

## ORDINANCE NO. 158

AN ORDINANCE to make it unlawful for any person to drive or operate any automobile or other motor vehicle, engine or train while under the influence of alcohol, brandy, rum, whiskey, gin, wine, beer, larger beer, ale, porter, stout, or any other liquid, beverage or article containing alcohol, or under the influence of any narcotic drug, or any other self-administered intoxicant or drug of whatsoever nature; to prescribe penalties for violations thereof, and to require convictions thereunder to be reported to the Director of the Division of Motor Vehicles.

BE IT ORDAINED by the Council of the City of Alexandria, Virginia:

1. It shall be unlawful for any person to drive or operate any automobile or other motor vehicle, car, truck, engine, or train in the City of Alexandria while under the influence of alcohol, brandy, rum, whiskey, gin, wine, beer, larger beer, ale, porter, stout, or any other liquid, beverage or article containing alcohol or while under the influence of any narcotic drug, or any other self-administered intoxicant or drug of whatsoever nature.

2. Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, punishable by a fine of not less than one hundred dollars nor more than one thousand dollars or imprisonment for not less than one month nor more than six months, either or both in discretion of jury or court trying same, for a first offense, and the court may, in its discretion, suspend the sentence during the good behavior of the person convicted. Any person convicted of a second, or other subsequent offense under this ordinance shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars and by imprisonment for not less than one month nor more than twelve months, and no court shall suspend the sentence in any such case.

3. The judgment of conviction, if for a first offense under this ordinance, shall of itself operate to deprive the person convicted, of the right to drive or operate any such vehicle, conveyance, engine or train in this State or in the City of Alexandria for a period of one year from the date of such judgment, and if for a second or other subsequent offense, for a period of three years from the date of the judgment of conviction thereof. If any person has heretofore been convicted of violating any similar act of this State or ordinance of the City of Alexandria and thereafter is convicted of violating the provisions of section one of this ordinance, such conviction shall for the purpose of this ordinance be a subsequent offense and shall be punished accordingly. If any person so convicted shall, during the time for which he is deprived of his right so to do, drive or operate any such vehicle, conveyance, engine or train in this City, he shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars nor more than one thousand dollars and by imprisonment for not less than one month nor more than twelve months, and no court shall suspend the sentence in any such case.

4. The Clerk of Court and the Civil and Police Justice, shall, within thirty days after final conviction of any person in his court under this ordinance report the fact thereof and the name, post office address and street address of such person, together with the license plate number on the vehicle operated by such person, to the Director of the Division of Motor Vehicles, who shall preserve a record thereof in his office.

5. All ordinances or parts thereof in conflict herewith are hereby repealed.

6. This ordinance shall take effect on the day following its publication in the Alexandria Gazette.

Approved this 31st day of July, 1934.

EDMUND F. TICER, Mayor.