

**ORDINANCE NO. 2009-11**

**AN ORDINANCE REPEALING ORDINANCE 89-025; 01-13 AND 08-22 AND REGULATING A MAXIMUM NUMBER OF GARAGE SALES, YARD SALES, PORCH SALES, PATIO OR LAWN SALES PER RESIDENCE AND REESTABLISH THE \$5.00 PER SALE FEE AND FOR OTHER PURPOSES.**

**WHEREAS**, there is a need for limiting the number of garage, yard, porch, patio or lawn sales an individual in any residential area may have in any one calendar year,

**WHEREAS**, there is a need for the City of Mountain Home to pre-authorize any garage, yard, porch or patio sale:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS:**

**SECTION 1.** It shall be unlawful for any person within the City of Mountain Home to engage in or carry on any garage sale, yard sale, porch sale, patio sale, lawn sale or any similar type of sale unless that person first obtains a permit from the City Clerk, or her agent. The permit will be issued for a maximum of three calendar days per sale. Two permits may be issued in a calendar year per residence. The applicant shall sign a statement stating that the yard sale shall be of personal property owned by the person or persons and that the property was not purchased for the purpose of resale. The permit with the receipt are to be displayed in a visible location at the sale.

**SECTION 2.** Applicant shall pay a \$5.00 permit fee, subject to the above conditions.

**SECTION 3.** Yard Sale Signs: Two, off premise yard sale signs will be permitted for each yard sale. Signs may be erected 24 hours before the sale and must be removed within 48 hours after the sale. Directional signs may not be attached in any manner to sign posts, utility posts or placed on public right of ways.

**SECTION 4.** In case of inclement weather, the permit will be extended for seven days.

**SECTION 5. Penalties**

- A.** The first violation may carry a fine up to \$25.00.
- B.** A second violation, if within two years of the first violation, shall result in a fine of not less than \$50.00.
- C.** A third violation and each subsequent violation thereafter, which occurs within two years of the first violation, shall be a minimum of \$100.00 for each violation.

**PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF MAY, 2009**

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**DAVID L. OSMON, MAYOR**

**ATTEST:**

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**KAREN A. COLLINS, CITY CLERK**