

ORDINANCE NUMBER 2007(8)

AN ORDINANCE TO REPEAL ORDINANCE 1987(69)
AND ORDINANCE 1987(69-A) AND TO ESTABLISH
A PERMIT REQUIREMENT AND OTHER REGULATIONS
OF GARAGE, CARPORT, YARD, OR RUMMAGE SALES
WITHIN THE CITY LIMITS OF THE CITY OF PETAL,
MISSISSIPPI

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF
PETAL, MISSISSIPPI:

SECTION I. ORDINANCE REPEALED

Ordinance 1987(69) and Ordinance 1987(69-A) are hereby repealed.

SECTION II. SALES PROHIBITED IN COMMERCIAL ZONES

No garage, carport, yard, rummage sales, or other similar sales, shall be permitted within the City of Petal, Mississippi, in any area or on any premises zoned commercial. Garage, carport, yard, rummage sales, or similar sales, will be permitted provided the terms and provisions of this Ordinance are met, in any areas zoned rural fringe, low density residential, low to medium density residential, medium density residential, and high density residential.

SECTION III. APPLICATION FOR PERMIT

Any person, firm, or corporation, desiring to carry on a garage, carport, yard, rummage sale, or similar sale, must be the occupant or legal owner of the property where the sale is held and shall first make application for such privilege. Such permit when issued shall authorize the sale for a period not to exceed two consecutive days, and no sales shall be allowed on Sunday; no permit shall be valid for a period of more than two (2) weeks. The application, in addition to such other information as the Tax Collector of the City of Petal may require, shall provide the following information:

- (1) Name;
- (2) Address of place of residence;
- (3) Address of sale, if other than address of place of residence, and
- (4) Phone Number.

SECTION IV. POST PERMIT IN A VISIBLE PLACE

Each permit shall be kept posted in a visible place at the site of the garage, carport, yard, rummage sale, or similar sale. Any officer of the law shall have the right to demand that any person exhibit the permit to him, and failure of the person to so exhibit the permit shall be prima facie evidence that the permit has not been procured.

SECTION V. ADDITIONAL SALES

No permit for a garage, carport, yard, rummage sale, or similar sale, shall be issued for any one location in the City of Petal, nor to any one person, firm, corporation, or organization, regardless of the location, for more than two (2) such sales during any twelve (12) month period. The fee for a permit shall be a sum of \$5.00 for each permit. No garage, carport, yard, rummage sale or similar sale shall start before 8:00 A.M.

SECTION VI. PENALTIES

Any person, firm, corporation, or organization violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$300.00 for each violation.

SECTION VII. EFFECTIVE DATE

Based upon a finding of urgent necessity and circumstances, this Ordinance shall be effective immediately.

SECTION VIII. CONSTITUTIONALITY PROVISION

That is any part or provision of this Ordinance is found to be unlawful, or unconstitutional, it will not affect any of the remaining portions or provisions of this Ordinance.

The above and foregoing Ordinance, having been reduced to writing, the same was introduced and read and a vote was taken thereon, first section by section, and then on the Ordinance as a whole, with the following results:

Those present and voting "AYE" and in favor of the passage, adoption, and approval of Section I though Section VIII of the foregoing Ordinance:

Alderman David Clayton
Alderman Kay Fairley
Alderman James Moore
Alderman Steve Stringer
Alderman Liesa Weaver

Those present and voting "NAY" or against the adoption of any Section of the foregoing Ordinance:

None

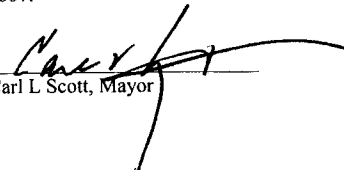
Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

Alderman David Clayton
Alderman Kay Fairley
Alderman James Moore
Alderman Steve Stringer
Alderman Liesa Weaver

Those voting "NAY" or against the adoption of the foregoing Ordinance as a whole:

None

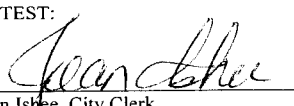
WHEREUPON, the foregoing Ordinance be and the same is hereby passed, adopted, and approved, on this the 4th day of September, A.D., 2007.



Carl L. Scott, Mayor

(SEAL)

ATTEST:



Jean Ishee, City Clerk