

PROPOSED ORDINANCE

Proposed by: Town Attorney

Section 1: The Town Code, Chapter 10, Offenses, Miscellaneous, Article 3 – Offenses Against Property, Section 10-7, Concealment of merchandise on premises of store—Generally, is amended to include newly enacted State law monetary amounts and to read as follows:

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VIENNA, VIRGINIA THAT:

Section 1: The Town Code, Chapter 10, Offenses, Miscellaneous, Article 3 – Offenses Against Property, Section 10-7, Concealment of merchandise on premises of store—Generally, is amended to include newly enacted State laws and to read as follows:

Sec. 10-7. - Concealment of merchandise on premises of store—Generally.

Whoever, without authority, with the intention of converting goods or merchandise to his own or another's use without having paid the full purchase price thereof, or of defrauding the owner of the value of the goods or merchandise, willfully conceals or takes possession of the goods or merchandise of any store or other mercantile establishment, or alters the price tag or other price marking on such goods or merchandise, or transfers the goods from one container to another, or counsels, assists, aids or abets another in the performance of any of the above acts, when the value of the goods or merchandise involved in the offense is less than ~~\$200.00~~ **\$500.00**, shall be guilty of petit larceny and, when the value of the goods or merchandise involved in the offense is ~~\$200.00~~ **\$500.00** or more, shall be guilty of grand larceny. The willful concealment of goods or merchandise of any store or other mercantile establishment, while still on the premises thereof, shall be prima facie evidence of an intent to convert and defraud the owner thereof out of the value of the goods or merchandise.

State Law reference— Similar state law, Code of Virginia, § 18.2-103.

Section 2: This Ordinance shall become effective ten (10) days following notice of adoption by the Town Council.

Passed and approved this _____ day of _____, 2019.

Laurie A. DiRocco, Mayor

ATTEST:

Town Clerk

c:SDB\Ordinances\Sec 10 7 Concealment Amendment 2019