

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Official Code*

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To amend, on a temporary basis, subsection 1158.5 of Title 21 of the District of Columbia Municipal Regulations to authorize a swimming event in the Potomac River as part of the 1st sanctioned triathlon in the District of Columbia, to be held on September 29, 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Inaugural D.C. Triathlon Temporary Amendment Act of 2007”.

Sec. 2. Subsection 1158.5 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 1158.5), is amended to read as follows: DCMR

“1158.5 Primary contact recreation shall be prohibited in the Potomac and Anacostia Rivers and Rock Creek until such time as the standards in subsection 1104.8 for Class A beneficial use are consistently maintained; provided, that:

“(a) Swimming shall be allowed on September 29, 2007, by those persons who are registered participants in the triathlon organized and hosted by The Nation’s Triathlon, LLC, in those areas of the Potomac River designated for the swimming portion of the triathlon and in no other areas;

“(b) If the laboratory examinations of samples collected prior to the date of the triathlon suggest to the Director that swimming in the Potomac River should be prohibited on September 29, 2007, upon notice by the Director to The Nation’s Triathlon, LLC, the exception in paragraph (a) of this subsection shall not apply;

“(c) The District of Columbia, including, but not limited to, its employees and agents, shall not have any liability whatsoever to any person, including, but not limited to, The Nation’s Triathlon, LLC, and any participant in the triathlon, as a consequence of the activities conducted, or the participation in activities conducted, pursuant to the exception in paragraph (a) of this subsection; and

“(d) The Nation’s Triathlon, LLC, any participant in the triathlon, and their heirs, successors, and assigns, shall be deemed to have waived liability to the District of Columbia, including, but not limited to, its employees and agents, as a consequence of the conduct of, or participation in, activities pursuant to the exception in paragraph (a) of this subsection.”.

Sec. 3. 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. 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), 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. 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