

ENROLLMENT(S)

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AN ACT

District of Columbia Code

(1995 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Housing Code to provide the authority to barricade imminently dangerous premises and to assess the cost to the owner.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Imminently Dangerous Premises Amendment Act of 1994".

Sec. 2. Chapter 1 of Title 14 of the District of Columbia Municipal Regulations (Housing Regulations) (14 DCMR 1) is amended by adding a new section 115 to read as follows:

DCMR

"115 IMMINENTLY DANGEROUS PREMISES

"115.1 If any residential premises, or part thereof, presents an imminent danger to the inhabitants or the surrounding community because it has been determined that it is an unsafe structure, a structure unfit for human occupancy, an unlawful structure, or a structure in which there is unsafe equipment, the Director may order the structure closed and barricaded. If the owner fails to carry out the Director's order within 48 hours after service of notice, the Director may order the structure barricaded and may assess all reasonable costs of barricading the structure and all expenses incident thereto, including, but not limited to, administrative costs, occupant relocation costs including temporary housing, security deposits and the first month's rent if required, costs associated with cleaning the premises as defined by this subtitle, utility removal costs, court costs, fines, and penalties, as an assessment against the property.

"115.2 All assessments authorized to be levied by the District to reimburse it for money expended to remove imminently dangerous premises pursuant to this section shall bear interest at the rate of 1 1/2% per month or part of a month from the date the assessment was levied. If any part of the assessment remains unpaid after the expiration of sixty (60) days from the date the assessment was levied, the property against which the assessment was levied may be sold for the outstanding assessment, plus interest and penalties, at the next ensuing tax sale, but no later than six (6) months from the expiration of sixty (60) days from the date of the assessment in the same manner and under the same conditions as property sold for delinquent property taxes, if the assessment plus interest is not paid in full prior to the sale.

"115.3 For the purposes of any property sold pursuant to subsection 115.2, the redemption period shall be six (6) months.

"115.4 Monies in the revolving fund established by section 1(b)(1) of An Act to provide for the abatement of nuisances in the District of Columbia, and by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Code §5-513(b)(1)), shall be available to cover the costs incidental to carrying out the actions authorized by this section.

"115.5 All monies payable to the District pursuant to this section shall be deposited in the revolving fund referenced in subsection 115.4.

"115.6 DEFINITIONS

"For the purposes of this section:

"(1) The term "service of notice" means the owner or authorized agent shall be notified by personal service or by registered mail to the last known address and by conspicuous posting on the property. If the owner or address is unknown, or cannot be located, notice shall be provided by conspicuous posting on the property.

"(2) The term "structure unfit for human occupancy" means a structure or surrounding area that is unsafe, unlawful, in a serious state of disrepair, unsanitary, or vermin or rat infested; or that contains filth or contamination, lacks ventilation, illumination, sanitary or heating facilities, or other equipment or maintenance required by this subtitle; or that constitutes a hazard to its occupants or to the public.

"(3) The term "unlawful structure" means a structure found in whole or in part to be occupied by more persons than permitted by this subtitle, that was erected, altered, or occupied contrary to District law, or in which unlawful activity is taking place.

"(4) The term "unsafe equipment" means any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, fire extinguishers, smoke detectors, or other equipment on the premises or within the structure that is in such a state of disrepair or condition that it is a hazard to the life, health, safety, or property of occupants of the structure or premises, or to the public.

"(5) The term "unsafe structure" means a structure which, all or part thereof, is found to be dangerous to the life, health, safety, and property of its occupants or the public owing to the lack of minimum safeguards for protection from fire as required in this subtitle; or that contains unsafe equipment; or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is reasonably likely."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) 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 either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-60

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 6-7-94

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 22, 1994
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 6-21-94

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Barry, Lightfoot and Smith

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 22, 1994
Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
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CERTIFICATION RECORD

Secretary to the Council

Date

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 10-157

"Imminently Dangerous Premises Amendment Act of 1994".

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 No. 10-60 on first and second readings, June 7, 1994, and June 21, 1994, respectively. Following the signature of the Mayor on July 8, 1994, this legislation was assigned Act No. 10-273, and published in the July 22, 1994, edition of the D.C. Register (Vol.41 page 4878) and transmitted to Congress on July 14, 1994 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

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 10-157 effective August 25, 1994.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 14,15,18,19,20,21,22,25,26,27,28,29

August 1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24

AN ACT

D.C. ACT 10-273

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 8, 1994

To amend the District of Columbia Housing Code to provide the authority to barricade imminently dangerous premises and to assess the cost to the owner.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Imminently Dangerous Premises Amendment Act of 1994".

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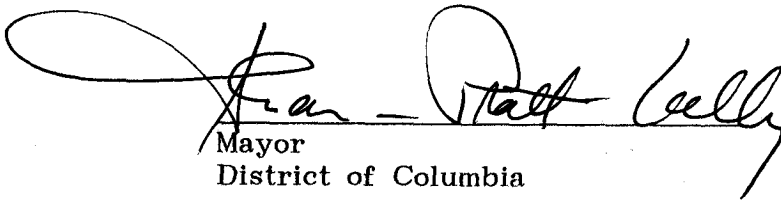
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Enrolled Original

and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: July 8, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-60

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 6-7-94

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

☐ ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
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X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 22, 1994
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 6-21-94

☒ VOICE VOTE: Approved

Recorded vote on request

Absent: Barry, Lightfoot and Smith

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