

ORDINANCE NO. 2864

AN ORDINANCE to repeal subsections (58) and (73) of subsection (a) and subsection (a.1), Section 9-1-75, Section 9-1-76.1 and subsection (b), Section 9-1-78, Article C; and to amend Article B, Chapter 1, Title 9 of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new section numbered 9-1-60; which Title 9 relates to LICENSING AND REGULATION, which Chapter 1 relates to BUSINESS LICENSES, which Article C relates to NONREGULATORY LICENSES, which Article B relates to REGULATORY LICENSES, which Section 9-1-75 relates to RETAIL MERCHANTS--GENERALLY, which subsection (a) relates to RATE OF LICENSE TAX, which subsection (58) formerly related to PEDDLERS, HAWKERS OR HUCKSTERS, which subsection (73) formerly related to TRANSIENT DEALERS, which subsection (a.1) formerly related to MAXIMUM TAX RATE FOR PEDDLERS AT RETAIL, which Section 9-1-76.1 formerly related to SALES BY PEDDLERS UPON PUBLIC LANDS OF ANY PUBLIC PARK, SQUARE OR PLAYGROUND, which Section 9-1-78 relates to WHOLESALE MERCHANTS, which subsection (b) relates to MAXIMUM TAX RATE FOR PEDDLERS AT WHOLESALE and which new Section 9-1-60 relates to PEDDLERS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsections (58) and (73), subsection (a), Section 9-1-75, Article C, Chapter 1, Title 9 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby are repealed.

Section 2. That Section 9-1-76.1, Article C, Chapter 1, Title 9 of The Code of The City of Alexandria, Virginia, 1981, as amended, be and the same hereby is repealed.

Section 3. That subsection (b), Section 9-1-78, Article C, Chapter 1, Title 9 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is repealed.

Section 4. That Article B, Chapter 1, Title 9 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding a new section numbered 9-1-60 to read as follows:

Sec. 9-1-60. Peddlers.

(a) The term "peddler" as used in this section shall mean any person who shall carry from place to place any goods, wares or merchandise and offer to sell or barter the same. All persons who do not keep a regular place of business, whether it be a house or a vacant lot or elsewhere, open at all times in regular business hours and at the same place, who shall offer for sale goods, wares and merchandise, shall be deemed peddlers. All

persons who keep a regular place of business open at all times in regular business hours and at the same place, who shall, elsewhere than at such regular place of business, personally or through their agents, offer for sale or sell and, at the time of such offering for sale, deliver goods, wares and merchandise shall also be deemed peddlers.

(b) Every person engaged in the business of a peddler at retail within the city shall pay for the privilege an annual license tax as follows:

(1) Every retail peddler who sells only consumable items in the city shall be taxed for a business license at \$250.00 per each selling unit.

(2) Every retail peddler who sells only non-consumable items in the city shall be taxed for a business license at \$500.00 per each selling unit.

(3) Every retail peddler who sells consumable and non-consumable items in the city shall be taxed for a business license at \$500.00 per each selling unit.

(c) The license tax imposed under this section shall not be prorated, notwithstanding the provisions of sections 9-1-16 and 9-1-20.

(d) It shall be unlawful for any person to sell or offer for sale any goods, wares or merchandise or otherwise engage in the business of a peddler upon the lands or premises of any public park, public square or public playground within the city, except merchants or vendors registered and approved by a city agency sponsoring a special event or by the holder of a permit for use of the park, square or playground for a special event, which permit authorizes the holder to sell goods, wares or merchandise at such event, and except any other person authorized to do so pursuant to a franchise, lease or contract granted by the city.

Section 5. 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 January 1, 1984.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: October 25, 1983