

**BOARD OF SELECTMEN POLICY**

***GARAGE AND YARD SALE POLICY***

Date Approved by BOS:

Signature of Chair:

April 25, 2005

*Jeanne K. Krieger*

**I. PURPOSE**

The Board of Selectmen desires to continue to allow private citizens and civic groups to conduct private sales, such as garage and yard sales, provided they are carried out in a manner which does not create violations of Town By-Laws or cause neighborhood nuisances.

**II. APPLICATION**

Lexington citizens are advised that the following requirements and restrictions shall apply:

1. A permit shall be obtained from the office of the Board of Selectmen. An applicant for such permit may appear in person or may request the permit by telephone or e-mail.
2. Any signs involved must be in compliance with applicable Town By-laws. Citizens are reminded that a permit issued by the Board of Selectmen is required to post any signs on or in the public way (§100-5 of the Code of the Town of Lexington). Citizens should check the Town By-Laws regarding the posting of signs on private residential property. All signs must be removed upon completion of each sale. (See §135-76 et seq. of the Code of the Town of Lexington.)
3. Conduct of such sales on a frequent and/or continuing basis cannot be permitted, since it may take the activity out of the private sale category and produce a requirement for a transient vendor and/or junk dealer's license or zoning variance. Willingness of neighboring residents to tolerate these sales cheerfully can only be expected if they take place infrequently.
4. Care must be taken to avoid creating traffic congestion and/or area parking conditions which would cause serious neighborhood problems. All applicable traffic laws must be observed.
5. Those responsible for conducting such sale must limit the hours and control their conduct so as to avoid unreasonable noise or cause a neighborhood nuisance.
6. Continuation of these rules will be contingent upon favorable experience.
7. All permits will be copied to the Police Department.

### III. BACKGROUND

The terms of this policy were created to prevent regular ongoing sales in residential neighborhoods. Residents should be mindful of the potential traffic and noise nuisances that can occur and be respectful of their neighbors. Occasional sales in order to clean house or when moving are allowed.

### IV. REFERENCES

August 13, 1973  
May 14, 1990  
Revised 8/95  
Updated 4/25/2005