



**ORDINANCE 09-11-17
Amended 12-15-09**

AN ORDINANCE OF THE CITY OF SAVOY, TEXAS, ADOPTING GARAGE SALE REGULATIONS; REPEALING ALL PREVIOUS ORDINANCES RELATING TO GARAGE SALES; PROVIDING FOR A PENALTY FOR EACH INSTANCE OF VIOLATION OF THE ORDINANCE; PROVIDING A REPEAL AND SEVERANCE CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Savoy desires to develop a viable urban community including decent housing, a suitable living environment, expanding economic opportunities, and to provide for the protection of the health, safety, and convenience of its citizens; and;

WHEREAS, for the protection of its citizens, there is a need for Garage Sale Regulations within the City of Savoy; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAVOY THAT:

SECTION 1: Definitions

Garage / Occasional sale means offering for sale personal and/or household items and property belonging to or in the possession of the person conducting the sale.

SECTION 2: Garage / Occasional Sales

- (a) Before any Garage / Occasional Sale, the person conducting the sale must register the intention of a sale at the City Hall. To register, you will need the name of the person conducting the sale; the address of the sale; and the date of the sale. As each sale is registered with the City Hall, it will be documented to adequately keep track of the number of sales at each address.
- (b) Except as provided in (c) below, no more than three garage/occasional sales shall be conducted at the same address in any calendar year, and no resident shall conduct more than three garage/occasional sales within a calendar year.
- (c) No garage/occasional sale shall exceed seventy-two consecutive hours in duration, and at least four business days shall elapse between consecutive garage/occasional sales.
- (d) No more than three garage/occasional sales shall be conducted at the same apartment or condominium complex within a calendar year, and said garage/occasional sale shall be sponsored by the owner, the management company, or the condominium association of the complex.

- (e) Merchandise and display racks/tables shall be removed within 48 hours after the sale. Individuals planning sales on consecutive weekends may request permission to leave merchandise out from the City if the merchandise is secured and covered. The request must be submitted in writing and 72 hours in advance of the first sale to the City Secretary at the City Hall.

SECTION 3: Penalty Provision

Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not exceeding two thousand dollars (\$2,000.00) for violations of all provisions that govern fire safety, public health, and sanitation, and not exceeding five hundred dollars (\$500.00) for all other violations, provided, however, that no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the State of Texas. Each and every day any such violation continues shall constitute a separate offense punishable hereunder.

SECTION 4: Repeal Clause

All parts of any ordinance in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

SECTION 5: Savings Clause

It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, because the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6: Effective Date

This ordinance shall be effective upon the posting and/or publication of its caption as required by law and the City Secretary is hereby directed to implement such posting and/or publication.

**PASSED AND APPROVED, by the City Council of the City of Savoy
on this the _____, day of _____, 2009.**

Charles Downs, Mayor

ATTEST:

Regina Lornson, City Secretary