

Ordinance No. 574

AN ORDINANCE to amend and reenact Section 55, and to add a Section numbered 55-A, Chapter 7, of the Code of the City of Alexandria, Virginia enacted as a whole July 2, 1940 and made effective August 5, 1940, as said Chapter 7 is amended by Ordinance No. 521, adopted January 31, 1948 which said Chapter relates generally to City license taxes, and which said Sections 55 and 55-A relate to slot or coin operated machines.

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

Section 1. That Section 55, Chapter 7, of the Code of the City of Alexandria, Virginia enacted as a whole July 2, 1940 and made effective August 5, 1940, as said Chapter 7 is amended by Ordinance No. 521 adopted January 31, 1948, be and the same hereby is amended and reenacted to read as follows:

Sec. 55. Slot Machines.

(a) Any person having anywhere in the city a slot machine of any description into which are inserted nickels or coins of larger denominations to dispose of articles of merchandise, or for the purpose of operating devices that operate on the coin-in-the-slot principle, used for gain, except a pay telephone, shall pay for the privilege of having each such slot machine or device, as the case may be, a license tax of \$35.00 per year; except as follows:

On each coin operated musical machine or musical device that operates on the coin-in-the-slot principle there is hereby levied a license tax of \$10.00 per year for each such machine or device.

On such vending machines as are used solely for the sale of agricultural products, soft drinks, or cigars, there is hereby levied a license tax of \$5.00 per year for each machine.

On such vending machines as are used solely for the sale of candy and operated on the premises of moving picture or other theatres, there is hereby levied a license tax of \$10.00 per year for each machine.

On such vending machines as are used for the sale of candy and operated on the premises of any person conducting any other lawful business other than a theatre there is levied a license tax of \$15.00 per year for each such machine.

On such vending machines operated on premises for which a state tobacco retailer's license has been obtained and used solely for the sale of cigarettes, there is hereby levied a license tax of \$5.00 per year for each machine plus \$0.29 for each \$100.00 of the gross receipts taken through each such machine.

On such machines used solely for selling shoe strings, chewing gum, peanuts, peanut candy or postage stamps and for weighing machines, there is hereby levied a license tax of \$5.00 per year for each machine.

On miniature pool tables, in the operation of which nickels or coins of larger denominations are used, there is hereby levied a license tax of \$15.00 per year for each such table.

On amusement machines operated by insertion of one cent, there is hereby levied a license tax of \$20.00 per year for each such machine.

On vending machines operated by the insertion of one cent, there is hereby levied a license tax of \$3.00 per year for each machine.

Nothing in this section shall apply to slot machines used solely for the purpose of selling individual sanitary drinking cups or sanitary drinking cups and natural water, or to machines vending sanitary napkins, or to washing machines.

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Nothing in this section shall be construed to permit the licensing of any slot machine which is unlawful to have, operate or keep under the provisions of state law.

(b) Every person selling, leasing, renting of otherwise furnishing a slot machine or slot machines to others, or placing a slot machine or slot machines with others, shall be deemed to be a slot machine operator.

Every slot machine operator, as herein defined, shall pay for the privilege of doing business in the city an annual license tax of \$1000.00. The license tax imposed by this paragraph is not in lieu of, but in addition to the other license taxes imposed by this section; provided that the slot machine operator's license imposed by this paragraph shall not apply to operators of weighing machines, automatic baggage or parcel checking machines, or to vending machines so constructed as to do nothing but vend merchandise, postage stamps, or to machines which provide service only, or to musical machines or devices, or to viewing machines or photomat machines.

(c) On every coin-operated radio installed in a hotel room, hospital room, or other place or in booths or on tables or counters in eating places, there is hereby levied an annual license tax of \$3.00 on each radio. If the radio installation is so arranged that more than one radio mechanism is assembled in one cabinet, each such mechanism shall be construed a separate radio under this paragraph.

(d) Every machine licensed under this section or under Section 55-A of this chapter which is operated electrically shall be approved by National Board of Fire Underwriters, and any person causing the operation or permitting the operation of a machine in violation of this paragraph shall be punished as provided in Section 23 of this Chapter.

Section 2. That Chapter 7, of the Code of the City of Alexandria, Virginia enacted as a whole July 2, 1940 and made effective August 5, 1940, as said Chapter 7 is amended by Ordinance No. 521 adopted January 31, 1948, be and the same hereby is amended by adding the following section numbered 55-A to read as follows:

Sec. 55-A. Same; merchants placing vending machines.

Every person engaged in the business of selling goods, wares and merchandise in the city through the use of coin-operated vending machines and who gives the required bond and receives a state license under the provisions of section 190 of the Tax Code of Virginia shall pay for the privilege of doing business in the city an annual license tax of \$35.00 plus \$0.29 for each \$100.00 of the gross receipts taken through such vending machines.

The license taxes imposed by this section shall be in lieu of any specific city license tax on the individual machines so used.

This section shall not apply to any vending machine upon which the license tax has been paid under the provisions of Section 55 of this Chapter.

Section 3. That this ordinance shall be published in The Alexandria Gazette, and it shall become effective the day after its publication. The clerk of the council shall note on the minutes the time of publication.

WILLIAM T. WILKINS
Mayor

Adopted March 8, 1949. Published March 17, 1949.