

**ORDINANCE NO. 98**

**GARAGE AND YARD SALE ORDINANCE**

**AN ORDINANCE OF THE CITY OF PATTISON, TEXAS SPECIFYING AND REGULATING THE FREQUENCY AND DURATION THAT GARAGE AND YARD SALES MAY BE HELD WITHIN THE CITY, PROVIDING FOR PENALTIES UP TO \$200.00 FOR EACH DAY OF VIOLATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Pattison seeks to promote the health, safety, welfare and efficient commerce within the City of Pattison; and

**WHEREAS**, the City Council of the City of Pattison desires to allow citizens to conduct garage, yard, and similar sales at reasonable times and locations; and

**WHEREAS**, garage, yard, and similar sales can be unsightly and may result in complaints and disharmony within the community; and

**WHEREAS**, the City Council is of the opinion that it should allow garage, yard and similar sales to be conducted in the City but that the frequency and duration of the same should be limited in order to promote the welfare of the community;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Pattison, Texas that:

**Section 1.** The foregoing recitals are hereby adopted as if set out fully hereafter.

**Section 2.** This Ordinance shall be known as the Garage and Yard Sale Ordinance.

**Section 3.** The following regulations are hereby adopted as an ordinance of the City of Pattison:

(a) Definition: "Garage or Yard Sale" shall mean a sale of merchandise, typically used, conducted by one or more persons, typically at the residence or other private property of a resident of the City of Pattison, and shall include garage and yard sales as they are commonly known as well as any other type of outdoor sale or sale of merchandise and which is visible to passersby, whether designated as a "garage sale," "yard sale," "flea market," "estate sale," "moving sale," "rummage sale," "tag sale," "lawn sale," "attic sale," "junk sale," or a similar name.

(b) Frequency of Garage or Yard Sales: A Garage or Yard sale may not be held at any address or location or by the same person or

persons in the City of Pattison more than six times in any twelve (12) month period.

(c) **Duration of Garage or Yard Sales:** A Garage or Yard sales may not be held for a duration exceeding seventy-two (72) hours from beginning to end, regardless of any interruption of sales period during such seventy-two (72) hours.

(d) **Securing items when sale not active:** All items offered for sale shall be moved indoors or into other suitable storage so that the same are secure from theft and not visible to a passerby during periods when the sale is not active. No merchandise may be left outside and unattended during any period between Garage or Yard Sales authorized in this Ordinance.

(e) **Penalty for non-compliance:** Any person who violates the terms of this Ordinance shall be subject to a criminal penalty of not to exceed two hundred dollars (\$200.00) per day of violation.

**Section 4: Repeal of conflicts:** Any ordinance or part of an ordinance in conflict with this ordinance is hereby repealed to the extent of such conflict.

**Section 5: Severability:** Should any part or portion of this Ordinance be found to be unconstitutional, illegal, or unenforceable, all remaining portions not unconstitutional, illegal, or unenforceable shall remain in full force and effect.

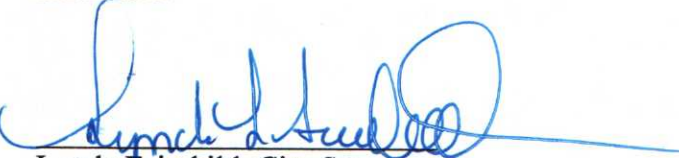
**Section 6: Effective date:** This Ordinance shall be effective from the date of its adoption by the City Council of the City of Pattison and its penalty provisions shall be effective from the date of publication as provided by law.

**PASSED AND ADOPTED** on this the 8th day of November, 2011 by the City Council of the City of Pattison, Texas.

**CITY OF PATTISON, TEXAS**

  
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Bill Matthews, Mayor

**ATTEST:**

  
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Lynda Fairchild, City Secretary