ORDINANCE NO. 2002-07

AN ORDINANCE REPEALING ORDINANCE NO. 86-5 AND ORDINANCE NO. 92-3, SETTING REGULATIONS FOR GARAGE, PORCH, RUMMAGE, YARD AND OTHER SUCH SALES: SETTING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, yard sale signs are being placed around the City and left after such sales to litter the right-of-ways; and

WHEREAS, these signs create a nuisance to the citizens of Mulberry; and

WHEREAS, the City Beautification Committee has made certain recommendations to assist in creating a cleaner landscape throughout the City; and

WHEREAS, the City Council has determined the need to update existing regulations for yard sales,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

SECTION 1. That any person, firm, corporation or organization conducting a garage, porch, rummage, yard or other such sale within the Corporate Limits of the City must receive authorization from the City to conduct such sales.

SECTION 2. That authorization to conduct such sales shall be granted when a written or verbal request is made to the City Complex by the responsible party conducting said sale and said request shall include physical address, phone number, dates of sale and name of responsible party.

SECTION 3. That the City shall maintain a log book recording all information as required in Section 2 of this ordinance and the Mulberry Police Department shall make routine inspections of said log and enforce the regulations stipulated in this ordinance.

SECTION 4. That all sales of types addressed in Section 1 of this ordinance shall be of residentially generated items and the sale of any item purchased for re-sale is prohibited unless the proprietor of the sale holds a valid privilege license issued by the City and does so on commercially zoned property.

SECTION 5. That any person, firm, corporation or organization conducting such sales shall be permitted to do so for no more than a three (3) day period and that the above said sales may be conducted no more than one time for each sixty (60) day period.

SECTION 6. That any signs advertising such sales shall not be placed on street signs, utility poles or street right-of-ways and that any signs otherwise posted shall be removed within 24 hours of the end of the sale.

SECTION 7. No provision of this ordinance shall be construed to prohibit the placement of campaign signs, business signs, temporary signs or sales associated with City sponsored festivals or non-profit events.

SECTION 8. That any person, firm, corporation or organization violating the provisions of this ordinance, shall be deemed guilty of a misdemeanor and shall be fined in a sum not less than fifteen dollars ($15.00) and not more than one hundred dollars ($100.00).

SECTION 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. If any provision of this ordinance is held invalid or unconstitutional it shall be deemed severable and separable and the remaining provisions shall remain in full force and effect.

PASSED AND APPROVED THIS 18TH DAY OF JUNE 2002.

APPROVED: _____
Jeff Marvin, Mayor

ATTEST: _____
Jerry Dickerson, Recorder-Treasurer

CITY OF MULBERRY SEAL MULBERRY ARK