

**ORDINANCE REGULATING GARAGE
AND OTHER SIMILAR HOME SALES**

WHEREAS, the Mayor and Board of Aldermen of the City of Saltillo, Mississippi find that it is reasonable and necessary to establish an ordinance regulating garage and other similar home sales, pursuant to Miss. Code Ann. § 21-19-1(1972), as amended.

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SALTILLO, MISSISSIPPI, AS FOLLOWS:**

WHEREAS, the practice of having garage, rummage, yard sales, flea markets or other home-type sales of general merchandise has become very prevalent; and in order to promote and preserve the health, safety and welfare of the City of Saltillo and to prevent any unnecessary congestions or nuisances, including, but not limited to, sale signs, direction signs or other such similar signs, it is reasonable and necessary to regulate same within the municipality of the City of Saltillo, Mississippi.

NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

Section I. Residents living in the City of Saltillo, Mississippi may conduct a garage sale or other type home sale, but such sale must be conducted on a person's own property.

Section II. A permit shall be obtained from the City Clerk at City Hall, Saltillo, Mississippi, and no garage or home sale may be conducted without such a permit. The permit fee of \$5.00 shall be paid and the City Clerk shall keep a record of the permits issued.

Section III. Permits, when issued, shall authorize the sale generally for a weekend or for a period not to exceed three days. No sale shall be authorized on Sunday. The permit shall contain the dates of the authorized sale and shall be posted in a clearly visible manner at or near the site of the sale within five (5) feet of the road or curb line. Said permit shall remain posted in a clearly visible manner during the term of the sale. Sale signs may temporarily be erected by owner where there is no trespass nor an obstruction of the public right-of-way, but shall be removed within Forty-Eight (48) hours from the conclusion of the permitted sale.

Section IV. Sales conducted without the issuance of a permit and without complying with the terms of this Ordinance shall be in violation of the Ordinance and shall be punishable as a misdemeanor with a fine of \$25.00 for a first offense.

Section V. Severability, Conflict, Effective Date, and Publication & Recording

(A) Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision,

or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.

(B) Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Saltillo, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.

(C) Effective Date. This Ordinance shall become effective upon publication and after one (1) month from the date of passage.

(D) Publication & Recording. The City Clerk is instructed to publish this ordinance one time in the Northeast Mississippi Daily Journal and to obtain proof of publication thereof and record this ordinance in the ordinance book.

Section VI. Adoption and Certification

UPON MOTION of Alderman Cliff Nichols, duly seconded by Alderman Terry Glidewell, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

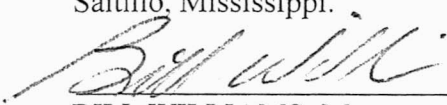
ALDERMEN VOTING "YEA":

- Beverly Bedford
- Mitchell Brazeal
- Bill Cherry
- Terry Glidewell
- Cliff Nichols


ALDERMEN VOTING "NAY":

ALDERMEN ABSENT OR NOT VOTING:

ORDAINED AND ADOPTED this the 3rd day of February, 2009, at the regular Meeting of the Mayor and Board of Aldermen of the City of Saltillo, Mississippi.



 BILL WILLIAMS, Mayor
 City of Saltillo, Mississippi



 LISA STRICKLAND, City Clerk
 City of Saltillo, Mississippi

(SEAL)



NOTE: This ordinance was approved and adopted by the Mayor and Board of Alderman at their regular Meeting on February 3, 2009 and appears in Minute Book 1 at pages 218.