

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Noise Control Act of 1977 to exempt the Georgetown underground utility infrastructure upgrade project, known as the “Georgetown Project,” from the maximum noise level restrictions; and Title 12A of the District of Columbia Municipal Regulations to exempt the Georgetown Project from the limitations on after-hours work.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Georgetown Project Second Temporary Amendment Act of 2004”.

Sec. 2. The District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR § 2700 *et seq.*), is amended as follows: DCMR

(a) Section 3 (20 DCMR § 2799.1) is amended by inserting a new subsection (f-2) to read as follows:

“(f-2) Georgetown Project – The project (which commenced in September 2001 and is scheduled to be completed no later than December 31, 2005) that is being undertaken by the District of Columbia government, the Potomac Electric Power Company, Washington Gas Light Company, the District of Columbia Water and Sewer Authority, and Verizon of Washington, D.C. to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and landscaping adjacent to the Georgetown Business District, which is geographically defined as the commercial properties along M Street, N.W., between 28th Street, N.W., and Key Bridge and along Wisconsin Avenue, N.W., between K Street, N.W., and S Street, N.W.”.

(b) Section 5 is amended by adding a new subsection (f) to read as follows:

“(f) Notwithstanding any other provision of this act, noise emanating from construction equipment and any activities related to the Georgetown Project shall be exempt at all times from any noise limitations contained in this act, including section 5(a), (b), (d)(2), and (e)(2), and shall not be subject to enforcement under any provision of this act.” .

Sec. 3. Section 107 of Title 12A of the District of Columbia Municipal Regulations (12A DCMR § 107), is amended by adding a new subsection 107.2.8.2 to read as follows: DCMR

“107.2.8.2 Georgetown Project: The limitations on the issuance of after-hours permits set forth in section 107.2.8.1 shall not apply to after-hours work related to the Georgetown Project. For the purposes of this section, the “Georgetown Project” means the project (which commenced in September 2001 and is scheduled to be completed no later than December 31, 2005) that is being undertaken by the District of Columbia government, the Potomac Electric Power Company, Washington Gas Light Company, the District of Columbia Water and Sewer Authority, and Verizon of Washington, D.C. to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and landscaping adjacent to the Georgetown Business District, which is geographically defined as the commercial properties along M Street, N.W., between 28th Street, N.W., and Key Bridge and along Wisconsin Avenue, N.W., from K Street, N.W., to S Street, N.W.”.

Sec. 4. This bill will have no ascertainable fiscal impact, as it merely limits the application of the maximum permissible noise level limitations and the limitations on after-hours construction.

Sec. 5. 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