

**CITY OF LAKEVIEW
BAXTER COUNTY ARKANSAS
ORDINANCE 10-02**

AN ORDINANCE TO REPEAL AND RECREATE ORDINANCE 07-03 PERTAINING TO ESTATE SALES, MOVING SALES AND YARD SALES.

WHEREAS, certain estate and/or moving sales are managed by professional sales organizations specializing in this service; and

WHEREAS, moving sales and/or yard sales are normally handled by individual property owners; and

WHEREAS, sales of this nature often create traffic congestion, impede the accessibility of emergency equipment, and can cause damage to lawns and other private property;

NOW, THEREFORE, BE IT ORDAINED by the City of Lakeview, Baxter County, Arkansas as follows:

SECTION I

PROFESSIONAL SALES ORGANIZATIONS

- A. Permit, issued by the city, shall be required for each sale managed or organized by any and all Professional Sales Organizations.**
- B. The fee for the permit shall be twenty-five dollars (\$25.00) for each and every sale. Professional Sales Organizations, at the beginning of each calendar year may opt to acquire an annual permit for \$100.00, whichever option is chosen shall prevail for the entire calendar year.**
- C. Such organizations shall be required to provide a minimum of two (2) people to control parking and make every effort to insure that parking is restricted to one side of the street. Use of signs to this effect shall be done at the expense of each organization.**
- D. It shall be the responsibility of each organization to repair any damage to any neighboring lawns and/or private property.**

SECTION II

GARAGE SALES/YARD SALES

- A. Permits, issued by the city, shall be required for any and all garage/yard sales held within the municipal corporate limits. Individuals shall be limited to apply for no more than three (3) permits in any given calendar year.**

- B. Failure of an individual to acquire a permit, first offense, shall constitute a warning. No further penalty shall be imposed as a result of a first offense warning.
- C. Block sales, i.e. neighbors opting to have their garage /yard sale on the same day, a permit for such event shall be required. Individual requesting permit shall provide names and addresses of all individuals involved. Involvement in a block sale shall be construed as one (1) sale for each individual shown on the permit.
- D. There shall be no fee for permits issued for individual garage/yard sales.
- E. Each individual shall make every effort to insure that parking on the street does not restrict access to the neighborhood by fire equipment. If a block sale, as per item II C above, is taking place it shall be the responsibility of said neighborhood to provide two (2) individuals to insure streets are kept accessible to emergency vehicles, specifically fire equipment.

SECTION III

PENALTY- Any organization or person violating this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$100.00, nor more than \$250.00. Each day the sale is operated without a permit shall be considered a separate offence.

SECTION IV

SEVERABILITY- The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

SECTION V

EMERGENCY CLAUSE- This Ordinance being necessary for the welfare and safety of the public, an emergency is declared to exist, and this Ordinance shall be in full force, and effective from the date of its passage.

Passed and adopted this 17th day of March, 2010.

Attest:

Rebecca Barton
Rebecca Barton, Recorder/Treasurer

Dennis R. Behling
Dennis Behling, Mayor