

**CITY OF SEVEN POINTS**

**ORDINANCE NO. 278**

**AN ORDINANCE PROVIDING FOR GARAGE/OCCASIONS SALES WITHIN THE CORPORATE LIMITS OF THE CITY OF SEVEN POINTS, TEXAS, PROVIDING A PENALTY FOR UNLAWFUL GARAGE/OCCASIONS SALES WITHIN THE CORPORATE LIMITS OF THE CITY OF SEVEN POINTS, TEXAS; PROVIDING FOR A PENALTY; PROVIDING FOR A SEVERABILITY CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTION.**

BE IT ORDAINED BY THE CITY COUNCIL OF SEVEN POINTS, TEXAS:

Whereas, it is necessary to provide for fair and uniform Regulation of Garage/Occasions Sales in the City of Seven Points the following Ordinance is hereby adopted:

**CHAPTER 1.**

**Section 1. Definitions.** For the purposes of this ordinance, the following words, terms and phrases shall have the meaning herein set out.

Garage/Occasional Sale: Offering for sale of personal and/or household property belonging to or in the possession of the person conducting the sale. Said sales shall include "yard sale", "patio sale", "plant sale", "sample sale", "rummage sale", "estate sale", or any similar casual sale of tangible person property, which is advertised by any means whereby the public at large is or can be made aware of such sale.

Permit: Written authorization from the city secretary and/or the code compliance officer for the City of Seven Points allowing a garage/occasional sale.

Resident: Person who has a residence within the city limits of Seven Points, Texas.

**Section 2. Permit required.** It is unlawful for any person to conduct a Garage/Occasional Sale within the City without first having obtained a valid permit issued pursuant to the provisions of this Ordinance.

**Section 3. Time limit set on sale.**

- (a) Garage/occasional sales are authorize only in compliance with this section. Sales may only occur after the city secretary and/or the code compliance officer has issued a permit to conduct the sale.
- (b) Permits will only be issued to individuals who are residents of Seven Points.
- (c) The permit to conduct the sale must be displayed on the premises the entire duration of the sale.
- (d) The permit must contain the name and address of the person conduction the sale.

- (e) No more than three (3) garage/occasional sales shall be conducted at the same address in any calendar year, and no resident shall conduct more than three (3) garage/occasional sales within a calendar year.
- (f) No garage/occasional sale shall exceed seventy-two (72) consecutive hours in duration, and at least five (5) business days shall elapse between consecutive garage/occasional sales.

**Section 4. Permit Fees.** Each garage/occasional sale permit shall be five (5) dollars payable in advance.

**Section 5. Severability.** The provisions of this Ordinance are severable. If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or application.

**Section 6. Penalty.** Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than five (5) dollars nor more than two hundred (200) dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**Section 7. Effective Date.** This Ordinance shall become effective on the date of its signing.

PASSED AND APPROVED BY THE SEVEN POINTS CITY COUNCIL this the 17 day of October, 2000.

Charles L. Flagg  
MAYOR

ATTEST:

William Moxley  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

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CITY ATTORNEY