

ORDINANCE NO. 3734

AN ORDINANCE to amend and reordain Section 9-8-23 (REVOCATION), of Chapter 8 (JUNK DEALERS, ANTIQUE DEALERS, CANVASSERS, PAWNBROKERS AND DEALERS IN SECONDHAND ARTICLES, PRECIOUS METALS OR GEMS), Title 9 (LICENSING AND REGULATION) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 9-8-23 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 9-8-23 Revocation.

(a) Any permit issued to an established dealer under the provisions of this article may be revoked by the chief of police after notice and hearing if the chief of police finds that such person has knowingly violated any provision of this article. A seven-day written notice of the hearing stating the reasons for the proposed revocation shall be mailed, postage prepaid, to the permit holder at the business address appearing on the permit application, or if there be none, to the residence address, appearing thereon.

(b) Said notice shall set forth the grounds of the proposed revocation and the time and place of the hearing. At the hearing, the permit holder may be represented by counsel, may cross-examine witnesses and may present evidence in his favor.

(c) In the case of an itinerant dealer, the chief of police may forthwith revoke such permit if the chief of police finds that such person has knowingly violated the provisions of this article. An itinerant dealer who has had his or her permit revoked by the chief of police may demand notice and hearing as described above within 48 hours of the next business day following revocation. At such hearing, the itinerant dealer shall be afforded all of the rights and privileges described above.

(d) Appeals from the decision of the chief of police shall be made in accordance with section 9-8-24.

(e) Any dealer who has received written notice of a revocation hearing pursuant to this section shall be ineligible to apply, pursuant to section 9-8-13, for issuance of a permit until the revocation proceeding has concluded. Any dealer whose permit has been revoked by the chief of police in accordance with this section shall be ineligible to apply, pursuant to section 9-8-13, for issuance of a new permit for a period of 12 months following the date that the revocation becomes final.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

PATRICIA S. TICER
Mayor

Final Passage: June 18, 1994