

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2011- 119

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 94 "TRAFFIC AND VEHICLES", ARTICLE III "PARKING, STOPPING AND STANDING", BY DELETING THE EXISTING SECTION 94-59 "SALE OF VEHICLES ON RIGHTS-OF-WAY, IMPOUNDING AUTHORIZED" AND SUBSTITUTING IN LIEU THEREOF A NEW SECTION 94-59 "SALE OF VEHICLES ON RIGHTS-OF-WAY, IMPOUNDING AUTHORIZED"; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED:

Section 1. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, Code of Clayton County, Georgia, Part II, Chapter 94 "Traffic and Vehicles", Article III "Parking, Stopping and Standing", by deleting the existing Section 94-59 "Sale of vehicles on rights-of-way, impounding authorized" and substituting in lieu thereof a new Section 94-59 "Sale of vehicles on rights-of-way, impounding authorized" which shall read as follows:

"Sec. 94-59. - Sale of vehicles on right-of-way; impounding authorized.

- (a) It shall be unlawful to park or leave unattended on or within the right-of-way of any public road in the unincorporated areas of the county any used motor vehicle which is marked for sale or otherwise displayed for sale. A vehicle shall be considered to be displayed for sale when a reasonable person would perceive that the vehicle is for sale without having to inquire whether the vehicle is for sale.

- (b) County police officers, the sheriff and deputy sheriffs of the county are authorized and empowered to impound any vehicle found to be in violation of this section. The owner of such vehicle shall be responsible for all expenses and charges incurred in the towing and storage of the vehicle.
- (c) The vehicle owner, or the driver who parked the vehicle in violation of this section or both may be summoned into Magistrate Court, by any county law enforcement officer, code enforcement officer, or employee of the department of community development who has been authorized by the department director, to answer for this violation and if found guilty may be punished as provided for by Section 1-12 of the Code of Clayton County.
- (d) New and used car dealers, licensed as such by the County, are exempt from this section."

Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section 3 If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section 4. This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED, this the 2nd day of August, 2011.

[Signatures on the next page]

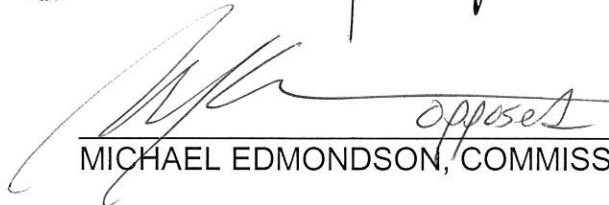
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER

 opposes
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK