

AN ORDINANCE OF THE TOWN OF RESACA, GEORGIA FOR THE PURPOSE OF **PROHIBITING OPERATION OF YARD SALES ON CITY PROPERTY**, AND FOR OTHER PURPOSES, AT THE REGULAR MEETING OF THE TOWN COUNCIL OF RESACA HELD APRIL 8, 2014.

WHEREAS, the Town Council of the Town of Resaca, Georgia, finds that the conduct and operation of yard sales on city property is an aesthetic blight and disturbs the quiet enjoyment of residential tranquility within the city limits of Resaca; and

WHEREAS, the Town Council finds that it would be in the best interest of public health, safety and general welfare to prohibit conduct of yard sales on property owned by the City of Resaca; and

WHEREAS, it is within the police power of the Town of Resaca to adopt reasonable ordinances to promote the public health, safety and welfare;

NOW THEREFORE THE COUNCIL OF THE TOWN OF RESACA, GEORGIA ORDAINS, and it is hereby ordained, pursuant to its Home Rule authority under the Georgia Constitution and the powers granted the Town in its Charter, that the following ordinance is adopted:

**TOWN OF RESACA
YARD SALE ORDINANCE**

Sec. 1 Title

This Ordinance shall be known as the Town of Resaca Yard Sale Ordinance.

Sec. 2 Purpose

This ordinance is intended to prohibit the operation of yard sales on City-owned property and rights-of-way, in order to promote aesthetics and the quiet enjoyment of residential tranquility within the city limits of Resaca.

Sec. 3 Definitions

“Yard sale” means outdoor sales (including sales conducted from a tent, trailer or vehicle) of goods (typically but not always used goods) conducted with or without a business license and on premises where there is no licensed retail store.

Sec. 4 Restriction on City Property

A. It shall be unlawful to conduct any yard sale on any city-owned property, or on any city or state road right-of-way.

Sec. 5 Reserved.

Sec. 6 Violations

Any violation of this Ordinance shall be a misdemeanor, and shall be punishable by citation to the municipal court. Any person convicted shall be subject to a minimum fine of \$100 for the first offense, and a minimum fine of \$250 for the second offense. The maximum fine shall be \$500. Other lawful sentences may be imposed by the municipal court, including imprisonment up to 60 days, probation or community service, as well as restitution for any damage to city property.

Sec. 7 Repealer

Any existing ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Sec. 8 Effective Date

This Ordinance shall be effective April 9, 2014, the public health, safety and welfare demanding. This Ordinance was adopted the 8th day of April, 2014.

TOWN OF RESACA

Mayor Samuel Allen

ATTEST:

City Clerk