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**ORDINANCE AMENDING SIGN ORDINANCE TO INCORPORATE
CORRESPONDING CHANGES IN GARAGE SALE ORDINANCE IN
CODE OF ORDINANCES, CITY OF FLORENCE, MISSISSIPPI**

WHEREAS, authority is granted unto Governing Authorities of a municipality in Section 21-13-1 *et seq.* and Section 17-1-1 *et seq.*, *Mississippi Code of 1972*, as annotated., to ordain rules and regulations pertaining to governing, regulating, zoning and related matters, within the municipality, and

WHEREAS, on May 8, 2008, Governing Authorities adopted Ordinance No. 273, which repealed all former sign ordinances and adopted a comprehensive exterior sign ordinance; and

WHEREAS, on January 17, 2012, Governing Authorities adopted Ordinance No. 311, which regulate, control and limit the holding of garage sales, also known as private sales, rummage sales, yard sales, attic sales, and all such similar terms; and

WHEREAS, the said Ordinance No. 311 included some regulations that conflicted with language in Ordinance No. 273, requiring an amending ordinance wherein provisions in Ordinance 273 will be compatible with the new regulations in Ordinance No. 311.

NOW THEREFORE BE IT ORDAINED, by the Governing Authorities of the City of Florence as follows:

That in **ARTICLE XI, Section 1102 - Allowable Private Sale Signs**, be repealed and deleted and it is hereby repealed and deleted, and the following be substituted in lieu thereof as follows:

- “**Section 1102 - Allowable Private Sale\ Garage Sale Signs**
- (A) Private Sale\ Garage Sale Signs** shall be temporary and shall be placed out after 5:00 P.M. on the day prior to the event and shall be removed by 6:00 P.M. on the day the event concludes.
- (B) Sign copy** shall identify the address of the sale, the dates of the sale, time of the sale and

display the Sale Permit.

(C) **Signs** shall be placed on private properties and shall not obstruct the vision of vehicular or pedestrian traffic in anyway. No such sign shall be located in any public right-of-way, or **Public Median**, or public area between the street and sidewalk (where sidewalks are present), nor attached to any tree, utility pole or publicly owned structure. Any sign so placed is defined as litter and is subject to removal by any person. Should removal be effected by the Public Works Department or its designee, a charge of twenty-five dollars (\$25.00) per sign to cover the cost of such removal shall be made.

(D) **Signs** shall not exceed four (4) square feet.

(E) **Sign Height** shall not exceed three (3) feet.

The City Clerk is instructed to publish, within thirty-one (31) days of the date hereof, this Ordinance one time in the *Rankin County News*. This Ordinance is to become effective after publication and thirty-one (31) days from the date hereof.

The motion to adopt the foregoing Ordinance having been made by Alderperson Helms and seconded by Alderperson Poynor, and the Ordinance having been considered and put to a roll call vote, the results being as follows:

VOTING:

APPROVED:

AYE

DISAPPROVED:

NAY

Pam Clark
ALDERWOMAN PAM CLARK

AYE

NAY

Kelley Martin
ALDERWOMAN KELLEY MARTIN

AYE

NAY

John Helms
ALDERMAN JOHN HELMS

AYE

NAY

Bobbie Moudy
ALDERMAN BOBBIE MOUDY

AYE

NAY


Larry Poynor
ALDERMAN LARRY POYNOR

The motion having received the affirmative vote of a majority of members of the Board present, the Mayor therefore declared the motion so carried and the Ordinance ordained this the 6th day of March, 2012.



BOB MORRIS, MAYOR
CITY OF FLORENCE

ATTESTED BY:



LINDA WIGLEY
CITY CLERK
CITY OF FLORENCE, MS

EFFECTIVE 2-27-12
311

ORDINANCE TO REGULATE "GARAGE SALES"
WITHIN THE CORPORATE LIMITS OF THE CITY
OF FLORENCE, MISSISSIPPI

WHEREAS, authority is granted unto the Governing Authority of a municipality in Section 21-13-1 *et seq.*, and Section 17-1-1, *et seq.*, *Mississippi Code of 1972*, as annotated, to ordain rules and regulations pertaining to governing, regulating, zoning and related matters within the municipality; and

WHEREAS, it has come to the attention of the Governing Authority that the only existing ordinance regarding "Garage Sales", also known as Yard/Neighborhood/Occasional/Private sales, is in the regulation of signs regarding such sales, as found in Ordinance No. 273, as ordained on May 8, 2008; and

WHEREAS, it is the desire of the Governing Authority to regulate, control and limit the holding of garage sales in all zoning districts of the City, as they may become nuisances and/or safety hazards and become a blight on the beauty, character and aesthetic value of the land and landowners within the City.

