, but are not limited to residences, vacant lots, and commercial properties. This ordinance section shall also include “barn sales”, and “garage sales”, or other similar activities.* ~~The temporary sale of items, which is held on the site of any property within the Town of Hinsdale. This definition shall include, but not be limited to, garage sale, tag sale, moving sale, neighborhood sale, or any other name given to the sale by the operator(s).~~ *For the purpose of this ordinance, “flea market” will be addressed under the Vendor Ordinance.*

Year: *Memorial Day – Columbus Day*

The intent of this ordinance is to limit the number of yard sales ~~someone~~ *a resident of Hinsdale* may have during a year. Each dwelling shall be limited to ~~four (4)~~ *ten (10) yard sale permits* a year. *Permit applications for each yard sale must be signed by the property owner or occupant and accompanied by a fee of \$10.00, and shall be submitted at least 72 hours prior to the day of the sale to the selectmen’s office. Hours are Monday through Thursday, 7:30 a.m. to 12:00 p.m. and 12:30 p.m. to 4:00 p.m. The Community Development Office will issue a yard sale permit. In his/her absence, the Town Administrator or a Selectman will issue the permit.*

The time limit of one (1) yard sale cannot exceed forty-eight (48) consecutive hours and seventy-two (72) consecutive hours on holiday weekends.

In the case of a neighborhood sale *or multi-family yard sale*, each dwelling involved in the neighborhood sale shall be counted as having a yard sale.

All signage for the sale shall include the *owner’s name*; street address, date of sale, rain date, and time of the sale. All signage, on site and off site, can be posted the day before the sale, but

shall be removed at the end of the same day the sale is held. Failure to remove signage on a timely basis shall result in a fine of ~~\$10.00~~ **\$25.00**.

It should be the responsibility of the owner or owners of the premises to ensure that the time limitation contained herein is not violated. Violation of this Ordinance shall be punishable by a fine of One Hundred (\$100.00) Dollars for each day an offense continues. Such fines shall in no way affect any other rights in law or equity, which the Town of Hinsdale may have to enforce the provisions of this Ordinance.

Chairman Smith opened the meeting to the public for comments.

A discussion was had with the Public to hear their concerns, questions and feeling regarding the changes.

The Selectmen think that there needs to be an ordinance to define the difference between having a Yard Sale and running a business.

The Selectmen decided that more discussion needs to be done prior to making a motion to accept the revisions to the Yard Sale Ordinance.

Selectman Darcy made a motion to accept the Amendment to the Traffic Ordinance and continue to work on the Amendments to the Yard Sale Ordinance, Selectman Schill second. Motion passes unanimously.

7:30 p.m. The Public Hearing was closed.