

ORDINANCE

WHEREAS, the Mayor and council of the City of Norcross have authority to adopt ordinances resolutions and regulation pursuant to O.C.G.A. § 36-35-3; and

WHEREAS, O.C.G.A. § 40-2-39.1 regulates the displaying or parking used motor vehicles on property for purpose of selling or advertising sale of such vehicles; and

WHEREAS, the Norcross Code of Ordinances Section 34-57 currently prohibits parking upon any roadway for the purpose of displaying the vehicle for sale; and

WHEREAS, the Mayor and Council are desirous of implementing a new Ordinance Section 34-61 to regulate the advertisement for sale of motor vehicles within the City of Norcross;

NOW THEREFORE, the Mayor and Council hereby amend Article II of Chapter 16 of the Code of Ordinances as is more particularly set forth below:

Ordinance No. 11-2014

An Amendment to the City Code of Ordinances

CHAPTER AND PURPOSE.

CHAPTER AND PURPOSE Chapter 34, Traffic and Vehicles

ENACTING CLAUSE. The Council of the City of Norcross, Georgia hereby ordains that the adopted Code of Ordinances is hereby amended as more particularly set forth herein. It is the intention of the Mayor and the Council, and it is hereby ordained that the following shall become and be made a part of the Code of the City of Norcross, and the Sections of the Code in this Chapter and of this ordinance may be renumbered to accomplish that intention.

- I. **Amendment.** Article III entitled “Parking” of Chapter 34 entitled “Traffic and Vehicles” of the Code of Ordinances of the City of Norcross shall be amended by adding a new Section 34-61 as follows:

“34-61 Prohibited Display of Vehicles for Sale or as Advertising Devices.

- (1) An owner or lessee of any real property shall not authorize any motor vehicle to be displayed or parked on such real property for the purpose of selling or advertising the sale of such used motor vehicle.
- (2) No motor vehicle shall be displayed for sale from any commercial or industrial site not specifically zoned for that purpose.

(3) All violations of this section shall be punishable by a civil violation notice in the amount of one hundred dollars (\$100.00) for the first vehicle on a first offense and five hundred dollars (\$500.00) per vehicle for each additional vehicle and any repeat violation of this section. The Chief of Police, his designee, any City Code Enforcement Officer, or owner or lessee of any real property upon which a vehicle is displayed or parked in violation of this subsection may have any such vehicle towed from such real property and stored at the expense of the owner or lessee of such vehicle and may then dispose of said vehicle in accordance with Chapter 11 of O.C.G.A. Title 40.”

II. **Severability.** If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any ordinance, section, subsection, paragraph, subdivision or clause of this ordinance.

III. **Repealer.** All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, subdivision or clause of this ordinance are hereby repealed to the extent of the conflict.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed, this the ____ day of _____, 2014.

Bucky Johnson, Mayor

ATTEST:

Monique Lang, City Clerk