

ORDINANCE NO. **BG2013 - 10**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 22 (TRAFFIC AND MOTOR VEHICLES), SUBCHAPTER 22-11 (TEMPORARY DISPLAY OF MOTOR VEHICLES) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO ALLOW FOR AN ANNUAL DISPLAY AND SALE OF ANTIQUE, VINTAGE, RARE OR COLLECTIBLE MOTOR VEHICLES AT THE NATIONAL CORVETTE MUSEUM

WHEREAS, in Ordinance No. BG2008-53 and as set out in Subchapter 22-11 of the City's Code of Ordinances, the City adopted provisions allowing for the temporary display of motor vehicles by vehicle dealers, but prohibited the off premise sale of motor vehicles; and,

WHEREAS, the City has received a request to allow the sale of antique, vintage, rare or collectible motor vehicles at an event to be held at the National Corvette Museum that will expectantly continue on an annual basis and bring people to the City, thereby contributing to growth in the economy of the City; and,

WHEREAS, it is in the best interests of the City of Bowling Green to amend this ordinance authorizing this event at the National Corvette Museum.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 22 (Traffic and Motor Vehicles) is hereby amended as follows:

...

22-11 TEMPORARY DISPLAY OF MOTOR VEHICLES.

22-11.01 Definitions.

As used in this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"Display" shall mean the placement of a motor vehicle or vehicles by a licensed motor vehicle dealer at a location which is not its established place of business where no solicitation, sale,

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transfer or test drive takes place. Nothing in this Subchapter shall be deemed to prohibit a licensed motor vehicle dealer from off-site warehousing, storing, parking or driving a demonstrator vehicle in the normal course of business.

“Licensed Motor Vehicle Dealer” shall mean dealers, manufacturers, factory branches, distributors and distributor branches as those terms are defined in KRS 190.010 and, where applicable, who hold a license from the Commonwealth of Kentucky.

“Temporary Display” shall mean the conducting or holding of a temporary display of motor vehicles for periods of time in compliance with applicable State regulations, but shall not otherwise preclude the following activities which do not require a permit under this Subchapter:

(1) A display of motor vehicles by a motor vehicle dealer trade association and its participating members for which a permit is issued by the Commonwealth of Kentucky;

(2) A display of less than three (3) motor vehicles for advertising purposes at one (1) location, or as part of the licensee's sponsorship of a charitable or other public event;

(3) A manufacturer's sponsored display of motor vehicles for its participating dealers within the City of Bowling Green, except that the participating dealers, to include participating dealers not licensed in Kentucky, shall individually secure the permit required by this Subchapter; ~~or~~

(4) Trade shows and similar major public events that have achieved regional or national prestige and that contribute substantially to the economy of the community and state; or

(5) An annual event held at the National Corvette Museum that involves the sale of antique, vintage, rare or collectible motor vehicles that contributes to the economy of the community with the event complying with all other applicable State and City laws, rules and regulations.

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22-11.05 General Provisions.

Any person, corporation or other business entity conducting a temporary display of motor

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vehicles shall also comply with all applicable State statutes and regulations. No solicitations, sales, transfers or test drives shall be allowable at the site of the temporary display. The provisions of this Subchapter are not applicable to an annual event held at the National Corvette Museum that involves the sale of antique, vintage, rare or collectible motor vehicles that contributes to the economy of the community with the event complying with all other applicable State and City laws, rules and regulations.

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2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on May 7, 2013, and given final reading on May 21, 2013, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: May 21, 2013

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Schaller
City Clerk

SPONSORED BY: Rick Williams, Commissioner, 05/02/2013, 10:10 a.m.