

ORDINANCE NO. 2007-C

AN ORDINANCE REGULATING THE NUMBER OF YARD SALES DURING ONE CALENDAR YEAR, THE CHARGE FOR A PERMIT, DURATION, SIGNS, EXEMPTIONS, PENALTY CLAUSE, PROVIDING FOR PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF NOLANVILLE

Section 1. (a) "Garage sale" means the sale, barter, lease, or rental conditionally or otherwise in any manner or by the means whatsoever of tangible personal property for a consideration, and such transaction taking place on premises zoned or to be used exclusively for residential purposes.

(b) "Year" means a period of 12 consecutive months.

Section 2. No person or persons shall conduct a garage sale without first having obtained a permit from the city secretary and paying a permit fee consistent with the rate established by the city council, and having said permit posted conspicuously at the place where the sale is being held.

Section 3. A permit shall be issued upon application to the city secretary providing all of the following conditions are met:

- A. There have been no more than four (4) other garage sales, held by the family applying for the permit, during the preceding year.
- B. All transactions shall be confined to the yard, garage or patio of the premises.
- C. No merchandise being sold shall have been acquired solely for the purpose of resale.
- D. The duration of any garage sale may not exceed three (3) consecutive calendar days.
- E. Signs advertising the garage sale will be independent standing, they may not be attached to utility poles or traffic control devices.
- F. Signs will be placed on private property (with owner's consent) or on public property such that they do not obstruct traffic or present a safety hazard.
- G. Signs will be no larger than 2'x2' (two feet by two feet).
- H. Signs must be removed within 24 (twenty-four) hours of the conclusion of the garage sale.
- I. Not for profit organizations are exempt from the permit fee, however a permit must still be obtained.
- J. Not for profit organizations are exempt from the limitation on frequency of garage sales.

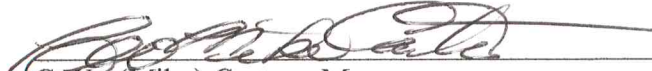
Section 4. Any person, corporation, or firm violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof may be fined in accordance with Ordinance 320-B Fee Schedule:

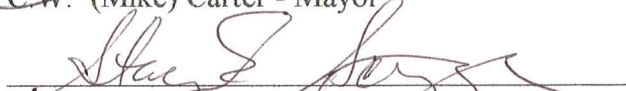
1st offense \$25.00, 2nd offense \$75.00, 3rd offense up to \$200.00.

Section 5. If any section, sentence, clause or phrase of this ordinance is for any reason held to be illegal or unconstitutional, such invalidity shall not affect the validity of the remaining portions of the ordinance.

Section 6. This Ordinance # 2007-C repeals and replaces in their entirety Ordinances 2007 through 2007-B, and upon passage becomes effective immediately.

PASSED AND APPROVED ON THIS 7th DAY OF NOVEMBER, 2002
BY THE CITY COUNCIL OF THE CITY OF NOLANVILLE TEXAS, AT WHICH A
QUORUM WAS PRESENT.


C.W. (Mike) Carter - Mayor


Stacey Scruggs - City Secretary

Scott K. Stevens - City Attorney