

ORDINANCE NO. 1898

AN ORDINANCE to amend and reordain Sections 22-234, 22-235, 22-241, 22-243, 22-244, 22-245, 22-246 and 22-247 of Article XI, Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 22 relates to MOTOR VEHICLES AND TRAFFIC; which Article XI relates to LICENSE TAXES ON MOTOR VEHICLES, TRAILERS AND SEMI-TRAILERS; which Section 22-234 relates to LICENSE TAX LEVIED; which Section 22-235 relates to WHEN TAX PAYABLE; APPLICATION; ISSUANCE; which Section 22-241 relates to TAX ON CERTAIN TRAILERS; which Section 22-243 relates to TRANSFER OF PLATES AND WINDSHIELD TAG; which Section 22-244 relates to REPLACEMENT OF LOST PLATES AND TAGS; which Section 22-245 relates to PRORATION OF LICENSE TAX; which Section 22-246 relates to REFUND FOR UNUSED PORTION OF FEE PAID; and which Section 22-247 relates to OFFENSES RELATING TO CITY LICENSE PLATE AND WINDSHIELD TAG.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sections 22-234, 22-235, 22-241, 22-243, 22-244, 22-245, 22-246 and 22-247 of Article XI, Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and they hereby are amended and reordained to read as follows:

Sec. 22-234. Licensed Tax Levied.

A license tax is hereby imposed for the period from the first day of May to the following thirtieth day of April for each year upon every person (1) who operates on the streets of the city a motor vehicle, trailer or semi-trailer, registered and licensed by the Virginia Division of Motor Vehicles, the registration for which shows an address in the city, or (2) who operates on the streets of the city a motor vehicle, trailer or semi-trailer, registered and licensed by the Virginia Division of Motor Vehicles, the registration for which shows an address elsewhere in Virginia, and which vehicle has been in the city for a period of at least thirty days, or (3) who operates on the streets of the city a motor vehicle, trailer or semi-trailer, registered and licensed by another state, which vehicle has been in the city for a period of at least thirty days, or (4) who operates on the streets of the city a motor vehicle, trailer or semi-trailer from a place of business within the city, which vehicle is used in the conduct of any business or occupation within the city. Such license tax shall be at the rate set forth in section 22-238 through 22-242, and shall be for the purpose of providing revenue for the general fund of the city. Nothing in this section shall be construed as imposing a license tax on any vehicle not required to be licensed by section 46.1-45 et seq., Code of Virginia (1950), as amended, any vehicle exempted by section 46.1-66, Code of Virginia (1950), as amended, or any vehicle exempted by the Soldiers' and Sailors' Civil Relief Act, 50 U.S.C.A., Appendix § 574.

Sec. 22-235. When tax payable; application; issuance.

The license tax covered by section 22-234 of this Code shall be due and payable not later than May first of each license tax year and not earlier than February fifteenth, and shall be good until May first the following year. Application for the license prescribed by this article shall be made to the Director of Finance on forms providing for the name and address of the applicant and a description of the vehicle for which the license is to issued, and the license tax herein provided for shall be paid to the Director of Finance. At the time of application for the initial City registration of a motor vehicle, trailer or semi-trailer, the applicant shall present his state registration or other proof of ownership. Upon payment of the license tax, the Director of Finance shall issue to the applicant an appropriate license plate or license windshield tag for such vehicle. Application and payment shall be made (1) upon registering and licensing any motor vehicle, trailer or semi-trailer with the Virginia Division of Motor Vehicles when the registration for such vehicle shows

an address in the city, or (2) upon commencement of operation upon the streets of the city of any motor vehicle, trailer or semi-trailer, which vehicle has been in the city for a period of at least thirty days, and which vehicle is either registered and licensed by another state or by the Virginia Division of Motor Vehicles, the address for which is elsewhere in Virginia, or (3) upon commencement of operation upon the streets of the City of a motor vehicle, trailer or semi-trailer from a place of business within the city, which vehicle is used in the conduct of any business or occupation within the city.

Sec. 22-241. Tax on certain trailers.

