

ORDINANCE NO. 2298

AN ORDINANCE to amend and reordain the title and Sections 19-1, 19-2, 19-3, 19-4, 19-5, 19-6 and 19-9 of Chapter 19 and to further amend the aforesaid chapter by adding thereto a new section numbered 19-01 and to repeal Section 19-7 thereof, all of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 19 relates to JUNK DEALERS, SECONDHAND DEALERS, ETC., which Section 19-1 relates to PERMIT FOR ENGAGING IN BUSINESS OF CANVASSING FOR OR COLLECTING SECONDHAND MATERIALS--REQUIRED, which Section 19-2 relates to SAME--ISSUANCE; RENEWAL; REVOCATION, which Section 19-3 relates to RECORD OF TRANSACTIONS, which Section 19-4 relates to REPORTS TO POLICE, which Section 19-5 relates to ARTICLES TO BE RETAINED TEN DAYS AFTER REPORT, which Section 19 6 relates to POSSESSION, ETC., OF UNREPORTED STOLEN ARTICLES, which Section 19-9 relates to PERMIT REQUIRED FOR SALE OF SECONDHAND HEATING OR PLUMBING FIXTURES, ELECTRIC OR GAS FIXTURES, ETC.; EXCEPTIONS, which new Section 19-01 relates to ANTIQUE DEALER--DEFINITION and which repealed Section 19-7 relates to SEARCH FOR AND SEIZURE OF STOLEN GOODS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the title of Chapter 19 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:

CHAPTER 19

JUNK DEALERS, ANTIQUE DEALERS AND  
CANVASSERS.

Section 2. That Section 19-1, Chapter 19 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. 19-1. Permit for engaging in business of a junk dealer, antique dealer or canvasser--Required.

It shall be unlawful for any persons engaged in the business or occupation of a junk dealer as defined in section 54-825 of the Code of Virginia, a canvasser as defined in section 54-829 of the Code of Virginia or an antique dealer as defined in section 19-01 of this Code to pursue such business or occupation without first obtaining a permit therefor from the chief of police.

Section 3. That Section 19-2, Chapter 19 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. 19-2. Same--Issuance; renewal; revocation.

The chief of police may issue the permit referred to in the preceding section without cost to the applicant, and such permit shall be renewed annually. The chief of police may revoke or refuse a permit to any persons who has been convicted of stealing or receiving stolen goods or who has violated any provision of this chapter. The chief of police may refuse to issue a permit or may revoke a permit issued to any canvasser who fails to obtain a canvasser's license as required by section 54-829 of the Code of Virginia or to any junk dealer who fails to obtain a license as required by section 58-825 of the Code of Virginia.

Section 4. That Section 19-3, Chapter 19 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. 19-3. Record of transactions.

Every junk dealer, every antique dealer and every canvasser shall keep at his place of business, or carry with him while conducting business, a permanently bound book in which shall be legibly recorded with ink in the English language, at the time of each transaction within the Commonwealth of Virginia in the course of his business, an accurate account of such transaction, except as to the sale of goods by him and as to newspapers, magazines or other waste paper, rags, bones and clothing. The record shall set forth an accurate description of the goods, articles or things purchased, bartered, exchanged or received, the name, residence and description of the person selling, bartering or exchanging the same, the license number of the automobile in which the goods, articles or things were delivered and the permit number if the goods can be purchased, sold, bartered or exchanged only under a permit issued by the chief of police. The description of the person required by this section shall consist of the color, sex, approximate height, weight, date of birth, social security number and any distinguishing features of such person. Such book shall at all reasonable times be open to the inspection of any police officer of the city. It shall be unlawful for any person to fail to exhibit to any police officer of the city any record book required to be kept pursuant to this section.

Section 5. That Section 19-4, Chapter 19 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. 19-4. Reports to police.

Every junk dealer and every canvasser shall, every day except Sunday, deliver to the chief of police, on blank forms to be prescribed by the chief of police, a legible and accurate description of every article or thing required to be entered in a record book provided for under the preceding section during the next business day following the entry, the permit number under which the goods were received if a permit is required, the license number of any automobile or vehicle in which the goods or things were delivered, together with a description of the person selling, bartering or exchanging or receiving the same including the color, sex, approximate height, weight, date of birth, social security number and any distinguishing features, together with a reference to the volume and page number of the record book where the original entry required by the preceding section was made. Any antique dealer participating in an antique show within the city limits and who does not have a regular place of business within the city shall deliver to the chief of police the report required by this section within twenty-four (24) hours of the close of the antique show. It shall be unlawful for any person to fail or refuse to make a report as required by this section.

Section 6. That Section 19-5, Chapter 19 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. 19-5. Articles to be retained ten days after report.

No junk dealer or canvasser shall sell, melt, change the form of or dispose of any article received by him, of which he is required to make record and report under this chapter, within ten (10) days after such report.

Section 7. That Section 19-6, Chapter 19 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. 19-6. Prohibitions.

(a) No junk dealer, antique dealer or canvasser shall have in his place of business or in his possession, or shall have acquired and resold, bartered or exchanged, any article which is proved to have been stolen, the account and report of which he has not kept and reported as herein prescribed.

(b) It shall be unlawful for any junk dealer, antique dealer or canvasser in the course of his business or occupation to acquire, by purchase, barter, exchange or otherwise, any goods from juveniles.

(c) It shall be unlawful for any junk dealer, antique dealer or canvasser to acquire, by purchase, barter, exchange or otherwise, goods bearing evidence of a serial number which has been tampered with or scratched or obliterated in any manner unless such person immediately contacts the police department of the city.

Section 8. That Section 19-9, Chapter 19 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. 19-9. Permit required for sale of secondhand heating or plumbing fixtures, electric or gas fixtures, etc.; exceptions.

It shall be unlawful for any person to offer for sale, sell, barter or exchange any secondhand heating or plumbing fixtures or supplies, electric fixtures or wiring, gas fixtures or appliances, water faucets, pipes, locks, bathtubs, or any other secondhand fixtures of whatever kind or description pertaining to a building without first obtaining a permit for the sale or exchange of same from the chief of police. This section shall not be construed to apply to the sale of secondhand materials taken from premises occupied by the owner when sold by the owner on the premises nor shall it be construed to apply to the sale of such articles by a public service company at its place of business or to sales by a governmental agency.

Section 9. That Chapter 19 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 19-01 to read as follows:

Sec. 19-01. Antique dealer--Definition.

For the purpose of this chapter, the term "antique dealer" shall mean any person who engages in the business or occupation of selling, bartering or exchanging any painting, furniture, china or other object painted or made more than fifty (50) years prior to the date of sale which is valuable primarily by reasons of age, scarcity or the skill and craftsmanship of the artist or artisan.

Section 10. That Section 19-7, Chapter 19 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 11. That the title of and an informal memorandum explaining 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk 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: NOVEMBER 14, 1978