

BILL NO. 2004-07

ORDINANCE NO. 187

AN ORDINANCE REGULATING THE GARAGE SALES, YARD SALES AND ANY OTHER SALES FROM RESIDENCES OR PROPERTY LOCATED WITHIN THE CITY LIMITS OF FOLEY, MISSOURI

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY, MISSOURI, AS FOLLOWS:

Section 1: That Cities of the fourth class, Foley being such, have the power under RSMo. Section 79.410 through Section 79.450, as amended, to regulate activities within the city.

Section 2: It shall be a violation of this ordinance for any person to display items or conduct a yard sale, garage sale, or any other type of sale from a residence or property or real estate which sale or display of items exceeds three (3) consecutive days, (regardless of whether the sale is open).

Section 3: Upon notice of any condition violating the definitions and standards of this ordinance, the Chief of Police, or in his absence, the Mayor, shall authorize and investigation of the condition or order an initial assessment to be made and if said condition exists, shall cause a notice to be served upon the owner of the property by forwarding the same to the owner's last residence by certified mail, return receipt requested, or by personal service or a posting of notice on the property where the condition exists. The notice shall require the owner to terminate and stop the sale within twenty-four (24) hours of receiving notice, or of posting.

Section 4: The notice shall direct the complete termination of the sale within twenty-four (24) hours from the receipt of notice or the posting of the notice.

Section 5: Any person who violates this section upon conviction may be punished by a fine not to exceed Five Hundred Dollars (\$500.00).

Section 6: This ordinance shall take effect immediately upon its enactment and approval.

READ THREE TIMES AND APPROVED THIS 23rd DAY OF

August, 2004

Billie J. Puchunsky
MAYOR

ATTEST

Sylvia Collier
CITY CLERK