

ORDINANCE NUMBER 2004-26

AN ORDINANCE SUPERCEDING ORDINANCE NUMBER 2003-06 ESTABLISHING REGULATIONS WITHIN THE CITY FOR GARAGE SALES, ESTATE SALES, LAWN SALES, YARD SALES, RUMMAGE SALES, FLEA MARKET SALES, OR ANY SIMILAR CASUAL SALE OF TANGIBLE PERSONAL PROPERTY WHICH IS ADVERTISED BY ANY MEANS WHEREBY THE PUBLIC AT LARGE IS OR CAN BE MADE AWARE OF SUCH A SALE, AND PROVIDING A SAVINGS CLAUSE.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS:**

**Section 1. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garage Sale shall mean any sale entitled "garage sale", "estate sale", "lawn sale", "yard sale", "rummage sale", "flea market" or any similar casual sale of tangible personal property and/or goods which are advertised by any means whereby the public at large is or can be made aware of such sale.

Goods shall mean any goods, warehouse merchandise or other personal property of any kind capable of being the object of sale regulated under this article.

**Section 2. Limits**

- (a) Garage Sale. No household shall hold a garage sale more often than once within a six (6) month period, and no garage sale shall be held for more than three (3) consecutive calendar days.
- (b) Garage Sale Signs. A maximum of (5) signs, posters, or advertisements shall be allowed, and none shall be permitted to remain in a public place for a period longer than three (3) days. Each sign must state the calendar day (s) for such sale. Signs may be placed in the city right-of ways. If household does not remove such signs, posters or advertisements within the time specified by this section, he/she will be in violation of the City's Zoning Ordinance 2002-16, regulating signs within the City.

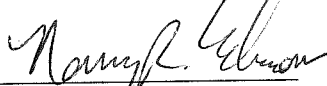
**Section 3. Penalties**

Any person who shall violate any provision of this Ordinance shall be deemed guilty of a Class C misdemeanor and, upon conviction shall be fined an amount not to exceed five hundred (\$500.00). Each day of violation shall constitute a separate offense.

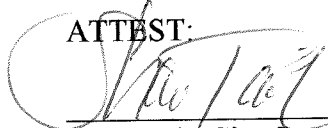
**Section 4. Severability Clause**

The City Council of the City of Shoreacres hereby declares that if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid by final judgment of a court of competent jurisdiction, it will not affect the remaining portions of this ordinance. The City Council declares it would have passed and ordained all the remaining portions of this ordinance without the inclusion of those portions found to be unconstitutional or invalid.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF August, 2004.

  
\_\_\_\_\_  
Nancy R. Edmonson, Mayor

ATTEST:

  
\_\_\_\_\_  
Shari Tait, City Secretary