

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2015**

**A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE
ENTITLED "ZONING"**

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 70 of the Town Code entitled "Zoning" in order to maintain the character of residential neighborhoods by restricting garage and yard sales to not more than four occurrences of up to three days each per calendar year at one address.

Section 2.

Section 70-99 of the Town Code is hereby amended as follows:

§ 70-99. Application of provisions.

Editor's Note: Former § 70-99, Accessory buildings, was redesignated as § 70-100.1 10-8-1996 by L.L. No. 25-1996. [Amended 8-12-1980 by L.L. No. 10-1980; 7-9-1991 by L.L. No. 10-1991]

Accessory buildings or structures, **temporary uses** and encroachments, conforming to the provisions of this Article, are permitted in any residential district.

Section 3.

Article XI of the Town Code is hereby amended as follows:

§ 70-100.3. Permitted Temporary Use Regulations

A. Garage sales. Garage sales shall be allowed in residential zoning districts without a permit, subject to the following conditions:

(1) Not more than four (4) garage sales of up to three (3) days each per calendar year may be conducted per property.

(2) Garage sales shall be held during daylight hours only.

(3) Any signage must comply with Article XXI of this chapter.

B. For the purpose of this article, the term(s) used herein are defined as follows:

GARAGE SALE-- The sale or offering for sale of new, used or secondhand items of personal property at one or more residential premises at any one time, including all sales in residential areas entitled "garage sale," "yard sale," "tag sale," "porch sale," "lawn sale," "attic sale," "basement sale," "rummage sale," "flea market sale" or any similar casual sale of tangible personal property.

PERSONAL PROPERTY-- Items, goods, merchandise, clothing, furniture or other tangible property which is owned, utilized and/or maintained by an individual or members of his/her residence and acquired by such individuals in the normal course of living in or maintaining a residence. It does not include merchandise which was purchased for resale or obtained on consignment.

Section 4.

This Local Law shall take effect immediately upon filing with the Secretary of State.