

AN ACT

Bill 19-819
Act 19-656
effective
January 29,
2013

Codification
District of
Columbia
Official Code
2001 Edition

To amend An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, to provide the Mayor with rulemaking and enforcement authority over the outdoor display of signs in the District; to amend the Construction Codes Approval and Amendments Act of 1986 to remove the regulation of exterior signs from the Construction Codes, and to repeal provisions that reference non-existent model building codes, Gallery Place sign rulemaking, and a long-dormant advisory Council; and to make conforming amendments to the Litter Control Administration Act of 1985, the District of Columbia Bus Shelter Act of 1979, section 25-763 of the District of Columbia Official Code, section 7 of Chapter 150 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth nineteen hundred and fourteen, and for other purposes, and the Department of Transportation Establishment Act of 2002.

Sign
Regulation
Authorization
Amendment
Act of 2012

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sign Regulation Authorization Amendment Act of 2012”.

Sec. 2. An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 1-303.21) is amended to read as follows:

“Sec. 1. Rules.

Amend
§ 1-303.21

“(a) The Mayor shall issue, amend, repeal and enforce rules governing the hanging, placing, painting, projection, display, and maintenance of signs on public space, public buildings, or other property owned or controlled by the District and on private property within public view within the District. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed disapproved. The rules shall not take effect until approved by the Council.

“(b) The rules shall:

“(1) Determine the types of signs that shall be allowed and prohibited and establish permit requirements for signs, where appropriate;

“(2) Establish standards for the location, size, and illumination of different types of signs;

“(3) Allow for the display of signs that contribute to a healthy business environment and civic communication while protecting the health, safety, convenience, and

welfare of the public, including protection of the appearance of outdoor space throughout the District;

“(4) State the specific requirements for large signs and billboards;

“(5) Establish standards for signs on historic sites or in historic areas;

“(6) Provide structural requirements for signs to ensure their safety;

“(7) Ensure compliance with federal highway requirements;

“(8) Provide for the creation of Designated Entertainment Areas to allow for the display of additional signs;

“(9) Establish permit fees; and

“(10) Be in compliance with section 3107A of Title 12A of the District of Columbia Municipal Regulations (12A DCMR § 3107A).”.

(b) Section 2 (D.C. Official Code § 1-303.22) is repealed.

(c) Section 4 (D.C. Official Code § 1-303.23) is amended to read as follows:

“Sec. 4. Penalties and enforcement.

“(a) Adjudication of infractions of these rules shall be pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) (“Civil Infractions Act”), and the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801 *et seq.*) (“Litter Control Act”). The Mayor shall enforce the rules applicable to signs on public space, public buildings, and other owned or controlled by the District property under the Litter Control Act and the rules applicable to signs on private property under the Civil Infractions Act. The Mayor may also establish, by rulemaking, a schedule of fines and penalties for infractions of these rules that are separate from the fines and penalties imposed under the Civil Infractions Act and the Litter Control Act. These rules shall be subject to Council review and approval as described in section 1.

“(b) A person or entity, whether as principal, agent, or employee, violating rules issued pursuant to sections 1 or 4 shall, upon conviction in the Superior Court of the District of Columbia, be fined no less than \$5 nor more than \$200 for each offense, and a fine shall be imposed for each day that the violation continues.”.

Repeal
§ 1-303.22
Amend
§ 1-303.23

Sec. 3. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

(a) Section 4(a)(1) (D.C. Official Code 6-1403(a)(1)) is amended by striking the phrase “signs, advertising devices” and inserting the phrase “interior signs, advertising devices” in its place.

Amend
§ 6-1403

(b) Section 4a (D.C. Official Code § 6-1403.01) is repealed.

(c) Section 10 (D.C. Official Code § 6-1409) is amended by repealing subsections (a-1) and (b).

Repeal
§ 6-1403.01
Amend
§ 6-1409
Repeal
§§ 6-1410
6-1411

(d) Section 10a (D.C. Official Code § 6-1410) is repealed.

(e) Section 10b (D.C. Official Code § 6-1411) is repealed.

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Sec. 4. Section 3(a)(1) of the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-802(a)(1)), is amended as follows:

**Amend
§ 8-802**

(a) Strike the phrase "of 1988," and insert the phrase "of 1988, effective March 16, 1989 (D.C. Law 7-226); D.C. Official Code § 8-1001 *et seq.*)," in its place.

(b) Strike the phrase beginning with ", and a number of rules" through the end of the paragraph and insert the phrase "a number of rules recorded in § 2221.6, 2407.12, and 2407.13 of 18 DCMR, §§ 101, 102, 103, 104, 900.7, 900.8, 900.10, 1000, 1001, 1002, 1005, 1008, 1009, 2000, 2001, 2002, and 2010 of 24 DCMR, and any rules relating to signs on public space, public buildings, or other property owned or controlled by the District issued pursuant to sections 1 and 4 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code §§ 1-303.21 and 1-303.23)." in its place.

Sec. 5. Section 10 of the District of Columbia Bus Shelter Act of 1979, effective May 10, 1980 (D.C. Law 3-67; D.C. Official Code § 9-1159), is amended by striking the phrase "The provisions of section 2 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.22), and Title 5A1, Article 14 of the Building Code of the District of Columbia" and inserting the phrase "The provisions of sections 1 and 4 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code §§ 1-303.21 and 1-303.23), and rules issued pursuant to those sections" in its place.

**Amend
§ 9-1159**

Sec. 6. Section 25-763(f) of the District of Columbia Official Code is amended by striking the phrase "the regulations contained in Chapter 31 of Title 12 of the District of Columbia Municipal Regulations." and inserting the phrase "section 1 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21), and any rules issued pursuant to that section." in its place.

**Amend
§ 25-763**

Sec. 7. Section 7 of Chapter 150 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code § 42-1801), is repealed.

**Repeal
§ 42-1801**

Sec. 8. Section 5(4)(G)(iii) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(4)(G)(iii)), is amended to read as follows:

**Amend
§ 50-921.04**

"(iii) The requirements of sections 1 and 4 of An Act To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms

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of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code §§ 1-303.21 and 1-303.23), and rules issued pursuant to those sections, pertaining to outdoor signs and other forms of exterior advertising in the District of Columbia, shall not apply; and”.

Sec. 9. Any order, rule, or regulation in effect under a law replaced by this act shall remain in effect until repealed, amended, or superseded.

**Note all
affected
sections**

Sec. 10. Applicability.

Sections 3, 4, 5, 6, 7, and 8 shall not apply until the Mayor’s issuance of a comprehensive final rulemaking governing signs on public space and private property pursuant to section 2.

**Delayed
Applicability**

Sec. 11. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 12. Effective date.

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.