

**ORDINANCE #01-02-12**

**AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES, BY AMENDING ARTICLE 4.900 OCCASIONAL SALES REGULATED; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:**

**Section 1.** That Article 4.900, of the Code of Ordinances of the City of Sanger, Texas, is hereby amended to read as follows:

**ARTICLE 4.900 OCCASIONAL SALES REGULATED**

**Sec. 4.901 Definition**

*Occasional Sales.* Sales of tangible personal property at retail out of home, garage carport, patio or yard.

**Sec. 4.902 Regulations**

Occasional sales are not to exceed one (1) in number during any one-month period, by a person who does not hold himself out in engaging, or does not habitually engage into business of selling such property at retail and providing that:

- (1) The tangible property shall be sold only on the premises of the owner or lessee of the property where the sale is conducted, and said owner or lessee must be the legal owner of such tangible property at the time of such sale;
- (2) No new merchandise (i.e., merchandise acquired solely for the purpose of resale) shall be sold at such occasional sale; and
- (3) The duration of such sales shall not exceed three (3) consecutive calendar days.
- (4) Three (3) "Garage Sale" signs will be issued by the City of Sanger and are the only signs allowed for advertisement of the sale. Signs must be removed within one day after the last day of the sale. Issued signs may only be placed on private property with property owner's permission. A minimum of one sign must be placed on the property where the sale is conducted. Additional sign placement regulations in Article 3.1400 Sign Regulations.

**Sec. 4.903 Permit Required**

A permit shall be obtained from the city hall for such occasional sales and the permit fee shall be \$10.00.

**Section 2.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**Section 3.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

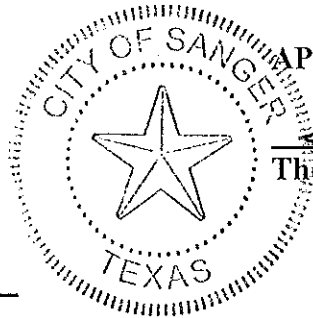
**Section 4.** Any person, firm, or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in Section 1.109 of this Code.

**Section 5.** This ordinance will take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such cases provide

PASSED AND APPROVED this 3 day of January, 2012 by the City Council of the City of Sanger, Texas.

ATTEST:

Tami Taber  
Tami Taber, City Secretary



APPROVED:

Thomas E. Muir  
Thomas E. Muir, Mayor