

ORDINANCE NO. O2016-06

**AN EMERGENCY ORDINANCE AMENDING CHAPTER 715.05,
FEE; CONDITIONS,
OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**

WHEREAS, The City of Gallipolis, Ohio, wishes to amend chapter 715.05, Fee; Conditions; of the Codified Ordinances; and

WHEREAS, the City Manager has recommended in writing the passage of this Ordinance as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety and property and in order to provide for the usual operations of the municipal departments.

NOW THEREFORE BE IT ORDAINED by the City Commission of the City of Gallipolis, State of Ohio:

SECTION 1: That Chapter 715.05, Fee; Conditions, be amended to read as follows:

715.05 FEE; CONDITIONS.

(a) In order to cover the costs of administrative processing, there shall be a fee of **ten dollars (\$10.00)**. **Failure to get a permit will result in a twenty-five dollar (\$25.00) fine.**

(b) The permit shall set forth and restrict the time and location of such garage or other residential sale. Each residence is permitted to have three garage sales per calendar year, with at least one month separating each sale.

(c) No garage or other residential sale shall be permitted except between the hours of 8:00 a.m. and 6:00 p.m., nor for more than three consecutive days. Sunday sales are allowed between the hours of 12:00 p.m. and 6:00 p.m.

(d) Other conditions:

(1) If a garage or other residential sale is not held on the dates for which the permit is issued or is terminated during the first day of the sale because of inclement weather conditions, and an affidavit by the permit holder to this effect is submitted, the Code Enforcement Officer may issue another permit to the applicant for the garage sale to be conducted at the same location within thirty days from the date when the first sale was to be held. This shall be considered to be a substitute permit as though the first permit had never been issued. No additional permit fee is required.

(2) A second garage or other residential sale shall be permitted less than six months after a previous sale, if satisfactory proof of a bonafide change in ownership of the real property to a person who had not previously been a resident of the home is first presented to the Code Enforcement Officer or his duly authorized representative.

(3) A sale for the purpose of liquidating the family holdings prior to moving from the residence shall be allowed as a second sale if such sale is conducted by a professional liquidator and the Code Enforcement Officer is satisfied that the family actually does intend to vacate the premises or already has vacated the premises.

(e) Before issuing a permit, the Code Enforcement Officer or his authorized representative may conduct such investigation as he deems necessary to determine if there is compliance with the terms of this chapter and if future compliance may reasonably be expected.

SECTION 2: Existing Chapter 715.05 of the Codified Ordinances is hereby repealed.

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SECTION 3: That this Ordinance shall take effect and be in full force upon passage as an emergency measure.

PASSED: February 7, 2016

ATTEST:

Annette M. Landers
Clerk of the City Commission
Annette M. Landers

Tony Gallagher
President of the City Commission
Tony Gallagher

The foregoing Ordinance is hereby approved as to form.

Adam R. Salisbury
Gallipolis City Solicitor
Adam R. Salisbury