

ORDINANCE NO. 3954

AN ORDINANCE to amend and reordain Section 3-2-334 (PRORATION OF LICENSE TAX) and Section 3-2-336 (OFFENSES RELATING TO LICENSE PLATE, WINDSHIELD TAG AND DECAL), of Article R (LICENSE TAX ON MOTOR VEHICLES, TRAILERS AND SEMITRAILERS), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT), and to amend and reordain Section 10-4-37.1 (ENFORCEMENT OF THE NORTHERN VIRGINIA LOCAL MOTOR VEHICLE LICENSE COMPACT) of Chapter 4 (STOPPING, STANDING AND PARKING), Title 10 (MOTOR VEHICLES AND TRAFFIC), all of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-334 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. 3-2-334 Proration of license tax.

(a) Three-quarters of the annual license tax prescribed by sections 3-2-327 through 3-2-331 of this article shall be collected whenever any license plate, license windshield tag or decal is issued between January 1 and March 31 of a license period, one-half of such license tax shall be collected whenever any license plate, license windshield tag or decal is issued between April 1 and June 30 in any license period, and one-fourth of such license tax shall be collected whenever any license plate, license windshield tag or decal is issued after July 1 of a license period; provided, that the minimum prorated tax shall be \$1.

(b) Notwithstanding the provisions of subsection (a), if a license tax has been paid for a license period to the county of Arlington, Fairfax or Loudoun, the city of Fairfax or Falls Church, or the town of Herndon, jurisdictions which are participating in the Northern Virginia Local Motor Vehicle License Compact, and the vehicle relocates to the city during the period, the owner may obtain a city decal for the current license period by completing the forms prescribed by the director of finance and presenting the state vehicle registration and pieces of the previously issued license decal, accompanied by a fee of \$5.

Section 2. That Section 3-2-336 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. 3-2-336 Offenses relating to license plate, windshield tag and decal.

(a) No person shall:

(1) operate or permit a motor vehicle, trailer or semitrailer, controlled by him and subject to this article, to be operated or parked at any location in the city without first procuring and displaying the required city license plate, license windshield tag or decal or, if applicable, the license plate, license windshield tag or decal required by the county of Fairfax, Arlington or Loudoun, the city of Fairfax or Falls Church, or the town of Herndon, pursuant to the Northern Virginia Local Motor Vehicle License Compact and section 10-4-37.1 of this code;

(2) display, cause or permit to be displayed, or have in his possession, any license receipt or city license plate, license windshield tag or decal, knowing the same to be fictitious or to have been altered;

(3) lend or knowingly permit the use, by one not entitled thereto, of any city license plate, license windshield tag or decal;

(4) use a false or fictitious name or address on any application for a city license plate, license windshield tag or decal, or knowingly make a false statement of a material fact, conceal a material fact or otherwise commit a fraud in any such application;

(5) use any city license plate, license windshield tag or decal issued under this article on any vehicle other than the vehicle for which such license plate, license windshield tag or decal was issued or to which such license plate, license windshield tag or decal was transferred by the director of finance;

(6) fail to carry the license receipt for the vehicle which he operates; or

(7) display any city license plate, license windshield tag or decal after the expiration date of such license plate, license windshield tag or decal.

(b) Upon conviction of a violation of subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5) or (a)(7) of this section, a person shall be punished by a fine not exceeding \$35; provided, that a violation of subsection (a)(1), (a)(2), (a)(5) or (a)(7), or of sections 10-4-37 and 10-4-37.1 of this code, shall not be discharged unless payment of the requisite fine is accompanied by satisfactory evidence that the required city license plate, windshield tag or decal has been obtained. Upon conviction of a violation of subsection (a)(6), a person shall be punished by a fine of not less than \$1 and not more than \$10; provided, that if a person charged with such a violation presents to the department of finance or to the court to which the person has been summoned a proper license receipt, the person shall be deemed to have complied with subsection (a)(6).

(c) Subsection (a) of this section may be enforced through the issuance of citations, summonses, parking tickets or uniform traffic summonses.

Section 3. That Section 10-4-37.1 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. 10-4-37.1 Enforcement of the Northern Virginia Local Motor Vehicle License Compact.

Pursuant to section 46.2-752(K) of the Code of Virginia (1950), as amended, and the Northern Virginia Local Motor Vehicle License Compact entered into by the city and the counties of Fairfax, Arlington and Loudoun, the cities of Fairfax and Falls Church, and the town of Herndon ("Participating Jurisdictions"):

(a) It shall be unlawful for any person required by any Participating Jurisdiction to procure and display a local motor vehicle license to operate or park the unlicensed motor vehicle at any location in the city, without having procured the required license and displayed it upon the vehicle.

(b) Any vehicle exempt in all of the Participating Jurisdictions from imposition of the license tax under section 46.2-755(A) of the Code of Virginia (1950), as amended, is exempt from the provisions of this section.

(c) A violation of this subsection shall not be discharged unless payment of the requisite fine is accompanied by satisfactory evidence that the required license has been obtained.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction: 10/14/97
First Reading: 10/14/97
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