

## Chapter 52

## AUCTIONS AND PUBLIC SALES

§ 52-1. Title.

§ 52-2. Conditions for sales.

§ 52-3. Penalties for offenses.

**[HISTORY: Adopted by the Board of Trustees of the Village of Kensington 3-20-74. Section 52-2B amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]**

## GENERAL REFERENCES

Licenses and permits — See Ch. 91.

§ 52-1. Title.

This chapter shall be referred to as the "Auction and Public Sales Ordinance of the Village of Kensington."

§ 52-2. Conditions for sales.

No auction or public sale shall be held in the Village of Kensington unless the following conditions are complied with:

- A. An application for a permit to conduct an auction sale must be submitted to the Board of Trustees of the village in writing at least fifteen (15) days prior to the holding of any such sale by the resident owner of the property to be sold, and a permit issued.

- B. The cost of such permit shall be at the per-day rate established by resolution of the Board of Trustees, including the day of inspection, if any.<sup>1</sup>
- C. No auction sale shall be held for more than three (3) consecutive days, nor shall there be more than one (1) day of inspection.
- D. The day or days of sale and or inspection shall be limited between the hours of 9:00 a.m. and 5:00 p.m.
- E. The applicant shall engage the services of (and pay for same) an off-duty member of the Village of Kensington Police Force for the purpose of directing traffic in the immediate area of the premises in which the sale is being conducted.
- F. The size and number of signs, directional and otherwise, shall be as prescribed by the Board of Trustees. They shall not be erected before the date of inspection, if any, or the first day of the sale, and shall be removed by 6:00 p.m. of the day on which the sale is completed.
- G. There shall be no loudspeakers permitted other than a single loudspeaker for purposes of conducting the sale, and the volume thereof shall not reach beyond the audience.
- H. The sale of any personal property in an auction or public sale shall be limited solely to personal property owned by the resident-applicant, except public sales conducted for the benefit of a bona fide charitable organization shall be exempt from this provision.
- I. A public sale, other than an auction sale or a public sale conducted for the benefit of a bona fide charitable organization, may be held no more often than once every two (2) years and must be concluded on the date set for said sale or the alternate rain date. Notice of any such public sale must be given in writing to the Clerk of the village at least fifteen (15) days prior to the sale date.
- J. An auction sale shall be held no more than once by any individual during the period of the individual's tenancy or ownership of the real property in which the sale is located.

<sup>1</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1. General Provisions, Art. 1.

However, the Board of Trustees shall have the discretion to grant a permit to operate an auction sale more than once if the facts presented in an application to the Board warrant same.

- K. An auction sale shall be deemed to include the sale of personal or real property which is conducted at auction.
- L. A public sale shall be deemed to include the sale of personal property of any nature or kind held on any part of the premises on which the sale is conducted by the owner or occupant thereof and which sale is open to the public. However, the sale of less than six (6) items of personal property through newspaper advertising shall not be deemed a public sale.

**§ 52-3. Penalties for offenses. [Amended 5-17-89 by L.L. No. 1-1989]**

Each person who violates any provision of this chapter shall, for each and every day that said violation continues, be subject to a fine of not more than one thousand dollars (\$1,000.) or imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment.