

Ordinance No. 1309

AN ORDINANCE to amend and reordain Sections 20-44 and 20-45, Article II, Chapter 20 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 20 relates to LICENSES, which Article II relates to REGULATORY LICENSES, which Section 20-44 relates to CARNIVALS, FESTIVALS, FIESTAS, etc., and which Section 20-45 relates to CIRCUSES, MENAGERIES, etc.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 20-44, Article II, Chapter 20 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 20-44. Carnivals, circuses, menageries, side shows, tent shows, rodeos, animal shows, festivals, fiestas, etc.

Carnivals, circuses, menageries, side shows, tent shows, rodeos, animal shows, festivals, fiestas, and shows or amusements of like nature, for the privilege of doing business in the city shall pay in advance a license tax of \$1,000.00 per day or \$6,000.00 per week. No rebate shall be allowed for any reason. No waiver of this tax shall be made or passed for any reason.

Any person applying for a license under this section, which license involves the use of the streets, shall obtain, before such license is issued, a permit in accordance with the provisions of sections 33-30 to 33-40 of this Code.

Section 2. That Section 20-45, Article II, Chapter 20 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 20-45. Carnivals, circuses, menageries, side shows, tent shows, rodeos, animal shows, festivals, fiestas, etc., sponsored or managed by non-profit benevolent, religious, educational, patriotic or charitable organizations.

(a) Carnivals, circuses, menageries, side shows, tent shows, rodeos, animal shows, festivals, fiestas, and shows or amusements of a like nature which are sponsored by non-profit benevolent, religious, educational, patriotic or charitable organizations, shall pay in advance for the privilege of doing business in the city a license tax of \$100.00 for the first day and \$50.00 for each day thereafter. No rebate shall be allowed for any reason. No waiver of this tax shall be made or passed for any reason.

(b) Carnivals, circuses, menageries, side shows, tent shows, rodeos, animal shows, festivals, fiestas, and shows or amusements of a like nature which are managed by non-profit benevolent, religious, educational, patriotic or charitable organizations, shall pay in advance for the privilege of doing business in the city a license tax of \$25.00 for the first day and \$25.00 for each day thereafter. No rebate shall be allowed for any reason. No waiver of this tax shall be made or passed for any reason.

(c) Carnivals, circuses, menageries, side shows, tent shows, rodeos, animal shows, festivals, fiestas, and shows or amusements of a like nature which are managed by non-profit benevolent, religious, educational, patriotic or charitable organizations, and which are performed

on property owned by the managing organization, shall first obtain a license for the privilege of doing business in the city, but no license tax shall be assessed or charged for the privilege.

Any person applying for a license under this section, which license involves the use of the streets, shall obtain, before such license is issued, a permit in accordance with the provisions of sections 33-30 to 33-40 of this Code.

No license shall be issued under this section unless and until the City Manager has first made, or caused to be made, an investigation of the organization involved and the nature of the sponsorship or management of the show or amusement, and the City Manager is satisfied that:

(1) The organization is in fact a bona fide non-profit organization.

(2) The organization is in fact a bona fide benevolent, religious, educational, patriotic or charitable organization.

(3) At least 80% of the organization's share of the proceeds to be derived from the show or amusement will be used for one of the purposes set forth in (2) above.

(4) The organization will either in a bona fide manner sponsor or manage the show or amusement.

(5) The organization, in the instance of subsection (c), is the bona fide owner of the property upon which the performance is to take place.

For the purposes of this section the sponsor of a show or amusement shall be construed to mean an organization that allows its name to be used in connection with promoting a show or amusement and shares in the revenue from said show or amusement.

For the purposes of this section, management of a show or amusement shall be construed to mean substantial and major active physical participation in the operation and control thereof. (The sponsorship of a show coupled with the sale of tickets, assistance in publicity, ownership of the property, and a share in the revenue shall not constitute management.)

The City Manager is authorized and directed to establish and promulgate regulations necessary to carry into effect the provisions of this section. Such regulations may include, but shall not be limited to, requiring financial statements and sworn applications.

Section 3. That this ordinance shall be published in a newspaper of general circulation in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

Final Passage: March 9, 1965