

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE’S CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, CHAPTER 26 (BUSINESSES), ARTICLE II (GARAGE AND YARD SALES), SECTION 26-23 (PERMIT REQUIRED); REMOVING REQUIREMENT TO OBTAIN A GARAGE SALE PERMIT; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”) finds that it is in the best interest of the citizens of City of Wylie, Texas (“City”) to amend Chapter 26 (Businesses), Article II (Garage and Yard Sales), Section 26-23 (Permit Required) of the City’s Code of Ordinances, Ordinance No. 2021-17, as amended (“Code of Ordinances”), as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Chapter 26 (Businesses), Article II (Garage and Yard Sales), Section 26-23 (Permit Required) of the Code of Ordinances. Chapter 26 (Businesses), Article II (Garage and Yard Sales) Section 26-23 (Permit required) of the Code of Ordinances is hereby amended as follows:

“CHAPTER 26 – BUSINESSES

ARTICLE II – PERMIT REQUIRED

...

Sec. 26-23. Reserved ~~Permit required.~~

~~No person shall conduct a garage sale without having first obtained a permit from the city. The required fee for this permit shall be as provided for in the fee schedule located in appendix C to this Code.~~

...”

SECTION 3: Savings/Repealing. All provisions of the Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed

ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 5: Effective Date. This Ordinance shall become effective from and after its adoption.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 27th day of April, 2021.

Matthew Porter, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

Stephanie Storm, City Secretary