

AN ORDINANCE 100589

**AMENDING SECTIONS 16-297 AND 16-302(b) OF THE CITY CODE TO ALLOW FOR REPLACEMENT GARAGE SALE PERMITS DUE TO INCLEMENT WEATHER AND ALLOWING FOR ALTERNATIVES TO DISPLAYING OF GARAGE SALE PERMITS DURING SUCH SALES.**

\* \* \* \* \*

**WHEREAS**, inclement weather may hinder the ability of a garage sale permit holder to have a garage sale on the intended days; and

**WHEREAS**, the current Code provisions for garage sales do not allow for more than one garage sale permit to be issued per quarter for a specific location; and

**WHEREAS**, new methods for issuing permits do not always allow for a practical method of displaying those permits; and

**WHEREAS**, the issuance of replacement permits for garage sales hindered by inclement weather will not violate the intent of current restrictions on the number and frequency of such sales;  
**NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Section 16-297 of the City Code of the City of San Antonio hereby is amended by adding the language that is underlined (added) as follows:

**Sec. 16-297. Term of permit, replacement permit for inclement weather.**

a) All permits covered by this article shall continue in full force from the date specified on the permit. Each garage sale shall not exceed two (2) consecutive days.

b) Should inclement weather unreasonably hinder the operation of the garage sale during the time authorized by the permit, the department of code compliance shall issue a replacement permit allowing the completion of the authorized time provided that:

1) the garage sale operator requests the replacement permit within one (1) week from the initial permit's date of issuance; and

2) the replacement shall be valid for the completion of the initial permit's allotted time within thirty (30) days from the replacement permit's date of issuance; and

3) only one (1) replacement permit shall be issued for any garage sale permit regardless of subsequent weather conditions or circumstances.

4) no more than one (1) replacement permit shall be issued per calendar year per address.

**SECTION 2.** Replacement permits shall be issued at the Development Business and Services Center and the City's Community Link Centers.

**SECTION 3.** Section 16-302(b) of the City Code of the City of San Antonio hereby is amended by adding the language that is underlined (added) as follows:

**Sec.16-302. Permit number and garage sale information.**

(b) The permit must be clearly displayed and visible for a distance of six (6) feet from the curblineline or nearest edge of paved portion of the street or right-of-way or be immediately available for inspection at the sale location.

**SECTION 4.** Any garage sale permit issued between January 1, 2005 and the effective date of this ordinance shall be eligible for a replacement permit if the corresponding sale was unreasonably hindered by inclement weather and the garage sale operator requests the replacement permit within two (2) weeks from the effective date of this ordinance. The replacement permit under this section shall be valid for a sale to be held within thirty (30) days from the replacement permit's date of issuance.

**SECTION 5.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 6.** No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

**SECTION 7.** Cost relating to programming fees will be absorbed in the Fiscal Year 2005 operating budget.

**SECTION 8.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 9.** It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Texas Revised Civil Statutes Annotated as amended Title 5, Chapter 551, Government Code.

**SECTION 10.** The publishers of the City Code are authorized to amend said Codes to reflect the changes adopted herein.

**SECTION 11.** This ordinance shall be effective on April 3, 2005.

**PASSED AND APPROVED** this 24th day of March 2005.



**M A Y O R**  
**EDWARD D. GARZA**

**ATTEST:**

*Leticia M. Viced*  
City Clerk

**APPROVED AS TO FORM:**

*[Handwritten Signature]*  
City Attorney

# Agenda Voting Results

**Name:** 31.

**Date:** 03/24/05

**Time:** 06:32:39 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance amending Sections 16-297 and 16-302(b) of the City Code to allow for replacement garage sale permits due to inclement weather and allowing for alternatives to displaying of garage sale permits during such sales; as requested by Councilman Joel Williams, District 2. [Presented by Liz C. Garcia, Acting Director, Code Compliance; Jelyne LeBlanc Burley, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		

# Agenda Voting Results

**Name:** 31. Amendment 1 as presented by Councilman Perez

**Date:** 03/24/05

**Time:** 06:32:18 PM

**Vote Type:** Multiple selection

**Description:**

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		