

ORDINANCE NO. 1238

**AN ORDINANCE ENTITLED: "AN ORDINANCE
REGULATING THE SALES OF PERSONAL PROPERTY IN
RESIDENTIAL AREAS AND, THE ADVERTISING OF SUCH
SALES INSIDE THE CORPORATE LIMITS OF THE CITY
OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES."**

WHEREAS, it has come to the attention of the Board of Directors of the City of Hope, Arkansas, that certain persons or associations are conducting on a regular basis the sale of personal property in residential areas of the City of Hope, Arkansas; and,

WHEREAS, the sale of personal property in residential areas on numerous days has caused traffic problems and other associated neighborhood problems.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: APPLICABILITY: For the purpose of this ordinance, it is of no significance whether the sale is called a garage sale, porch sale, yard sale, rummage sale, or by other name. Any sale or attempted sale of personal property which involves three (3) or more items of property, with said personal property being offered for sale in a residential area of the City of Hope, Arkansas, or for which any person, firm, corporation or association does not obtain a business or occupational license, shall be subject to the provisions of this ordinance.

SECTION 2: LIMITATIONS ON NUMBER OF SALES: No more than three (3) sales of the nature described in Section 1 may be conducted at any residence or any location during a twelve month period. In the event that more than one (1) sale is conducted at any residence during the twelve month period, it shall not occur within three (3) months of the date of the last proceeding sale conducted at that residence.

SECTION 3: DURATION OF SALE: No sale described in this ordinance shall be conducted for a period in excess of seventy-two (72) consecutive hours.

SECTION 4: ADVERTISING: Signs or posters advertising any sale described in this ordinance shall not be placed on any public street right-of-way inside the limits of the City of Hope, Arkansas. Further, signs or posters advertising any sale described in this ordinance shall not be nailed, stapled, or otherwise attached to any public utility pole or to any living tree, shrub or other plant located upon the rights-of-way of any public street inside the limits of the City of Hope, Arkansas. It shall be unlawful for any person, firm, corporation, or association to violate the provisions of this Section, or otherwise cause another person, firm, corporation or association to violate the provisions of this Section.

SECTION 5: PENALTY: Any person, firm, corporation, or association violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00)

SECTION 6: CONFLICTS: All ordinances and parts of ordinances in conflict with this ordinance, be and the same are repealed.

SECTION 7: EMERGENCY: It is ascertained and determined that this ordinance is necessary for the peace, safety and welfare of the inhabitants of the City of Hope, Arkansas, and therefore, this ordinance shall be in full force and effective from and after its passage and publication.

PASSED AND APPROVED this 19th day of April, 1994.

Dennis Ramsey, Mayor

Leneta Hare,
City Clerk