

TOWN OF WEST GREENWICH
ORDINANCE TO REGULATE
CONTROL AND LICENSE FLEA MARKETS

Be it ordained by the Town Council of the Town of West Greenwich as follows:

Section 1. Definition: Flea Market: The sale, barter or dealing in any manner by any party who advertises or otherwise promotes the sale of any goods such as wares, furniture, household furnishings or articles of any nature which are used, damaged, secondhand, irregular, or otherwise not considered new in quality at a place of business, shop, store, outlet, or within an open area, which sale is conducted periodically involving multiple vendors.

Section 2. Licensing: No flea markets will be permitted within the Town of West Greenwich, unless a special permit or license has been granted by the Town Council. Before granting a license to any person under the provisions of this ordinance, the Town Council shall give notice by advertisement published once a week for at least two weeks in some newspaper having a general circulation in the Town of West Greenwich. Such notice shall state that remonstrants are entitled to be heard before the granting of such license and shall name the time and place of such hearing. At such time and place, a fair opportunity shall be granted the remonstrants to make their objections before acting upon said application.

Section 3. Sanitary Facilities: Rest rooms for men and women must be provided for on the grounds of the flea market. If food is to be sold, a letter from the state food and drug division must be obtained approving the sanitary conditions.

Section 4. Fees: Fees for such licenses shall be at the rate of \$10.00 per day for any weekend flea market, or a \$50.00 fee for a yearly permit.

Section 5. Penalties: Any person, whether as principal, agent, employee, lessor or lessee, or otherwise, who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be fined not exceeding \$100.00 for each offense. Each day of the existence of any violation shall be deemed a separate offense. The Town Council may revoke, subsequent to a public hearing and notice thereof, such license for any violations of this act.

Section 6. Validity: If any part or parts, section, sentence, clause or phrase of this act is for any reason declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this act as a whole, or any portion thereof other than the part or portion so decided to be unconstitutional or invalid.

Section 7. Effective Date: This ordinance shall take effect upon its passage and all ordinances inconsistent herewith are hereby repealed.

Passed by the West Greenwich Town Council
February 8, 1989.