

ORDINANCE NO. 2484

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW SECTION 13-23 THEREBY ESTABLISHING REGULATIONS PERTAINING TO THE NUMBER AND DURATION OF GARAGE SALES PERMITTED AT A RESIDENCE IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Chapter 13 of the Code of the City of Mesquite shall be amended by adding a new Section 13-23 to read as follows, said chapter and code in all other respects, to remain in full force and effect:

Sec. 13-23. Garage Sales.

(A) For the purpose of this section, the following definitions are adopted:

Garage sales. An event which takes place at a residence, put on by the person occupying such residence, at which miscellaneous used household items are sold.

Residence. A dwelling occupied by a person or persons as their home.

(B) *Garage Sales Permitted.* An owner or person occupying a residence within the City may hold a garage sale at such residence.

(C) *Restrictions.* It shall be unlawful and an offense for any owner or person in control of a residence to hold more than two (2) garage sales at their residence during any calendar year or to hold a garage sale lasting longer than three (3) days at their residence.

SECTION 2. That should any paragraph, sentence, subdivision, clause, phrase, section or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of Chapter 13 Section 13-23, or any other provision of the Code of the City of Mesquite.

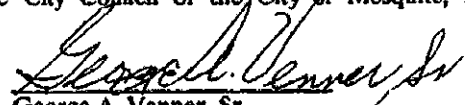
SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

SECTION 4. The fact that the present ordinances of the City of Mesquite do not adequately protect the safety of the inhabitants of the City creates an urgency and emergency and in the preservation of the public health, safety and welfare requires that this ordinance

000140

shall become effective immediately from and after its passage and the publication of caption, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 2nd day of November, A.D., 1987.



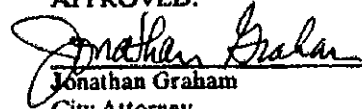
George A. Venner, Sr.
Mayor

ATTEST:



Lynn Prugel
City Secretary

APPROVED:



Jonathan Graham
City Attorney