

City of Johnstown Code of Ordinances
Licenses and Miscellaneous Business Regulations

ARTICLE I. IN GENERAL

§ 11-105 Garage Sales.

A. Definitions; purpose.

A sale of goods of every name and nature belonging to the seller conducting the sale and which were acquired by said seller for its own use, whether or not such goods were actually used by such seller constitutes a garage sale, which type of sale is also commonly known as “house sale”, “lawn sale”, “porch sale”, “attic sale”, “barn sale”, etc. Such sales may not include goods, new or used, specifically acquired by the seller for resale.

B. Permit; fee.

There is no charge to conduct a garage sale in the City of Johnstown. Although, any person conducting a garage sale must first obtain a garage sale permit from the City Clerk.

C. Restriction on number of sale permits.

No more than two (2) such sales permits shall be issued at the same premises or to the same person in any one twelve (12) month period and only one (1) within a six (6) month period. Each sales permit shall be for the duration of but not longer than three (3) consecutive days.

D. Hours of sales: advertising.

All such sales shall be conducted between the hours of 8:00 am. to 8:00 pm. No sign or other display advertising the sale shall be attached, placed, painted or posted upon public lampposts, electric, telegraph or telephone poles, shade trees, fire hydrants or any sidewalk, curbstone, flagstone or crosswalk.

E. Condition of premises; storage of sale items.

No goods for sale shall be allowed or kept outside of the seller’s building or structure at times other than those designated in Section 11-105(d) for the conducting of a garage sale. Goods for sale shall not be displayed or stored in such a way as to create a fire hazard, other health hazard or danger or hindrance to passersby.

F. Maintenance of good order.

The person or persons conducting such sales, under the provisions of this article, will be responsible for the maintenance of good order during the hours of sale.

G. Revocation.

Any such permit to conduct a garage sale may be revoked by the City Clerk at any time by causing a written notice of such revocation signed by the City Clerk, to be served upon the person to whom such permit was granted. Violation of any of the provision of the chapter will subject the permit holder to a suspension by the City Clerk, of the right to obtain further permits for a period of up to one (1) year. (Ord. No. 1986-14, § 1, 3-24-86)

§ 11-106 Penalty.

Any person who willfully engages in any business activity enumerated under this article without the proper license or permit shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Each offense shall be a separate and distinct offense, and in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense. Upon arrest for operation without a license or permit, the accused shall be required to post bail in the amount of one hundred dollars (\$100.00). (Ord. No. 1986-14, § 1, 3-24-86).

New York Consolidated Laws Vehicle and Traffic Law

VAT § 1114 Display of unauthorized signs, signals, or markings

- A. No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal marking or device which purports to be or is an imitation of or resembles or is likely to be construed as an official traffic-control device or railroad sign or signal, or which attempts to direct or regulate the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
- B. No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.
- C. Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and any police officer or public authority is hereby empowered to remove the same or cause it to be removed without notice.

VAT §1115 - Interference with official traffic-control devices, railroad signs or signals and other highway appurtenances.

- A. No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, cover, remove or otherwise interfere with any official traffic-control device or any railroad sign or signal, or any inscription, shield, or insignia thereon or any other part thereof; any bridge or similar structure; any monument, lamppost, telephone pole, fence, walk, curb, tree, rock cut or other appurtenance on a highway right of way.
- B. For the purposes of this section, to "deface" shall include, but not be limited to, to damage, destroy, disfigure, erase, ruin, distort, spoil or otherwise change the external appearance of an object by the use of chalk, crayon, paint, stain, ink or other similar material. (L.1959, c. 775; amended L.1969, c. 315).