

## ORDINANCE NO. 61B

An Ordinance of the City of Log Cabin, Texas repealing Ordinance No. 61; Providing for a fee for permits for yard sales, garage sales, and special events; Regulating the number, placement and removal of yard sale, garage sale, and special event signs; and Providing a penalty for violation of any section of this Ordinance.

*Definitions:* For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- 1- **YARD SALE; GARAGE SALE** – The offering for sale of personal property belonging to the person or persons residing on the premises where the sale is being conducted. Such personal property must not have been purchased for resale.
- 2- **SPECIAL EVENT** – Any event where items are sold, auctioned, bartered or otherwise involved in commerce other than commercial or business enterprises regulated by other City Ordinances, including but not limited to, fundraisers, bake sales, flea markets, auctions, etc.

### **PART A – FEES**

An Ordinance of the City of Log Cabin, Texas providing for a fee for permits for Yard Sales, Garage Sales and Special Events, and providing for a penalty for violation of the Ordinance.

- (1) A permit to conduct a Garage Sale, Yard Sale, or Special Event must be obtained from the City Hall of the City of Log Cabin. The cost of such permit will be \$5.00, and the permit must be posted at the location of the location of the sale or event, visible to the public, while the sale or event is in progress. Permit fees may be waived for non-profit organizations conducting fundraisers, such as the Log Cabin Volunteer Fire Department, at the discretion of the Mayor or City Council.
- (2) Garage Sales, Yard Sales and Special Events may only be conducted between the hours of sunrise to sunset and may not be conducted for more than three consecutive days.
- (3) Any permit obtained after the Garage Sale, Yard Sale, or Special Event has already started will result in a \$10.00 penalty being added to the permit fee, for a total cost of \$15.00 for the permit.
- (4) No more than three (3) sales per year, at least four (4) months apart, may be held at the same location. No more than three (3) permits per year, at least four (4) months apart, may be issued to the same person or members of the same household.

- (5) Garage sales, Yard Sales, and Special Events must be held at the location the permit is issued for a Garage Sale, Yard Sale, or Special Event held at a location other than the location the permit is issued for will be treated the same as if no permit was obtained.
- (6) It shall be the duty of the person conducting the Garage Sale, Yard Sale, or Special Event to remove ALL accessories to the sale or event after its completion and restore the premises to the state and condition that existed prior to the sale or event.
- (7) Garage Sale, Yard Sale, and Special Event permits will only be available during regular office hours.
- (8) Rain Check Policy: If a person has to cancel the sale due to unforeseen circumstances, that person must notify City Hall on the next business day in order to reschedule the sale or event. Failure to notify the City on the next business day will result in the sale being charged to the persons annual limit of Garage Sales, Yard Sales, and Special Events allowed.

Any person violated the provisions of this section of this Ordinance shall be deemed guilty upon conviction in the Municipal Court and shall be fined no less than Fifty (\$50) nor more than a hundred (\$100).

### **PART B – SIGNS**

An Ordinance of the City of Log Cabin, Texas regulating the number, placement and removal of Garage Sale, Yard Sale and Special Event signs and providing for a penalty for violation of the Ordinance.

- (1) **A Permit** for a Garage Sale, Yard Sale or Special Event must be obtained before the sign(s) advertising the Garage Sale, Yard Sale or Special Event may be posted, and signs may not be posted more than twenty-four (24) hours before the first day of the sale or special event, unless permission is given for special circumstances at the purchase of the permit.
- (2) To avoid the proliferation of signs, **NO MORE THAN EIGHT (8) SIGNS** advertising the Garage Sale, Yard Sale, or Special Event may be posted in the City Limits of the City of Log Cabin.
- (3) All signs must include the date(s) of the sale or special event and the address obtained on the permit issued for the sale or event.
- (4) **You must have permission to post signs on private property by the property owner. Signs shall not be posted on utility poles, trees, or in the street right-of-way. Signs may be placed at the entrances to the City of Log Cabin, at or behind not on the “Welcome to Log Cabin” entrance signs.**
- (5) Signs shall not cause undue traffic congestion, or create a disturbance, nuisance or breach of the peace.


(6) ALL signs MUST be removed by 12:00 noon on the day after the last day of the sale or event.

Any person violating the provisions of the section of this Ordinance shall be deemed guilty upon conviction in the Municipal Court and shall be fined not less than fifty (\$50) no more than one hundred (\$100).

PASSED and APPROVED by the City Council of the City of Log Cabin, Texas on this the 17<sup>TH</sup> day of October 2019.

  
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Nancy Ruckstaetter, Mayor

Attest:

  
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Belynda Figueriedo, City Secretary