

# ENROLLMENT(S)

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**COUNCIL OF THE DISTRICT OF COLUMBIA**


**NOTICE**

**D.C. LAW 11-163**

**"Vending Site Lottery Assignment Amendment  
Temporary Act of 1996".**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill 11-684 on first and second readings, May 7, 1996 and June 4, 1996 respectively. On June 25, 1996, Bill 11-684 was vetoed by the Mayor. The Council overrode the Mayor's veto on July 3, 1996. As a result of the Council's override, Bill 11-684 was reenacted and assigned Act 11-298 and published in the July 19, 1996, edition of the D.C. Register (Vol. 43 page 3733).

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-163, effective October 2, 1996.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	22,23,24,25,26,29,30
Aug.	1,2
Sept.	3,4,5,6,9,10,11,12,13,16,17,18,19,20, 23,24,25,26,27,30

AN ACT  
D.C. ACT 11-298

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 3, 1996

To amend, on a temporary basis, the District of Columbia Municipal Regulations to authorize the Metropolitan Police Department to designate vending sites and assign them by lottery, and to require the Mayor to attempt to designate additional vending spaces to replace vending spaces that have been eliminated as a result of recent federal measures to increase the security of the White House complex and the Federal Bureau of Investigation headquarters.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Site Lottery Assignment Amendment Temporary Act of 1996".

Sec. 2. Section 515 of chapter 5 of title 24 of the District of Columbia Municipal Regulations (Public Space and Safety) (24 DCMR 515) is amended by adding new subsections 515.26 through 515.30 to read as follows:

DCMR

"515.26 The Metropolitan Police Department shall on a monthly basis register vendors for participation in the site assignment lottery by assigning each vendor a registration number.

"515.27 No vendor may participate in the site assignment lottery unless the vendor is licensed and registered for the lottery.

"515.28 The Metropolitan Police Department shall conduct a monthly lottery for the assignment of vending sites. Even and odd numbered lottery registrants shall participate in the site assignment lottery on alternating months. No vendor may be assigned more than one site per month, and only one vendor may occupy an assigned site.

"515.29 No lottery registration or site assignment made through the site assignment lottery is transferable.

"515.30 The Mayor may, based on recommendations from the Chief of Police, designate additional vending areas for assignment of vending sites to vendors by lottery, including

**ENROLLED ORIGINAL**

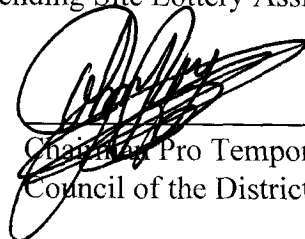
Columbia Road, N.W., between 16th Street, N.W., and Kalorama Road, N.W., where up to three vending sites per block shall be assigned, none of which shall be located in front of a predominantly residential building and up to two of which shall be available to vendors who are residents of the District of Columbia. The areas so designated shall be published in the District of Columbia Register for 30 days public comment."

Sec. 3. The Mayor shall attempt to designate additional sidewalk and roadway vending spaces to replace the number of vending spaces which have been eliminated as a result of recent actions by the federal government to increase security around the White House complex and the Federal Bureau of Investigations headquarters building. Such additional vending spaces shall not result in the displacement of any existing sidewalk vendor, roadway vendor, or tour guide operator.

Sec. 4. This act shall have no fiscal impact.

Sec. 5. (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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect or upon the effective date of the Vending Site Lottery Assignment Amendment Act of 1996, whichever occurs first.

  
\_\_\_\_\_  
Charles W. Whitaker Pro Tempore  
Council of the District of Columbia

VETOED

\_\_\_\_\_  
Mayor  
District of Columbia

June 25, 1996

COUNCIL OVERRIDE: JULY 3, 1996



## COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-684

[ ] ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FIRST READING, 5-7-96

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

JARVIS, LIGHTFOOT, RAY AND THOMAS

[ ] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

[ ] ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FINAL READING, 6-4-96

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

CHAVOUS AND EVANS

[ ] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

[ ] ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

COUNCIL OVERRIDE, 07-03-96

☒ VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

CHAVOUS

[ ] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

## **ENROLLED ORIGINAL**

(A) the Chief Financial Officer of the District submits to the District of Columbia Financial Responsibility and Management Assistance Authority established by Public Law 104-8 (109 Stat. 97) a report setting forth detailed information regarding such grant; and

(B) the District of Columbia Financial Responsibility and Management Assistance Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of Public Law 104-8.

(3) Prohibition on Spending in Anticipation of Approval or Receipt. -- No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) Monthly Reports. -- The Chief Financial Officer of the District shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

### **POLICE AND FIRE FIGHTER DISABILITY RETIREMENTS**

Sec. 139. (a) Up to 50 police officers and up to 50 Fire and Emergency Medical Services members with less than 20 years of department service who were hired before February 14, 1980, and who retire on disability before the end of calendar year 1997 shall be excluded from the computation of the rate of disability retirements under subsection 145(a) of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 882; D.C. Code, sec. 1-725(a)), for purposes of reducing the authorized Federal payment to the District of Columbia Police Officers and Fire Fighters' Retirement Fund pursuant to subsection 145(c) of the District of Columbia Retirement Reform Act of 1979.

(b) The Mayor, within 30 days after the enactment of this provision, shall engage an enrolled actuary, to be paid by the District of Columbia Retirement Board, and shall comply with the requirements of section 142(d) and section 144(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, approved November 17, 1979; D.C. Code, secs. 1-722(d) and 1-724(d)).

(c) This section shall not go into effect until 15 days after the Mayor transmits the actuarial report required by section 142(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, approved November 17, 1979) to the D.C. Retirement Board, the Speaker of the House of Representatives, and the President pro tempore of the Senate.

### **CHARTER AMENDMENTS**

Sec. 140. (a) Section 424(c)(13) of the District of Columbia Self-Government and Governmental Reorganization Act, approved April 17, 1995 (109 Stat. 97; D.C. Code, sec. 47-317.3(13)), is amended by adding the phrase ": Except, That the Chief Financial Officer may not