

CITY OF TOCCOA
ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER ____ OF THE CODE OF ORDINANCES OF THE CITY OF TOCCOA, GEORGIA TO PROVIDE FOR YARD SALES AND FOR OTHER PURPOSES.

WHEREAS, the City Commission of the City of Toccoa deems it to be advisable and prudent to amend Chapter ____ of its Code of Ordinances of the City of Toccoa to regulate YARD SALES,

THEREFORE BE IT ORDAINED by the City Commission of the City of Toccoa that Chapter ____ of the Code of Ordinances of the City of Toccoa, Georgia be amended to include

ARTICLE ____ YARD SALES:

Sec. ____ - Garage sales, yard sales, etc.

(a) *[Definition.]* Garage sales, yard sales, etc. means the sale or trading of clothing, furniture, household items, food, dishes, antiques or similar goods or merchandise, other than in the normal course of business, or the sale or trading of such goods, as outlined in this definition, by a person not regularly engaged in such business. Such goods or merchandise do not need to be attended for a sale to be deemed to be in existence. The term "yard sale" shall include garage sales, carport sales and similar types of sales or events.

(b) *Location and manner of yard sales.* Yard sales may be held on a lot or parcel of land upon which there is situated a house, apartment or other structure which is utilized primarily for residential purposes. Yard sales are prohibited upon vacant lots, lots with vacant houses, and upon lots upon which there is situated a structure that is utilized primarily for any use other than residential purposes.

(c) *Display area.* All displays of yard sale merchandise shall be limited to that portion of the front yard area which is at least five feet back from the property line on all sides, and at least ten feet back from any curb or road edge.

(1) Any yard sale signs must have responsible party's name and phone number on the back of the sign. Any signs not removed within 24 hours after the conclusion of the sale will be in violation of the ordinance.

(d) *Religious and charitable organizations.* Religious and charitable organizations exempt from federal taxation pursuant to section 501(c)(3) of the Internal Revenue Code, may conduct yard sales on the property of the organization or at other locations within the city with the expressed written consent of the owner of the premises where the yard sale is being conducted.

(e) Prohibited acts

(1) No individual, firm, corporation or other partnership shall be permitted to engage in the business of promoting or conducting yard sales for others for a fee or other consideration. No

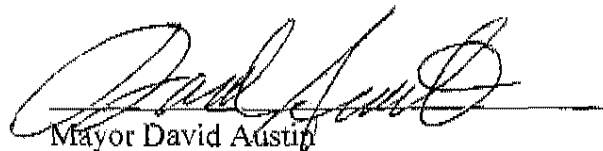
merchandise shall be purchased in anticipation of resale at a yard sale.

(2) No yard sale shall be held on premises other than the premises of at least one of the persons conducting the yard sale except with the express written consent of the owner of the premises where the yard sale is being conducted.

(f) Enforcement

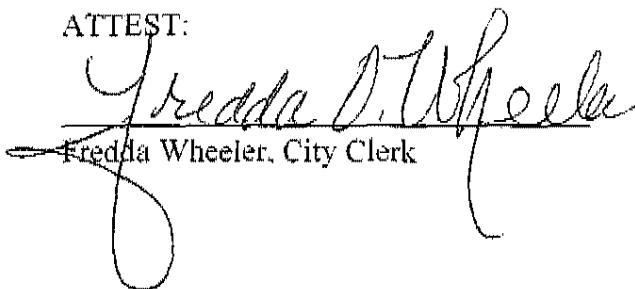
Any municipal officer authorized to make an arrest may enforce this ordinance.

SO ORDAINED, this 8th day of July, 2013.



Mayor David Austin
City of Toccoa

ATTEST:


Freda Wheeler, City Clerk