The fee for the certificate of registration and license plates to be paid to the Director of Finance by the owner of a one or two wheel trailer of a cradle, flat bed or open pickup type, with a body length of not more than nine feet and a width not greater than the width of the motor vehicle to which it is attached at any time of operation, to be attached to the owner's own motor vehicle and used only for carrying property belonging to the owner of such trailer, which is pulled or towed by a passenger car or station wagon, or a pickup or panel truck having an actual gross vehicle weight not exceeding five thousand pounds, and which is used for carrying property not exceeding one thousand pounds at any one time, or any trailer having a body length of not more than sixteen feet which is designed and used exclusively for carrying boats, shall be three dollars and fifty cents. Nothing herein shall be construed as applying to the fees for trailers or semi-trailers designed for use as living quarters for human beings, or to those trailers or semi-trailers operated under lease or rental agreement, or operated for compensation.

Sec. 22-243. Transfer of plates and windshield tag.

Any owner who has paid a license tax required under this article for any motor vehicle, trailer or semi-trailer may transfer the license plate or license windshield tag to another vehicle listed in such owner's name, such as a like vehicle and category as specified in this article and which requires an identical license tax, upon application on forms furnished by the Director of Finance and presentation of such registration card for the vehicle, accompanied by a fee of one dollar, provided that if such other vehicle requires a greater license tax than that for which the license plate or license windshield tag was issued, the amount of the difference in license taxes between the two vehicles shall also be paid.

Sec. 22-244. Replacement of lost plates and tags.

Any person losing his original license plate or license windshield tag issued as provided in section 22-236 may secure a new license plate or license windshield tag by making affidavit to the Director of Finance that the original license plate or license windshield tag has been lost and the police department notified and by paying a fee of one dollar to the Director of Finance.

Sec. 22-245. Proration of license tax.

One-half of the annual license taxes prescribed by sections 22-238 through 22-242 shall be collected whenever any license plate or license windshield tag is issued during the period beginning on the first day of November in any year, and ending on the thirty-first day of January in the same license year, and one third of such license taxes shall be collected whenever any license plate or license windshield tag is issued after the thirty-first day of January in any license year; provided, however, that the license tax to be paid by the owner of any private motor vehicle, other than a motorcycle, designed and used for the transportation of passengers not for compensation, when the same is issued after the thirty-first day of October in any license year, shall be three dollars.

Sec. 22-246. Refund for unused portion of fee paid.

(a) Any person holding a current license receipt and license plate or license windshield tag who disposes of the vehicle for which they were issued and does not purchase another vehicle may surrender the license plate or license windshield tag and license receipt to the Director of Finance with a statement that the vehicle for which the license plate or license windshield tag was issued has been sold and request a refund for the unused portion of the fee paid.

(b) The Director of Finance shall cause to be refunded to the applicant one half of the total cost of the license plate or license windshield tag if application for such refund is made on or before the thirty-first day of October of the current license year, but such refund shall only be one third of such total cost when the application therefor is made subsequent to the thirty-first day of October of the current license year, but on or before the thirty-first day of January of the current license year. No refund shall be made when the application therefor is made after the thirty-first day of January of the current license year.

Sec. 22-247. Offenses relating to city license plate and windshield tag.

No person shall:

(a) Operate or permit a motor vehicle, trailer or semi-trailer, controlled by him to be operated upon the streets of the city without first procuring the license plate or license windshield tag required by this article.

(b) Display, cause or permit to be displayed or to have in his possession any license receipt, license plate or license windshield tag, knowing the same to be fictitious or to have been altered.

(c) Lend or knowingly to permit the use, by one not entitled thereto, of any license plate or license windshield tag.

(d) Use a false or fictitious name or address on any application for a license plate or license windshield tag or knowingly to make a false statement of a material fact or to conceal a material fact or otherwise commit a fraud in any such application.

(e) Use any license plate or license windshield tag issued under this article on any vehicle other than the vehicle for which such license plate or license windshield tag was issued or to which such license plate or license windshield tag was transferred by the Director of Finance.

(f) Fail to carry the license receipt for the vehicle which he operates. Upon a conviction of a violation of this subsection, he shall be punished by a fine of not less than one dollar nor more than ten dollars; provided, however, if any person, when summoned to appear before a court for failure to display his license receipt, upon such demand being made of him, shall present to the officer making such demand before the return date of the summons a proper license receipt or shall appear pursuant to such summons and produce before the court a proper license receipt, he shall be deemed to have complied with the provisions of this subsection.

(g) Display any license plate or license windshield tag after the expiration date of such license plate or license windshield tag. Upon a conviction of a violation of this subsection, he shall be punished by a fine not exceeding twenty dollars.

Section 2. That this ordinance shall be published in a newspaper of general circulation published 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.

CHARLES E. BEATLEY, JR.
Mayor

FINAL PASSAGE: OCTOBER 23, 1973