

ORDINANCE NUMBER 42

AN ORDINANCE RELATING TO THE REGULATION OF YARD SALES WITHIN THE CITY OF ARCADIA, MISSOURI

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF ARCADIA, MISSOURI, as follows:

*Yard Sale
defined*

SECTION 1. DEFINITIONS.

A. "Yard Sales" shall mean and include all sales entitled "garage sale," "carport sale," "lawn sale," "attic sale," "rummage sale," "flea market sale," or any similar casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of said sale.

B. "Goods" are meant to include any goods, warehouse merchandise or other personal property capable of being the object of a sale regulated hereunder.

C. "Person" shall mean and include individuals, partnerships, voluntary associations, and corporations.

SECTION 2. PERMITS AND FEES.

It shall be unlawful for any person to conduct a yard sale within the City of Arcadia, Missouri, without first obtaining from the city clerk a license to do so, to be known as a "Yard Sale License". The fee for such license shall be a refundable fee of \$1.00. The city clerk shall refund the \$1.00 license fee to the applicant upon a return of the "Yard Sale License" within 4 days of the date of the sale.

SECTION 3. LICENSING.

Such license shall be issued to any one person only for no more than an aggregate of twelve (12) days during each calendar year and no such license shall be issued for more than four consecutive calendar days.

Each license issued under this ordinance must be prominently displayed on the premises upon which the yard sale is conducted throughout the entire period of the licensed sale.

SECTION 4. INFORMATION TO BE FILED.

The information to be filed with the city clerk, pursuant to this ordinance, shall be as follows:

- A. Name of person, firm, group, corporation association, or organization conducting said sale.
- B. Name of owner of the property on which said sale is to be conducted.
- C. Location at which sale is to be conducted.
- D. Numbers of days and dates of sale.

SECTION 5. SIGNS AND ADVERTISEMENTS.

It shall be unlawful for any person to post any signs, posters, sale bills or any other form of advertisement upon any public utility pole, street sign or other post or pole belonging to the City of Arcadia. Any lawfully posted sign must be removed by the person in whose name the license hereunder is issued within 48 hours of the last day of said sale.

SECTION 6. PERSONS AND SALE EXCEPTED.

The provisions of this ordinance shall not apply to or affect the following persons or sales:

- A. Persons selling goods pursuant to an order or process of a court of competent jurisdiction.
- B. Persons acting in accordance with their powers and duties as public officials.

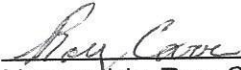
SECTION 7. PENALTY.

Any person, association, or corporation conducting any such sale without being properly license therefor or who shall violate any of the other terms and regulations of this ordinance, shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars.

SECTION 8. REPEALING CONFLICTING ORDINANCES.

That all ordinances or parts of ordinances in conflict herewith, shall be, and the same are hereby repealed; and this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

WHEREUPON, this Ordinance was read three times and approved by vote of the Board of Aldermen of the City of Arcadia, Missouri on this 8th day of March, 1999.



Honorable Roy Carr
Mayor of the City of Arcadia, Missouri

ATTEST:



Mary Johnson, City Clerk