

## ORDINANCE NO. 185

AN ORDINANCE to amend Sections 76 and 77 of Ordinance No. 170 of the City of Alexandria, approved January 17, 1935, entitled, "An Ordinance Imposing Taxes on Licenses for Municipal Purposes for the year commencing January 1, 1935, and each year thereafter," as amended.

BE IT ORDAINED by the Council of the City of Alexandria, Virginia, that Section 76 and Section 77 of Ordinance No. 170 of the City of Alexandria, approved January 17, 1935, be repealed and re-enacted to read as follows, to-wit:

Section 76. Peddlers, Hawkers and Hucksters. (a) Each person, firm or corporation who shall carry from place to place, any goods, wares or merchandise, and who shall peddle, hawk, sell, offer to sell, barter the same, with or without the use of vehicles, shall be deemed to be a peddler, hawker and/or huckster, and any person, firm or corporation licensed under this section, may peddle, hawk, sell, offer to sell or barter, with or without the use of vehicles, any personal property a merchant may sell, as provided elsewhere in this ordinance, or he or it may exchange the same for other articles; provided, however, that nothing in this section shall be construed to require the payment of a license tax by persons, firms or corporations peddling farm and domestic products, including flowers, ice, milk, butter, cream, bakery products and eggs, produced, grown, or manufactured by themselves and not purchased by them for sale; and provided further that in all cases, except in peddling ice, milk or bakery products manufactured or produced by such peddlers and not purchased for sale, such peddling shall be done outside of and not within the limits of the regular market house spaces and sheds of the city. (b) Each peddler, hawker or huckster who shall carry from place to place any goods, wares or merchandise, except gasoline and/or oil, and ice, wood, meat, milk, butter, eggs, poultry, oysters, game, vegetables, fruits or other family supplies of a perishable nature, and sells, offers to sell or barter the same shall pay a license tax of \$100.00 for each person, so engaged or employed, when such person travels on foot; when vehicles are used, there shall be paid an additional license tax of \$100.00 for each vehicle so used. The whole license tax assessed in this sub-section shall be paid in one sum at the time the license is issued and the same shall not be prorated or transferred. (c) Each peddler,

hawker or huckster who shall carry from place to place, meat, butter, eggs, poultry, oysters, game, vegetables, fruits or other family supplies of a perishable nature, not grown or produced by such peddler, hawker or huckster, and sell, offers to sell or barter the same shall pay a license tax of \$50.00, and when more than one vehicle is used, there shall be paid an additional license tax of \$50.00 on each vehicle, more than one, so used. The whole license tax assessed shall be paid in one sum at the time the license is issued and the same shall not be prorated or transferred.

Section 77. Every person, firm or corporation (other than a distributor or vendor of motor vehicle fuels and petroleum products, a farmer, a dealer in forest products or a manufacturer taxable on capital by the State of Virginia), who or which shall sell and deliver at the same time, or offer to sell, in the City of Alexandria, other than at a definite place of business, goods, wares, manufactured products or merchandise to licensed dealers or retailers, shall pay a license tax of \$50.00 for each vehicle so used in the conduct of said business, the whole of which license tax shall be paid in one sum at the time the license is issued and shall not be prorated or transferred.

A peddler, within the meaning of this act, is any person, firm, or corporation who or which, at other than a definite place of business operated by the seller, shall sell, or offer to sell, goods, wares or merchandise to licensed dealers or retailers, and at the time of such sale or exposure for sale, shall deliver, or offer to deliver, the goods, wares, or merchandise to the buyer, and any delivery made on the day of sale shall be construed as equivalent to delivery at the time of sale.

Every person, firm or corporation claiming exemption from the provisions of this act on the ground that he or it is delivering goods, wares or merchandise previously sold to the customer, shall, upon request of any police, tax or revenue officer, furnish evidence of his or its claims other than his or its mere statement, which evidence may be an invoice or signed order describing the goods, wares or merchandise involved, and the amount and price thereof, and failure to furnish such evidence shall be sufficient ground for charging the person operating the vehicle with a violation of this section; and in any prosecution for a violation of this section, the claim aforesaid must be corroborated by satisfactory evidence.

Section 2. This ordinance shall take effect immediately upon its passage.

Approved this 13th day of May, 1935.

E. C. DAVISON, Mayor.