

**ORDINANCE 2023-01
FRANKLIN TOWNSHIP
HUNTERDON COUNTY, NEW JERSEY**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY CREATING CHAPTER 208 ENTITLED "GARAGE SALES"
OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO REGULATE GARAGE
SALES IN THE TOWNSHIP.**

WHEREAS, the Township Committee of the Township of Franklin believes that a need exists to regulate the frequency of garage sales occurring in the Township; and

WHEREAS, such regulation is in the Township's best interest.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Franklin, in the County of Hunterdon, State of New Jersey, that Chapter 208 "Garage Sales" be created as follows:

SECTION 1.

Chapter 208. Garage Sales.

§ 208-1. Definition.

GARAGE AND YARD SALE

A sale conducted by the owner or occupier of a residential dwelling of goods or materials owned by the owner or occupier, which goods and materials are regularly associated with the principal use; or a sale conducted by a bona fide, not-for-profit, religious, charitable or civic organization and only if the sale is conducted on property owned or occupied by said group.

§ 208-2. Limitations.

All such sales, as defined under § 208-1 shall be limited to two (2) consecutive days and not more than one (1) sale during any three (3) month period.

§ 208-3. Exceptions.

The provisions of this Section shall not apply to the following persons or sales:

- a. Persons selling goods, wares, or merchandise pursuant to court order or process;
- b. Persons acting pursuant to their powers and duties as public officials;
- c. Any outdoor display or sale conducted by any merchant or mercantile or other business establishment from or at a place of business wherein such display or sale is permitted by the Zoning Ordinance of the Township of Franklin or under the protection of the nonconforming use section thereof. This section shall not be construed to expand or modify the Township Zoning Ordinance;

d. Auctions conducted by a professional auctioneer.

§ 208-4. Violations – Penalty.

Any person violating any of the provisions of this Section shall be fined and sentenced in accordance with the general penalty provisions of Chapter 1, Article 1 – General Penalty – of the Code of the Township of Franklin, County of Hunterdon.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on February 23, 2023, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on March 23, 2023, at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Franklin Township School, 226 Quakertown Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Christine Burke
Township Clerk

**FRANKLIN TOWNSHIP
HUNTERDON COUNTY**

PUBLIC NOTICE is hereby given that the following titled Ordinance was introduced by the Franklin Township Committee at a regularly scheduled meeting held on Thursday, February 23, 2023.

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SUMMARY AND EXPLANATION

After numerous property maintenance complaints received by from residents regarding the existence of several perpetual garage and yard sales in the previous year, the Township Committee of the Township of Franklin believes that a need exists to provide a clear definition of such sales and regulate the frequency of garage and yard sales occurring in the Township.

Provided by Christine Burke, Township Clerk

**FRANKLIN TOWNSHIP
HUNTERDON COUNTY
FINAL PASSAGE**

PUBLIC NOTICE is hereby given that the following titled Ordinance was duly considered for final passage and adopted by the Franklin Township Committee upon conclusion of the public hearing held on Thursday, March 23, 2023.

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By Order of the Township Committee

**Christine J. Burke, RMC
Municipal Clerk**

EMAIL TO THE HUNTERDON COUNTY DEMOCRAT

LEGAL NOTICE, ONE PUBLICATION ONLY, THURSDAY, MARCH 30, 2023

NO AFFIDAVIT NEEDED

I, Christine Burke, Clerk for the Township of Franklin, hereby certify that Ordinance #2023-01 was introduced on first reading by the governing body of the Township of Franklin, County of Hunterdon, on February 23, 2023.

Public hearing and consideration for adoption was held on March 23, 2023, at which time the Ordinance was finally adopted.



Christine Burke, Township Clerk



Introduction : February 23, 2023
Published : March 2, 2023
Amended : N/A
Published : N/A
Public Hearing : March 23, 2023
Adopted : March 23, 2023
Published : March 30, 2023