

ORDINANCE NO. 306-2005

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MCFARLAND RELATING TO THE
REGULATION OF GARAGE SALES

THE CITY COUNCIL OF THE CITY OF MCFARLAND DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. AMENDMENT

Garage sales are hereby regulated as hereinafter described and same shall be added to the McFarland Municipal Code as Chapter 5.48 entitled "Garage Sales":

CHAPTER 8.48

GARAGE SALES

Sections:

8.48.010 Definition.

5.48.020 Permit and Fees.

5.48.030 Maximum Number of Garage Sales.

5.48.010 Definitions. As used herein, "garage sales" means those occasional sales conducted on residential premises other than those occurring from a home occupation as more particularly described in Section 17.04.340 of the McFarland Municipal Code.

5.48.020 Permit and Fees. It is unlawful for any person to conduct a garage sale without obtaining a permit in the manner as hereinafter described. The fee for a permit may be established from time to time by resolution of the City Council and shall be for one garage sale. An application for a permit may be obtained from City Hall. The fee shall be paid at the time the application is filed and shall be nonrefundable whether or not the permit is issued. A permit and fee shall be required for each garage sale.

5.48.03 Limitations. No more than four (4) garage sales on the same premises may be held in any calendar year. No garage sale shall be conducted for more

than two (2) consecutive days. A garage sale may not commence before 6:00 a.m. or end any later than 5:00 p.m. on the permitted days.

Section 2. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after the date of its passage and within fifteen (15) days of the date of its passage shall be posted at the three (3) public posting places in the City.

Section 3. SEVERABILITY. If any section, subsection, subdivision, sentence, phrase or portion of this Ordinance or the application to any person or place is held to be unconstitutional or invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause or phrase of this Ordinance in spite of the fact that any one or more of the same be declared unconstitutional or invalid.

INTRODUCED at a regular meeting of the City Council of the City of McFarland, California on the 27th day of October, 2005.

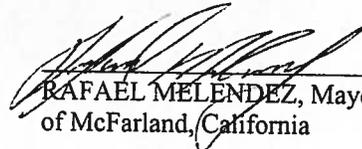
PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland, California, on the 10th day of November, 2005, by the following votes:

AYES: COUNCIL MEMBERS: Cantu, Santillano, Melendez

NOES: COUNCIL MEMBERS: Campbell, Munoz

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None



RAFAEL MELENDEZ, Mayor of the City
of McFarland, California

ATTEST:



BLANCA REYES-GARZA, Deputy
City Clerk of the City of McFarland,
California

POSTED: 11-14-2005, 2005