

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

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To amend, on a temporary basis, An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia to provide the Mayor with rulemaking and enforcement authority over the outdoor display of signs in the District; to amend the Construction Codes Approval and Amendments Act of 1986 to remove the regulation of exterior signs from the Construction Codes, and to repeal provisions that reference non-existent model building codes, Gallery Place sign rulemaking, and a long-dormant advisory Council; and to make conforming amendments to the Litter Control Administration Act of 1985, the District of Columbia Bus Shelter Act of 1979, section 25-763(f) of the District of Columbia Official Code, and section 7 of Chapter 150 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth nineteen hundred and fourteen, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sign Regulation Temporary Amendment Act of 2012”.

Sec. 2. An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 1-303.21) is amended to read as follows:

Note,
§ 1-303.21

“(a) The Mayor shall issue, amend, repeal and enforce rules governing the hanging, placing, painting, display, and maintenance of signs on public space owned or controlled by the District and on private property within public view within the District. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved.

“(b) The rules shall, at a minimum:

“(1) Determine the types of signs that shall be allowed and prohibited and

establish permit requirements for signs where appropriate;

“(2) Establish standards for the location, size, and illumination of different types of signs;

“(3) Allow for the display of signs that contribute to a healthy business environment and civic communication while protecting the health, safety, convenience, and welfare of the public, including protection of the appearance of outdoor space throughout the District;

“(4) State the specific requirements for large signs and billboards;

“(5) Establish standards for signs on historic sites or in historic areas;

“(6) Provide structural requirements for signs to ensure their safety;

“(7) Ensure compliance with federal highway requirements;

“(8) Provide for the creation of Designated Entertainment Areas to allow for the display of additional signs; and

“(9) Establish permit fees and fines and other penalties for violations of the sign rules.”.

(b) A new section 1a is added to read as follows:

Note,
§ 1-303.21

“Sec. 1a. Adjudication of infractions of the rules issued pursuant to section 1 shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective July 16, 1985 (D.C. Law 6-42; D.C. Official Code § 8-801.01 *et seq.*) (“Civil Infractions Act”), and the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801 *et seq.*) (“Litter Control Act”), as applicable. The Mayor may, through rulemaking, establish a schedule of fines and penalties for infractions of these rules that are separate from the fines and penalties imposed under the Civil Infractions Act and the Litter Control Act. These rules shall be subject to Council review and approval as described in section 1.”.

(c) Section 2 (D.C. Official Code § 1-303.22) is repealed.

Note, Repeal
§ 1-303.22

(d) Section 4 (D.C. Official Code § 1-303.23) is amended to read as follows:

Note,
§ 1-303.23

“Sec. 4. (a) In addition to the remedies applicable under section 1a, the Mayor may summarily abate a violation of rules issued under section 1 if the violation presents a hazard to the public. In these circumstances, the permit holder and the owner of the property where the sign is displayed shall be entitled to an expedited hearing within 72 hours after the abatement.

“(b) Unauthorized signs and signs that are otherwise out of compliance with rules issued under section 1 shall be removed within 10 days after the permit holder, or the owner or occupant of the premises where the sign is displayed, receives a written notice of violation from the Mayor. The owner and occupant of the premises where the sign is displayed and the permit holder shall be responsible for removing the sign and may be held responsible for any penalties imposed for the violation. If the owner, occupant, or permit holder fails to remove the sign within the 10-day period and fails to request a hearing, the Mayor may remove the sign and the owner, occupant, and permit holder shall be responsible for the costs of the removal.”.

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Sec. 3. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

- (a) Section 4(a)(1) (D.C. Official Code § 6-1403(a)(1)) is amended by striking the phrase “signs, advertising devices” and inserting the phrase “interior signs, advertising devices” in its place. Note,
§ 6-1403
- (b) Section 4a (D.C. Official Code § 6-1403.01) is repealed. Note, Repeal
§ 6-1403.01
- (c) Section 10 (D.C. Official Code § 6-1409) is amended by repealing subsections (a-1) and (b). Note,
§ 6-1409
- (d) Section 10a (D.C. Official Code § 6-1410) is repealed. Note, Repeal
§ 6-1410
- (e) Section 10b (D.C. Official Code § 6-1411) is repealed. Note, Repeal
§ 6-1411

Sec. 4. Section 3(a)(1) of the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-802(a)(1)), is amended as follows: Note,
§ 8-802

- (a) Strike the phrase “of 1988,” and insert the phrase “of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Official Code § 8-1001 *et seq.*),” in its place.
- (b) Strike the phrase beginning with “, and a number of rules” through the end of the paragraph and insert the phrase “a number of rules recorded in §§ 2221.6, 2407.12, and 2407.13 of 18 DCMR, §§ 101, 102, 103, 104, 900.7, 900.8, 900.10, 1000, 1001, 1002, 1005, 1008, 1009, 2000, 2001, 2002, and 2010 of 24 DCMR, and any rules relating to signs on public space issued pursuant to section 1 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21).” in its place.

Sec. 5. Section 10 of the District of Columbia Bus Shelter Act of 1979, effective May 10, 1980 (D.C. Law 3-67; D.C. Official Code § 9-1159), is repealed. Note,
§ 9-1159

Sec. 6. Section 25-763(f) of the District of Columbia Official Code is amended by striking the phrase “the regulations contained in Chapter 31 of Title 12 of the District of Columbia Municipal Regulations.” and inserting the phrase “section 1 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21), and any rules issued pursuant to that section.” in its place. Note,
§ 25-763

Sec. 7. Section 7 of Chapter 150 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code § 42-1801), is repealed. Note, Repeal
§ 42-1801

Sec. 8. Any order, rule, or regulation in effect under a law replaced by this act shall remain in effect until repealed, amended, or superseded.

Sec. 9. Applicability

Sections 3, 4, 5, 6, and 7 shall apply upon the Mayor's issuance of a comprehensive final rulemaking governing signs on public space and private property pursuant to section 2.

Sec. 10. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 11. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia