

Chapter 215 SALES, SPECIAL

ARTICLE I Flea Markets

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[HISTORY: Adopted by the Village Board of the Village of Iola as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Transient merchants — See Ch. 237.

ARTICLE I Flea Markets [Adopted 2-12-1996 as Title 7, Ch. 9, of the 1996 Code]

§ 215-1. Definitions.

As used in this article, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

FLEA MARKET — A market, indoors or out of doors, where new or used items are sold from individual locations, with each location being operated independently from the other locations. Items sold include, but are not limited to, household items, antiques, rare items, decorations, used books and used magazines.

FLEA MARKET SELLER — A person, firm or corporation selling items or offering items for sale at a flea market.

MARKET — A place where goods are sold to the public.

§ 215-2. License required.¹

No person, firm or corporation shall operate the business of renting space or allocating space to flea market sellers without first obtaining a license therefor from the Village Board. Applications for license shall be made to the Village Clerk-Treasurer on forms to be provided

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

by the Village Clerk-Treasurer. Only one license shall be required for each flea market, and the individual flea market sellers shall not be required to obtain a license under this article. The fee for such license shall be \$100 per year; provided, however, that flea markets operated by nonprofit organizations are exempt from this fee. The Village Board may restrict the license for use on certain dates and times. The site for the flea market shall comply with village zoning requirements.

§ 215-3. Information to be filed.

The information to be filed with the Village Clerk-Treasurer, pursuant to this article, shall be as follows:

- A. Name of person, firm, group, corporation, association or organization conducting said sale.
- B. Name of owner of the property on which said sale is to be conducted, and consent of owner if applicant is other than the owner.
- C. Location at which sale is to be conducted.
- D. Number of days of sale.
- E. Date and nature of any past sale.
- F. Relationship or connection applicant may have had with any other person, firm, group, organization, association or corporation conducting said sale and the date or dates of such sale.
- G. Whether or not applicant has been issued any other vendor's license by any local, state or federal agency.
- H. Sworn statement or affirmation by the person signing that the information therein given is full and true and known to him or her to be so.

§ 215-4. Records to be kept by licensee.

Each person required by this article to obtain a license shall keep accurate records of the names and addresses of each flea market seller, together with a brief description of the type or types of merchandise offered for sale by that seller.

§ 215-5. Secondhand stores excepted.

No person, firm or corporation having a license as a secondhand store shall be required to obtain a license under this article for the same business location.

§ 215-6. More than one market.

Any person, firm or corporation renting or allocating space to flea market sellers in more than one place of business shall be required to obtain a license for each place of business, provided

that one license shall be adequate for locations that are on the same lot, adjacent lots or lots separated only by an alley.

§ 215-7. Unlawful transactions.

No person shall sell or offer for sale at any flea market any goods known to such person to be stolen.

§ 215-8. Purchases from children.

No flea market seller shall purchase any used household item, antique or used article whatsoever from any person under the age of 18 years, unless such person is accompanied by the person's parent or guardian.

§ 215-9. Hours.

Flea markets may remain open for business between the hours of 9:00 a.m. and 8:00 p.m., unless otherwise specified on the license by the Board at time of issuance.

§ 215-10. Violations and penalties.

In addition to the suspension or revocation of a license issued under this article, any person who shall violate any provision of this article or any regulation, rule or order made hereunder shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-17, of this Code of Ordinances.

