

CHAPTER 3. CLOSING SALE

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5-3-1. Definitions.

As used in this Chapter, the following terms shall have the meanings herein stated:

- (1) Sale. "Sale" shall mean:

- (a) Any sale of, or any offer to sell to the public or any group thereof, goods, wares or merchandise in order, in transit or in stock, in connection with a declared purpose as set forth by advertising that such sale is anticipatory to or for the purpose of termination, liquidation, revision, windup, anticipatory removal, dissolution or abandonment of the business or that portion of the business conducted at any location; and,

- (b) All sales advertised in any manner calculated to convey to the public the belief that upon the disposal of the goods to be placed on sale, the business or that portion thereof being conducted at any location will cease, be removed, interrupted, discontinued or changed; and,

- (c) All sales advertised to be "Adjustor's Sale", "Assignee's Sale", "Administrator's Sale", "Closing Sale", "Creditor's Sale", "End Sale", "Forced Out of Business Sale", "Going Out of Business Sale", "Insurance Salvage Sale", "Last Days Sale", "Lease Expires Sale", "Liquidation Sale", "Removal Sale", "Reorganization Sale", "Quitting Business Sale", "We Quit Sale", "Wholesale Closing Out Sale", "Fixtures Sale", or advertised by any other expression or characterization or phrase of like or similar language which would reasonably convey to the public that the sale is being conducted as a result of such occurrences

as enumerated above, which are not intended to be all inclusive but refer to type or class of sale.

- (2) Publish, Publishing, Advertisement, Advertising. "Publish, publishing, advertisement, advertising", shall mean any and all means of conveying to the public notice of sale or notice of intention to conduct a sale, whether by word of mouth, newspaper advertisement, magazine advertisement, handbill, written notice, printed notice, printed display, billboard display, poster, radio or television announcement and any and all means including oral, written or printed. (Ord. 1987-11, 05-12-1987)

5-3-2. License required. (Repealed.)
(Ord. 2012-33, 12-05-2012)

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(Ord. 2012-33, 12-05-2012)

5-3-4. Application. (Repealed.)
(Ord. 2012-33, 12-05-2012)

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5-3-6. Issuance of license and term. (Repealed.)
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5-3-14. Records to be kept. (Repealed.)
(Ord. 2012-33, 12-05-2012)

5-3-15. Exemptions to chapter. (Repealed.)
(Ord. 2012-33, 12-05-2012)

5-3-16. Compliance with chapter required.
(Repealed.)
(Ord. 2012-33, 12-05-2012)

5-3-17. Notice of Sale.

Any person conducting a Sale shall inform the Department in writing of the Sale prior to the conduct of the Sale.

(Ord. 2019-26, 11-20-2019) (Ord. 2012-33, 12-05-2012)

5-3-18. Limitations.

(1) No Sale may be conducted for more than 30 consecutive days. Days during the advertized Sale on which the selling business is closed or the Sale is interrupted shall be counted toward the 30 days.

(2) Only 1 Sale may be conducted in any calendar year.

(Ord. 2012-33, 12-05-2012)

5-3-19. Penalty.

Any violation of this Chapter shall constitute a class C misdemeanor, punishable as provided in Section 1-4-3 of this Code.

(Ord. 2012-33, 12-05-2012)