

ORDINANCE 434

An ORDINANCE to repeal and re-enact Section 15 of Chapter 31 of The Code of The City of Alexandria, enacted as a whole July 2, 1940 and made effective August 5, 1940, as the Section was re-enacted by Ordinance No. 356, relating to junk dealers, second-hand dealers, canvassers, and certain second-hand materials.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA AS FOLLOWS:

Section 1. That Section 15 of Chapter 31 of The Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as the section was re-enacted to read as follows:

Sec. 15. Junk Dealers, Second-Hand Dealers, Canvassers, and certain second-hand materials.

(a) Every junk dealer, every dealer in second-hand personal property including antique dealers, and every person engaged in canvassing or collecting second-hand materials for resale, barter or exchange shall keep at his place of business, or carry with him if he is a canvasser or collector, a permanently bound book or books in which shall be legibly recorded with ink in English at the time of each transaction in the course of his business an accurate account of such transaction except as to newspapers, magazines or other waste paper, rags and bones. The account shall set forth an accurate description of the goods, articles, or things purchased, sold, bartered, exchanged, or received, the name, residence, and description of the person selling, purchasing, bartering, exchanging, or receiving the same, the license number of the automobile or vehicle in which the goods, articles, or things were delivered or received, the permit number if the goods can be purchased, sold, bartered, or exchanged only under a permit issued by the Chief of Police. The description of the person required by this section shall consist of the color, sex, approximate height, age, and any distinguishing feature of such person.

Every junk dealer, every second-hand dealer in personal property including antique dealers, and every person engaged in canvassing or collecting second-hand materials for resale, barter or exchange shall every day except Sunday before the hour of noon deliver to the Chief of Police of Alexandria on blank forms to be prescribed by the Chief of Police a legible and accurate description of every article or thing by this section required to be entered in an account book during the business day next preceding, the permit number under which the goods were received if a permit is required, the license number of any automobile or vehicle in which the goods or things were delivered, together with a description of the person selling, purchasing, bartering, exchanging or receiving the same including

the color, sex, approximate height, age, and any distinguishing features, together with a reference to the volume and page number where the original entry required by this section was made.

The books required by this section shall at all reasonable times be open to the inspection of any police officer of Alexandria, and any sergeant or deputy sergeant thereof.

If any junk dealer, second-hand dealer, in personal property including antique dealers or person canvassing or collecting second-hand materials for resale, barter or exchange shall have in his place of business or in his possession, or shall have acquired and resold, bartered or exchanged, any article which is proved to have been stolen the account and report of which he has not kept and reported as herein prescribed, he shall be punished as provided in paragraph "B" hereof.

Any police officer, sergeant or deputy sergeant of the City may search any premises regulated by this section and take possession of any article known by him to be missing or known or believed by him to be stolen without the formality of process, in same manner as provided by state law.

No junk dealer, second-hand dealer in personal property including antique dealers, or person engaged in canvassing or collecting second-hand materials for resale, barter or exchange, shall sell, melt, change the form of or dispose of any article received by him, of which he is by this section required to make record and report, within ten days after such report.

(b) It shall be unlawful for any person, firm, or corporation to buy, barter, purchase, or exchange, or accept from any person whomsoever (except plumbers, the owner or owners of buildings from which the material is taken, railroad, industrial, manufacturing and public utility companies, or the authorized agents of such companies, lawful owners, junk dealers, licensed in this city and by the state of Virginia) any second-hand steel, copper, copper wire, aluminum, aluminum wire, brass, brass bearings or fittings, electric light or gas fixtures, locks or other building hardware, lead or brass water pipes or any part of such fixtures or pipes, wire, cable, lead, solder, iron used by or belonging to a railroad, telephone, telegraph, industrial, manufacturing or public utility company.

(c) It shall be unlawful for any person, firm, or corporation to offer for sale, sell, barter or exchange any second-hand heating or plumbing fixtures or supplies, electric fixtures or wiring, gas fixtures or appliances, water faucets, pipes, locks, bath tubs, or any other second-hand fixtures of whatever kind or description pertaining to a building without first obtaining a permit for the sale or exchange of same from the Chief of Police of Alexandria. The provisions of this paragraph shall not apply to the sale of second-hand materials taken from premises occupied by the owner when sold by the owner on said premises; neither shall it apply to the sale of such articles when sold by a public utility company at its place of business nor to a governmental agency.

(d) It shall be unlawful for any person, firm or corporation engaged in the business or occupation of canvassing or collecting second-hand materials including antiques for resale, barter or exchange to pursue such business or occupation without first obtaining a permit from the Chief of Police of Alexandria. The Chief of Police may issue such permit without cost to the applicant, and the permit shall be renewed annually; provided, the Chief of Police may revoke or refuse a permit to any person who has been convicted of stealing or receiving stolen goods or who has violated any provision of this ordinance; and provided further, that the Chief of Police may refuse to issue a permit or may revoke a permit issued to any such canvasser or collector who fails to obtain a canvassers license under the state law.

(e) Every junk dealer shall erect and maintain in good state of repair around all open enclosures where his business or any part thereof is carried on tight board fences at least eight feet high which shall be painted an appropriate color on the outside, or by a superior type of enclosure, such as brick wall, etc. All activities in connection with the junk business shall be conducted within such enclosures. The burning of rags, junk and other materials giving off smoke or unpleasant odors is hereby prohibited in such enclosures or elsewhere in the City of Alexandria.

(f) Any person, firm, or corporation violating any of the provisions of this section, or who shall refuse to exhibit any book required to be kept to any police officer of Alexandria, sergeant or deputy sergeant, or who shall fail or refuse to make a correct report as required by this section, shall be fined not less than fifty dollars nor more than one hundred dollars, and for any second or subsequent offense not less than one hundred dollars nor more than three hundred dollars and by confinement in jail for a period not exceeding three months.

Section 2. That this ordinance shall become effective on the day after its publication in the Alexandria Gazette.

William T. Wilkins
Mayor.

February 27, 1945