



### GOING OUT OF BUSINESS SALES

According to North Carolina General Statute 66-76, Article 17, no person may advertise or offer for sale a stock of goods, wares or merchandise under the description of “closing-out sale” unless he or she first obtains a license to conduct such a sale from the City Clerk. A license is required if the store is selling retail goods and in the city limits

No license is necessary if the sale is court ordered (as in bankruptcy), conducted by Sheriff (as in tax foreclosure), constable, public official, court officer or any person(s) acting under the license, direction, or authority of any court.

Application for the license must be submitted to the City Clerk, in writing and under oath, at least seven days prior to the opening date of the sale. The application must show all facts relating to the reasons and character of sale, the dates of any previous closing-out or distress sales in the County in the last twelve months, a complete inventory of the goods, wares or merchandise actually on hand at the place where the sale is to be conducted, and all details necessary to locate exactly and fully the goods, wares or merchandise to be sold.

If the City Clerk is satisfied from the application that the proposed sale is of the character which the applicant desires to advertise and conduct, the Clerk shall issue a license, upon payment of a \$50.00 fee, together with a bond payable to the City in the penal sum of \$500, conditioned upon compliance with the requirements of Article 17 of G.S. Chapter 66-76. A merchant that has conducted business for not less than one year in the same location or a merchant who has conducted business in the same location for not less than one year but who is forced to hold the proposed sale at another location because the building at his business location is untenable or he has no existing lease or ownership of the building, shall be exempt from payment of the fees and filing of the bond, but **not** from the application and license requirements.

This license is good for a period of 30 days. If the sale is not conducted within that 30 day period the applicant will be required to apply for a second 30 day license at the cost of an additional \$50.

Upon concluding a closing-out sale, a merchant **cannot** continue that business in the same City, Town or County for a period of 12 months. A merchant cannot avoid this prohibition by going into business with new or different partners.

Please contact the City Clerk’s office at 704-878-3544 or [bfugett@statesvillenc.net](mailto:bfugett@statesvillenc.net) and make an appointment to apply for your license or complete the application and return to:

**Statesville City Clerk  
P.O. Box 1111  
Statesville, NC 28687**