

AN ORDINANCE RESTRICTING THE FREQUENCY AND DURATION OF YARD SALES, PATIO SALES, CARPORT SALES, GARAGE SALES, PORCH SALES, AND OTHER HOME SALES DEFINED HEREIN, PROVIDING FOR PROCEDURE FOR OBTAINING A PERMIT FOR SUCH SALES, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Conway Arkansas had determined that yard sales and certain other types of home sales defined herein should be limited in duration so as to be in harmony with the zoning regulations of the City of Conway, Arkansas and further that in some cases emergency services are hampered by continuous yard sales and other such sales, and

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

Section 1: That sales regulated by this ordinance include what are commonly known as yard sales, carport sales, garage sales, porch sales, patios sales and any other sales from a persons residence. Home businesses permitted under the zoning ordinances of the City of Conway and properly licensed as a home business are exempt from the provisions of this ordinance.

Section 2: Sales defined by Section 1 above are restricted to 3 days duration and shall not be held on the same premises more than twice in any one (1) year period.

Section 3: Any person conducting a home sale pursuant to this Ordinance shall obtain a permit for the privilege of conducting said sale. Permits shall be obtained from the City Clerk-Treasurer. Each person applying for a permit shall give his/her name, address, and location of such sale and such other information as is reasonably necessary for the proper

regulations of home sales in Conway, Faulkner County, Arkansas. A FIVE DOLLAR no/00 (\$5.00) permit fee shall be required for said permit.

Section 4: That it shall be unlawful for any person obtaining a permit pursuant to this Ordinance to conduct such home sale in a place or in a manner which blocks or obstructs the vehicular traffic or any way creates a hazardous driving condition. The Chief of Police or his officers shall have authority to revoke the home sale permit of any person who conducts a sale in a manner which blocks or obstruct vehicular traffic or creates a hazardous driving condition. The revocation of such permits shall not preclude any other penalties provided in this ordinance.

Section 5: Any person obtaining a permit pursuant to this ordinance shall be required to display the permit in a conspicuous fashion on the premises in which the home sale is conducted. The permits issued under this ordinance shall be prepared in triplicates with the original being issued to the person conducting the home sale and one copy going to Conway Police Department and one copy to be retained at the Conway City Hall. The Conway City Clerk is vested with the responsibility for the issuance of the permits and for the proper filing of the permits in the Conway City Hall. The permits issued hereunder shall specify the dates in which the sale is to be conducted .

Section 6: Each person conducting a sale regulated by this ordinance shall not post any signs advertising sale more than 3 days prior to th sale and shall remove signs on the following the expiration of the sale.

Section 7: Violations of this ordinance shall be a misdemeanor and a fine for each violation shall be at least TWENTY FIVE DOLLARS no/00 (\$25.00) but not more than ONE HUNDRED DOLLARS no/00 (\$100.00) . Each day of such sale in violation of

of this ordinance shall constitute a separate offense.

Section 8: All ordinances and parts of ordinances in conflict with this ordinance are hereby specifically repealed. Further, in the event any portion of this ordinance is declared unconstitutional or void for any reason, the remaining portions are to remain in full force and effect.

Section 9: Because it is necessary for the public preverstation, protection of health and welfare of the citizens of the City of Conway an emergency is hereby declared to exist and this ordinance shall take effect immediately from and after its passage and publication .

PASSED this the 8 day of August, 1978.

APPROVED:

  
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Jim Hoggard, Mayor

ATTEST:

  
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Doris Nunn, Clerk-Treasurer