

ORDINANCE #497 AMENDING ORDINANCE #471 OF THE CITY OF FOREST REGULATING YARD SALES WITHIN THE CITY OF FOREST

AN ORDINANCE REGULATING LAWN, YARD, GARAGE SALES, INDOORS OR OUT DOORS IN THE CITY OF FOREST REQUIRING A PERMIT THEREFORE AND PRESCRIBING PENALTIES FOR VIOLATIONS.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the authority of the City of Forest, Mayor and the Board of Alderman, Forest, MS.;

SECTION I

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated in this Section.

“Lawn, yard and garage sales” shall be a sale, open to the public, of new, used or previously owned personal property; including but not limited to goods, wares, merchandise and clothing, held on vacant property or on the lawn, yard, porch, patio or in the garage, residence or other out-building of the person who obtains a permit for such sale as provided by this Ordinance.

“Person” shall mean any natural person or persons, association, partnership, firm, corporation or other entity.

SECTION II

No person shall cause or permit any lawn, yard or garage sale to take place upon any property owned by such person without having obtained a permit therefore. Application for such permit shall be made to the Code and Zone Office by the person at whose residence such sale shall be held and such application shall state the name of the applicant, the location of the proposed sale, the day or days on which the sale is to be held and the names and resident addresses of all other persons who are to contribute personal property to the sale. Such permit shall be issued by the Code and Zone Department upon the filing of an application, which will carry a fee of \$30.00 per sale.

SECTION III

Not more than two (2) permits shall be issued under this ordinance to the same person in any one calendar year and not more than two (2) sales shall be held from any one location in any one calendar year.

SECTION IV

Every permit shall be issued under the following conditions:

- a.) The sale shall be held at the location stated in the application and on the permit.
- b.) The permit shall be valid for two (2) consecutive days excluding Sundays as stated on the permit except that the permit may specify one or two alternate "rain days" in case of inclement weather on one or two, as the case may be, of the dates first specified on the permit.
- c.) No sale shall commence before 8:00 o'clock A.M. or after 3:00P.M. Prevailing time, on any day.
- d.) No music, games or other entertainment or activities may be conducted at the time when and the place where the sale is held and there shall be no unnecessary or excessive noise.
- e.) Sale on Sundays is prohibited.
- f.) No sales permitted in C-2a, C-1, C-3 or I-1 Zoned areas unless the owner of the property has received a special use permit from the Department of Community Development.

SECTION V

Because the sale is temporary in nature such sale shall be limited to possessions of the holder of the permit (and the other families and householders referred to in this ordinance), it shall be unlawful to engage or employ any individual, organization or other entity to plan, arrange, conduct, promote or supervise the sale.

SECTION VI

The permit holder must exhibit the permit at the time of sale in full view of the public at all times.

SECTION VII

No notice, advertisement or directional sign pertaining to such sale shall be placed or posted:

- a.) On any post or pole used for traffic signs or signals.
- b.) On the surface of any street, curb or sidewalk.
- c.) Without permission of the owner or occupant of the property, anywhere on private property. Upon conclusion of the time stated in the permit for the holding of such sale,

the holder of the permit shall remove and take away all such notices, advertisements and directional signs not previously removed and take away.

SECTION VIII

None of the following may be sold or offered for sale:

- a.) Anything for which a separate license is required by law or by any federal, state or municipal regulation.
- b.) Anything of an explosive, poisonous or dangerous nature.

SECTION X

The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

SECTION XI

This ordinance shall become effective thirty days from the date of publication. This ordinance shall be published in the Scott County Times, as provided by law.

Ordained, this the 6th day of May, 2025.

/s/ Nancy N. Chambers

ATTEST:

/s/Faye Johnston

City Clerk