

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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*Codification  
District of  
Columbia  
Official Code*

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Publisher

To prohibit, on a temporary basis, the issuance of permits allowing the construction or expansion of any telecommunications tower which will reach a height of 150 feet or more, or if mounted on a building, which will reach a height of 18 feet 6 inches above the roof, until the Mayor formulates a policy on the location and other parameters for construction of telecommunications structures and the Council has approved the policy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Moratorium on the Construction of Certain Telecommunications Towers Temporary Act of 2001".

Sec. 2. Moratorium on the issuance of permits.

(a) No District of Columbia government agency shall issue any permit for the construction or expansion of any telecommunication structure which will reach a height of 150 feet or more, or if mounted on a building, which will reach a height of 18 feet 6 inches above the roof, until the Mayor formulates a policy, in accordance with subsection (b) of this section, on the location and other parameters for construction of telecommunications structures.

(b) The Mayor shall formulate the policy within 180 days of the effective date of this act, and shall transmit the policy to the Council for a 30-day period of review, excluding holidays, weekends and days of Council recess. If the Council does not approve or disapprove the policy by resolution within this 30-day review period, the policy shall be deemed approved. The policy shall include a consideration of:

(1) The location of the telecommunications structure in relation to residential areas of varying density, to recreational areas, and to areas of fragile eco-systems;

(2) The size of the lot on which the telecommunications structure is to be located;

(3) The level of noise, electromagnetic radiation, and other types of emissions and environmental pollutants expected to be occasioned by the telecommunications structure in relation to the community;

(4) The impact of the telecommunications structure on the property values of the

owners of properties adjacent to, and surrounding the telecommunications structure;

(5) The impact of the telecommunications structure on pedestrian and vehicle traffic;

(6) The impact of the telecommunications structure on the character of nearby historic properties, and national and local parklands; and

(7) Any other criteria that shall serve to ensure the protection of residential neighborhoods and commercial centers, and the health and safety of the residents and workers in the District of Columbia.

**Sec. 3. Fiscal impact statement.**

The fiscal impact statement is attached.

**Sec. 4. 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), 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 Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. 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.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia