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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

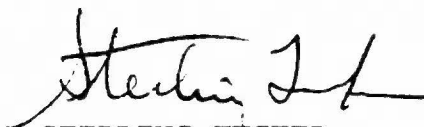
August 23, 1978

D.C LAW 2-99

"Fire Safety Act of 1978"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act (PL 93-198), the Act, the Council of the District of Columbia adopted Bill No. 2-251 on first and second readings May 2, 1978, and May 16, 1978, respectively. Following the signature of the Mayor on June 15, 1978, this legislation was assigned Act No. 2-206, published in the July 14, 1978, edition of the D.C. Register, and transmitted to both Houses of Congress 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 the following legislation as D. C. Law 2-99, effective August 17, 1978.

  
STERLING TUCKER  
Chairman of the Council

(Vol. 25, D.C. Register, 252, July 14, 1978)

D.C. LAW

2-99

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

August 17, 1978

To provide for the Fire Chief to order the immediate closing of any public facility in certain circumstances.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fire Safety Act of 1978".

Sec. 2. The Fire Department Fire Prevention Code, Title 7 of the D.C. Rules and Regulations, is amended as follows:

(a) The last sentence of section 1.4(b) of Chapter 1 is amended by inserting the word "forthwith" after the word "remedied" and before the "." (period).

(b) Section 1.4(c) of Chapter 1 is amended to read as follows:

"Right of appeal. If the owner or occupant of a building or premises, or any other person chargeable hereunder, shall deem herself or himself aggrieved by an order issued under the authority of the preceding subsection, she or he may, within seventy-two (72) hours from the time such order is issued (excluding Saturdays, Sundays and legal holidays) appeal from such order to the Mayor of the District of Columbia (hereinafter referred to as the 'Mayor') and, unless said order is

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revoked by the Mayor, it shall remain in force and be forthwith complied with by said owner, occupant, or any other person chargeable hereunder: PROVIDED, That the filing of an appeal with the Mayor, shall not operate to suspend the Fire Chief's order unless specifically authorized by the Mayor. The Mayor shall within seventy-two (72) hours of the hour when the appeal was submitted (excluding Saturdays, Sundays, and legal holidays) either (1) affirm the Fire Chief's order or (2) revoke such order (or any portion thereof). Any failure on the part of the Mayor to rule on an appeal filed under this subsection within the time provisions of this subsection shall be deemed an affirmation of the Fire Chief's order, and the owner, occupant, or other person chargeable hereunder making such appeal, shall be deemed to have exhausted his or her administrative remedies with respect to such appeal."

(c) Section 1.6(a) of Chapter 1 is amended as follows:

(1) by adding the word "forthwith" immediately after the word "remedied" and before the "." (period);

(2) by deleting the "." (period) at the end of paragraph (6) and inserting a ";" (semicolon) in lieu thereof;

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(3) by adding the following new subparagraphs at the end thereof to read as follows:

"(7) Overcrowded conditions caused by permitting the maximum occupancy ceiling to be exceeded, or

"(8) Locked or inoperative designated fire exits.";

(4) by striking "(6)" after the word "through" and inserting in lieu thereof "(8)".

(d) Section 1.6 of Chapter 1 is amended as follows:

(1) by adding the following new subsection after the new paragraph (8):

"(b) When any owner or occupant fails or refuses to comply with an order issued under subsection (a) of this section, and when, in the opinion of the Fire Chief, there exists an unsafe condition imminently dangerous to life, the Fire Chief may order the immediate closing of such building or part thereof until such condition is remedied. If the owner or occupant of a building or premises, or any other person chargeable hereunder, shall deem herself or himself aggrieved by an order issued under the authority of this section, she or he may, within seventy-two (72)

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hours from the time such order is issued (excluding Saturdays, Sundays, and legal holidays) appeal from such order to the Mayor, and, unless said order is revoked by the Mayor, it shall remain in force and be forthwith complied with by said owner, occupant, or any other person chargeable hereunder:

PROVIDED, That the filing of an appeal with the Mayor shall not operate to suspend the Fire Chief's order unless specifically authorized by the Mayor. The Mayor shall within seventy-two (72) hours of the hour when the appeal was submitted (excluding Saturdays, Sundays, and legal holidays) either affirm the Fire Chief's order or revoke such order (or any portion thereof). Any failure on the part of the Mayor to rule on an appeal filed under this subsection, within the time provisions of this subsection, shall be deemed an affirmation of the Fire Chief's order, and the owner, occupant, or any other person chargeable hereunder making such appeal, shall be deemed to have exhausted his or her administrative remedies with respect to such appeal."

Sec. 3. This act shall take effect as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.

RECORD OF OFFICIAL COUNCIL ACTION (Page 2)

Docket No: Bill No. 2-251

Presented to the Mayor: JUN 1 1978

Robert Williams  
Secretary to the Council

Action of the Mayor: 15 JUN 1978

☒ Approved: ☐ Disapproved;  
☐ Disapproved in part --\*Reference Document:  
\*Budget Actions.

Acton M. Hylton 15 JUN 1978  
Mayor of the District of Columbia

☐ Returned Without Action

Executive Secretary, D. C.

Enacted without Mayor's Signature

Secretary to the Council

Council Reenactment:

☐ VOICE VOTE:

Secretary to the Council

☐ ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, I.					WINTER				
CLARKE					ROLARK									
DIXON					SHACKLETON									
X—Indicates Vote    A. B.—Absent    N. V.—Not Voting														

Secretary to the Council

Presented to the President:

Secretary to the Council

Action of the President:

☐ Reenactment Approved

☐ Mayor's Veto Sustained

President of the U. S.

Submitted to the Congress:

Secretary to the Council

Senate Action: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

House Action: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

Secretary of the Senate

Clerk of the House

Enacted Without Congressional Action:

D. C. Law No.    Effective Date

Secretary to the Council