

**ORDINANCE NO.1822**

**AN ORDINANCE OF THE CITY OF EUREKA SPRINGS,  
ARKANSAS, AMENDING CERTAIN PROVISIONS OF  
CHAPTER 4.36 OF THE EUREKA SPRINGS MUNICIPAL  
CODE DEALING WITH OUTDOORS SALE; PROVIDING  
FOR SEVERABILITY OF PROVISIONS; AND DECLARING  
AN EFFECTIVE DATE**

**IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA  
SPRINGS, ARKANSAS, AS FOLLOWS, TO-WIT:**

Section One: That Section 4.36.03 (a) of the Eureka Springs Municipal Code is hereby amended to read as follows:

"4.36.03 Permits required

(a) No person, firm, partnership, corporation or organization shall hold or maintain any garage sale, porch sale, sidewalk sale, outdoor rummage sale or yard sale without first having applied for and having actually obtained a written permit for the same from the office of the City Clerk."

Section Two: That Section 4.36.03 (b) of the Eureka Springs Municipal Code is hereby amended to read as follows:

"4.36.03

(b) The permit must be issued by the City Clerk prior to the first date of sale authorized by the permit. The permit shall be on a standard form. That on the permit, based upon information furnished by the applicant, shall contain the name of the applicant or applicants, the address at which the sale is to be held, phone number, use of property, and the date or dates of the sale, and the rain dates of the sale."

Section Three: That Section 4.36.03 (c) of the Eureka Springs Municipal Code is here repealed.

Section Four: That Section 4.36.03 (d) of the Eureka Springs Municipal Code is hereby amended to read as follows:

"4.36.03

(d) Copies of all permits issued shall be retained in the office of the City Clerk."

That Section 4.36.03(e) of the Eureka Springs Municipal Code is hereby amended to read as follows:

"4.36.03

(e) No person, firm, corporation, partnership or organization Shall hold such sale regulated hereunder more than three (3) times in any calendar year."

Section Six: That Section 4.36.04 of the Eureka Springs Municipal Code is hereby amended to read as follows:

"4.36.04 Terms under which permits issued.

Permits shall be for a period of time not to exceed three (3) consecutive calendar days, except that should rain on any of said date the applicant may elect to conduct such sale on any such date any may provide for alternate rain day which shall be specifically set forth in the permit, together with the name of the applicant, the address of the sale, and the signature of the City Clerk or an authorized deputy. The permit shall be posted in a conspicuous place at the place of the sale on each sale day."

Section Seven: That Section 4.36.05 of the Eureka Springs Municipal Code is hereby amended to read as follows:

"4.36.05 Permit fee

A permit fee of Five and 25/100 Dollars (\$5.25), shall accompany each Application."

Section Eight: That Section 4.36.06 of the Eureka Springs Municipal Code is here repealed.

Section Nine: That the provisions of this ordinance are severable, and the decision of any court invalidating any provision hereof shall not effect the remaining provisions.

Section Ten: That this ordinance shall go into and be of full force and effect thirty (30) days after it passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.**

APPROVED:

\_\_\_\_\_  
Beau Zar Satori, Mayor

ATTEST:

\_\_\_\_\_  
Mary Ann Lee, City Clerk