

ORDINANCE NO. 08-02

**AN ORDINANCE PERMITTING THE TEMPORARY DISPLAY OF
AUTOMOBILES OFF OF THE LICENSED DEALER'S BUSINESS PREMISES**

WHEREAS, Marshall County does desire to permit the temporary display of automobiles off of the licensed dealer's business premises;

WHEREAS, KRS 190.030 empowers local governments to permit said temporary displays off of the licensed dealer's business premises;

NOW THEREFORE, Be it Ordained by the Fiscal Court of Marshall County, Kentucky as follows:

SECTION I – AUTHORIZATION

Any automobile dealer who is duly licensed to do business in the Commonwealth of Kentucky and who is furthermore in good standing with any applicable governing bodies in the Commonwealth of Kentucky may temporarily display a representative sample of said automobile dealer's inventory off of the premises of the automobile dealer's licensed business office and/or branch location.

SECTION II – CONDITIONS

- A. An automobile dealer shall be limited to displaying no more than three (3) automobiles as a representative sample of the automobile dealer's inventory.
- B. An automobile dealer who wishes to advertise the temporary display shall include in such advertisements a statement to the effect that the display is temporary in nature.
- C. An automobile dealer conducting an off-site display is expressly prohibited from conducting any sales or sales negotiations at the location of the temporary display.
- D. An automobile dealer may conduct an off-site display for one (1) day only, for two (2) consecutive days, or for three (3) consecutive days. The same automobile dealer shall not conduct more than one (1) off-site display in any seven (7) day period, and shall be limited to conducting no more than twelve (12) off-site displays per calendar year.

SECTION III – PENALTIES

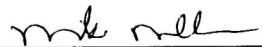
In addition to any other penalties provided by law, anyone who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, and shall be punished by a fine of up to \$500.00 dollars, up to 30 days in the county jail, or both.

SECTION IV – SEVERABILITY

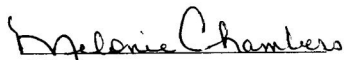
If any of the provisions of this ordinance are deemed to be unconstitutional or otherwise unenforceable by a court of competent jurisdiction, said determination shall not affect the remaining provisions of this ordinance.

FIRST READING: June 30th 2008
SECOND READING: August 19, 2008
PUBLICATION: September 9, 2008

This Ordinance, having been read and published according to law, and having been passed in open court, is hereby effective this the 19th day of August, 2008.



MIKE MILLER, Judge-Executive
Marshall County Fiscal Court



Attest