

Law 1-21**Advisory Neighborhood Councils Act**

In the Council of the District of Columbia, October 10, 1975:

To establish Advisory Neighborhood Council areas and single-member districts within each Neighborhood Council area; petition procedures for establishment of Advisory Neighborhood Councils; qualifications for candidates for said Advisory Neighborhood Council and election procedures.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA THAT:

[Sec. 1.] This act may be cited as the "Advisory Neighborhood Councils Act of 1975."

Sec. 2. Statement of purpose. Section 738 of the District of Columbia Self-Government and Governmental Reorganization Act provides that the Council shall, by act, divide the District of Columbia into Neighborhood Council areas and establish, for each such area, an Advisory Neighborhood Council. Such section 738 was to be effective only if a majority of the qualified electors voting in the charter referendum voted for the establishment of the Advisory Neighborhood Councils.

In the charter referendum a majority of the qualified electors did vote to establish such Councils, and it is the purpose of this act to implement the provisions of section 738.

Sec. 3. Establishment of Advisory Neighborhood Council areas. There are hereby established in the District of Columbia Advisory Neighborhood Council areas the boundaries of which shall be as depicted on the maps of the District of Columbia annexed to and made a part of this act.*

Editor's Note. — The Ward Boundary Maps referred to in this Act are not included in this volume, but may be found on file at the Office of the Board of Elections and Ethics, Room 7, District Building, 14th and E Streets N.W.

Sec. 4. Single-member districts.

(a) The Council shall, by resolution, establish single-member districts for each of the Neighborhood Council areas established in section 3. Such districts shall be established by July 31, 1975, and shall each have a population of approximately two thousand people, and shall be as nearly equal as possible. Upon adoption of the resolution establishing such districts, the Council shall cause a description of the boundaries of each such district to be published in the District of Columbia Register.

(b) The Mayor of the District of Columbia shall transmit a copy of the official report of the decennial census received by him from the United States Bureau

of the Census to the Council within ten days after receiving it. The Council, after public hearing, shall make such adjustments in the boundaries of the single-member districts established according to the procedure specified in subsection (a) as are necessary as a result of population shifts and changes. Such adjustments shall be made no later than one hundred eighty days preceding the next regularly scheduled election for members to the Advisory Neighborhood Councils.

Sec. 5. Petitions for the establishment of Advisory Neighborhood Councils.

(a) As soon as possible after the effective date of this act, but in no case later than five days after such effective date, the District of Columbia Board of Elections and Ethics, hereinafter in this act referred to as the "Board", shall:

(1) Make available to any resident of an Advisory Neighborhood Council area copies of petition forms for collecting signatures of registered qualified electors in such area; and

(2) Publish in the District of Columbia Register and in at least two newspapers of general circulation in the District of Columbia, the number of registered qualified electors in each Advisory Neighborhood Council area.

(b) Upon certification by the Board to the Chairman of the Council that five percent of the registered qualified electors of an Advisory Neighborhood Council area have signed a petition calling for the establishment of an Advisory Neighborhood Council in such area, the Council shall then establish by resolution a nonpartisan elected Advisory Neighborhood Council for such area, with its members to be elected from the single-member districts established for such area. Nothing in this section shall be construed to permit an individual to sign more than one petition for the establishment of an Advisory Neighborhood Council.

Sec. 6. Qualifications for members of Advisory Neighborhood Councils.

(a)(1) No person shall be a member of an Advisory Neighborhood Council unless he:

(A) Is a registered qualified elector actually residing in the single-member district from which he was elected;

(B) Has been residing in such district continuously for the sixty days immediately preceding the day on which he files the nominating petitions as a candidate as such a member; and

(C) Holds no other elected public office.

(2) For the purpose of this subsection, the term *elected public office* means the office of Mayor of the District of Columbia, Chairman or member of the Council of the District of Columbia, member of the District of Columbia Board of Education, and the Delegate to the House of Representatives.

(b) Candidates for member of an Advisory Neighborhood Council shall be nominated by a petition:

(1) Prepared and presented to the Board in accordance with regulations of the Board no later than the sixtieth calendar day before the date of the election in which he intends to be a candidate; and

(2) Signed by not less than twenty-five registered qualified electors who are residents of the single-member district from which he seeks election.

Such petitions shall be made available by the Board no later than the seventy-fourth calendar day before an election for members of an Advisory Neighborhood Council.

