

**ORDINANCE NO. 588-21**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SANSOM PARK, TEXAS, AMENDING CHAPTER 4 BUSINESS REGULATIONS; ARTICLE 4.05 GARAGE SALES; SECTION 4.05.009 "SIGNS" TO ALLOW DIRECTIONAL SIGNS IN ADDITION TO THE ON-PREMISES SIGN; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING THE EFFECTIVE DATE.**

**WHEREAS**, the City of Sansom Park, Texas, is a Type A General-Law municipality; and

**WHEREAS**, the City Council of the City of Sansom Park desires to update the regulations related to garage sale signs to allow for additional directional signs in addition to the on-premises sign already allowed by the City's Code of Ordinances; and

**WHEREAS**, the City Council of the City of Sansom Park finds that the provisions adopted herein are in the best interest of the health, safety and general welfare of the citizens of the City of Sansom Park.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANSOM PARK, TEXAS, THAT:**

**SECTION I  
FINDINGS OF FACT**

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION II  
AMENDED CODE PROVISIONS**

That Chapter 4 "Business Regulations," Article 4.05 "Garage Sales" of the Code of Ordinances of the City of Sansom Park, Texas, is hereby amended by amending Section 4.05.009, "Signs" to read as follows:

**"Sec. 4.05.009 Signs**

- (a) Signs issued exclusively by City. Signs advertising the garage sale shall be limited to signs issued by the City. With each garage sale permit, the applicant will be issued a total of three signs, including one yard sign and two directional signs. No other signs may be posted or used by the holders of the garage sale.
- (b) Sign locations. The garage sale permit holder shall use the signs issued by the City subject to the following regulations:
  1. The yard sign shall be posted on the property of the garage sale in a conspicuous location;
  2. The two directional signs may be placed on private property with permission from

the property owner, to aid the public in locating the sale. The permission of the property owner must be indicated by the property owner's signature on the back of the sign;

3. Signs shall not be placed on utility poles, street sign poles, or other fixed objects in the city or state rights-of way; and
  4. Signs shall not be placed within a street median or visibility triangle.
- (c) Removal of signs. Signs shall not be posted more than twenty-four (24) hours prior to the beginning of the sale. The signs advertising a garage sale shall be removed by the garage sale permit holder not later than twenty-four (24) hours following the expiration of the garage sale permit.

### **SECTION III CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Sansom Park, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

### **SECTION IV SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

### **SECTION V PENALTY CLAUSE**

Any person, firm or corporation, violating any of the provisions or terms of this Ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued or permitted as provided in Section 4.05.010 of the Code of Ordinances of the City of Sansom Park, Texas.

### **SECTION VI SAVINGS CLAUSE**

All rights and remedies of the City of Sansom Park, Texas, are expressly saved as to any and all violations of the provisions of any ordinances affecting garage sale signs within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the Courts.


**SECTION VII  
PUBLICATION CLAUSE**

The City Secretary of the City of Sansom Park is hereby directed to publish the caption, penalty clause and effective date clause in the official newspaper of the City of Sansom Park as authorized by Section 52.011 of the Texas Local Government Code.


**SECTION VIII  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

**PASSED AND APPROVED** by the City Council of the City of Sansom Park, Texas, this 7th day of October, 2021.

  
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Jim Barnett, Jr., Mayor

**ATTEST:**

  
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Wendy Blocker, TRMC  
City Secretary



**APPROVED AS TO FORM:**

  
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Will Pruitt, City Attorney