NOW THEREFORE BE IT ORDAINED by the Governing Authority of the City of Florence as follows:

- I. "Garage Sale" is defined as the sale or offering for sale to the general public of items of *tangible personal household property obtained by the seller for his or her personal use*, whether within or outside any building. The sale of a single commodity, such as a vehicle, shall not constitute a "garage sale". This term shall include "rummage sales", "yard sales", "attic sales", and all similar terms.
- II. The conduct of a garage sale at any location other than a single-family residence is prohibited, except as follows:
 - a. Schools, churches or groups for charitable purposes.

b. Self-storage warehouses or "mini-warehouses".

- II. The conduct of a garage sale shall be limited to no more than three events and no more than six days within a calendar year for any one single-family residence. (Either three 2-day events or two 3-day events.)
- III. The conduct of a garage sale shall be on weekends only (Thursday through Sunday), and shall begin no earlier than 7:00 a.m. and conclude no later than 6:00 p.m.
- IV. Garage sale signs shall comply with regulations established in the City Exterior Sign Ordinance No 273, as defined in Article XI. Private Sale Signs.
- V. A Garage Sale Permit from the City shall be required for the conduct or operation of ANY garage sale, application for which shall be made at the Florence City Hall. Application fee amount and application and permit forms shall be set by Order of the Mayor and Board of Aldermen. Sign with permit attached must be placed on premises visible from the public right-of-way for duration of the Garage Sale.
- VI. Violation of this Ordinance may result in a fine of up to one-thousand dollars (\$1,000.00) and/or imprisonment not exceeding ninety (90) days or both, in accordance with Section 21-13-1, *Mississippi Code of 1972*, as annotated.

The motion to adopt the foregoing Ordinance having been made by Alderperson

Payne and seconded by Alderperson Helms, and the Ordinance having been considered and put to a roll call vote, the results being as follows:

VOTING:

APPROVED: DISAPPROVED:

AYE

NAY

Pam Clark
ALDERWOMAN PAM CLARK

AYE

NAY

John Helms
ALDERMAN JOHN HELMS

AYE

NAY

Martin
ALDERWOMAN KELLEY MARTIN

AYE

NAY

Bobbie Moudy
ALDERMAN BOBBIE MOUDY

AYE

NAY

Larry Poyner
ALDERMAN LARRY POYNOR

The motion having received the affirmative vote of a majority of members of the Board present, the Mayor therefore declared the motion so carried and the Ordinance ordained this the Board present, the Mayor therefore declared the motion so carried and the Ordinance ordained this 10th day of January, 2012.

Bob Morris
BOB MORRIS, MAYOR
CITY OF FLORENCE

ATTESTED BY:

Linda Wigley
LINDA WIGLEY
CITY CLERK
CITY OF FLORENCE, MS

PREPARED BY:
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EXHIBIT "A"

APPLICATION FOR GARAGE SALE PERMIT

PERMIT NO. _____ FEE \$ _____

Name of Applicant: _____ Telephone _____

Address: _____

Location of Garage Sale (if different from Address) _____

Date(s) of Sale _____

NOTE: Garage Sale may be conducted only at Single Family Residence

**No more than three events totally six days within calendar year
(Either three 2-day events or two 3-day events per year)**

New permit must be acquired for each garage sale event.

**Garage Sale Signs must be placed out after 5:00 p.m. on day before sale,
and removed by 7:00 p.m. on last day of sale.**

EXHIBIT "B"

GARAGE SALE PERMIT

CITY OF FLORENCE, MISSISSIPPI

PERMIT NO. _____

NAME OF PERMITEE _____

LOCATION _____

DATE(S) OF SALE _____

Issued by: _____

Date Issued: _____

Fee Collected: _____