Sec. 7. Campaign expenditures. The District of Columbia Campaign Finance Reform and Conflict of Interest Act is amended as follows:

(a) Section 401(b) of such Act (D.C. Code, section 1-1161(b)) is amended by striking out "\$1000 to his own campaign," and inserting in lieu thereof "\$1000 to his own campaign, and a candidate for member of an Advisory Neighborhood Council may contribute \$50 to his own campaign."

(b) Section 402(a)(1) of such Act (D.C. Code, section 1-1162(a)(1)) is amended by striking out "\$500 and inserting in lieu thereof "\$200."

(c) Section 602 of such Act (D.C. Code, section 1-1182) is amended by inserting at the end thereof the following:

"(i) This section shall not apply to any candidate for nomination for election, or election, as a member of an Advisory Neighborhood Council, or to any member of an Advisory Neighborhood Council, except to the extent that such section applies to such candidate or member because of his status other than as such candidate or member."

Sec. 8. Date of election; terms of members.

(a) The first election for members of Advisory Neighborhood Councils shall be held on February 3, 1976. The next such election shall be held on the date of the general election held during 1977 for members of the District of Columbia Board of Education. Thereafter such elections shall be held on the date of such general election in every odd-numbered year.

(b) Each member of an Advisory Neighborhood Council shall serve for a term of two years which shall begin at noon on the second day of January next following the date of election of such member, or at noon on the day after the date the Board certified such election of such member, whichever is later, except that the terms of the members elected at the first election for members of an Advisory Neighborhood Council held after the effective date of this act shall begin at noon on the first day of March, 1976, or at noon on the day after the date the Board certifies the results of such election, whichever is later, and shall terminate at noon on the second day of January, 1978.

(c) No member may represent a single-member district for more than two consecutive terms, except that that portion of a term served by a member as the result of a special election shall not be considered in computing consecutive terms.

(d) Any vacancy in office due to death, resignation or change of residence shall be filled by special election held by the Board within a reasonable period, but not to exceed one hundred twenty days from such vacancy, except that if the vacancy occurs less than six months prior to a regularly scheduled election of members of Advisory Neighborhood Councils, the vacancy shall be filled at the regularly scheduled election.

(e) Any member of an Advisory Neighborhood Council who ceases to reside in the single-member district from which he or she is elected shall be considered to have resigned, and the office shall be declared vacant.

Sec. 9. Voting. The candidate in each single-member district receiving the highest number of votes cast in such election shall be declared the winner, except that in the case of a tie the procedures set forth in section 10(c) of the District of Columbia Election Act (D.C. Code, section 1-1110(c)) shall govern.

Sec. 10. Boundary changes.

(a) Petitions for changes in the boundaries of an Advisory Neighborhood Council area or single-member district within any such area may be filed with the Council of the District of Columbia during the month of January of the year in which elections for Advisory Neighborhood Councils are to be held. Such petitions must be signed by at least five percent of the registered qualified electors of such Advisory Neighborhood Council area.

(b) Upon certification by the Board to the Chairman of the Council that five percent of the registered qualified electors of an Advisory Neighborhood Council have signed such a petition, the Council shall, after public hearing, accept or reject such petition.

(c) The Council shall accept or reject such a petition within three months after its receipt.

Sec. 11. Administration.

(a) The Board is authorized to conduct the elections provided for in this act and to adopt, amend, and enforce such regulations as are necessary to carry out the provisions of this act. The Board shall determine any challenges to the petitions, nominations, or elections provided under this act in the same manner as similar challenges are determined under the District of Columbia Election Act.

(b) For the purposes of this act, the term *registered qualified elector* means a qualified elector, as defined in section 2 of the District of Columbia Election Act (D.C. Code, section 1-1102), registered under section 7 of that Act (D.C. Code, section 1-1107).

Sec. 12. Effective date. The provisions of this act shall become effective as provided by section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

Source. 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. 1-87 on first and second readings June 10, 1975, and June 24, 1975, respectively. Following the signature of the Mayor on July 22, 1975, this legislation was assigned Act No. 1-33, published in the July 28, 1975, edition of the D. C. Register, and transmitted to both Houses of Congress for a thirty-day review, in accordance with section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the thirty-day Congressional review period has expired and, therefore, cites this legislation as D. C. Law No. 1-21, effective October 10, 1975.