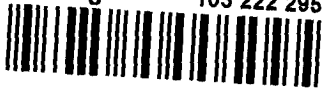


# ENROLLMENT(S)

(5)

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish, on an emergency basis, a fund to compensate persons who sustained real or personal property damage as a direct result of the breaks in the water main in the 1600 block through the 2500 block of Minnesota Avenue, S.E., Washington, D.C., on March 7, 1991, January 14, 1993, and January 25, 1993.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, Note, Section 47-375  
That this act may be cited as the "Water Main Break Fund Establishment  
Emergency Act of 1993".

Sec. 2. Minnesota Avenue, S.E., Water Main Break Fund established.

There is established, within the Water and Sewer Enterprise Fund established by the Mayor pursuant to section 7(h) of the District of Columbia Fund Accounting Act of 1980, effective June 14, 1980 (D.C. Law 3-70; D.C. Code §47-375(g)), the Minnesota Avenue, S.E., Water Main Break Fund ("Fund") to compensate persons who sustained real or personal property damage as a direct result of the breaks in the water main located in the 1600 block through the 2500 block of Minnesota Avenue, S.E., Washington, D.C., on March 7, 1991, January 14, 1993, and January 25, 1993 ("water main breaks").

Sec. 3. Eligibility.

To be eligible for compensation for damages from the fund, each person shall:

(1) Demonstrate, in accordance with criteria established by the Mayor, that the damage to the real or personal property for which the person requests compensation was the direct result of the water main breaks.

(2) Certify that the claim for compensation made pursuant to this act is the only claim pursued by the person against the District of Columbia ("District") government for damages sustained as a result of the water main breaks;

(3) Certify that the claim for compensation made pursuant to this act is the only claim that the person will pursue against the District government for damages sustained as the result of the water main breaks; and

(4) File a claim for damages pursuant to this act within 6 months of the effective date of this act.

Sec. 4. Compensation.

Compensation for damages provided from this fund shall be not more than \$10,000 for each household. For the purposes of this section, the term "household" means all persons who resided at a single address within a 6 block radius of the 1600 block through the 2500 block of Minnesota Avenue, S.E., Washington, D.C. on March 7, 1991, January 14, 1993, and January 25, 1993.

Sec. 5. Reports.

(a) The Department of Public Works shall provide an annual report to the Council on the anniversary of the effective date of this act and on January 1st each subsequent year thereafter, which describes the condition of the entire water main system of the District. The report shall include the following information for each water main:

- (1) The number of the water main as indicated on the water main map established pursuant to subsection (b) of this section;
- (2) The age of the water main;
- (3) The material of which the water main is constructed;
- (4) The expected remaining life of the water main; and
- (5) If the water main has sustained any amount of damage within the last 20 years, then state:

- (A) The date or dates of the damage;
- (B) The type of damage sustained;
- (C) Whether the damage was repaired; and
- (D) If the water main was repaired, state the date the repair was made, the type of repair that was made, and the person or entity making the repair. If the water main was not repaired, state the reason or reasons the repair was not made and indicate a scheduled date for repair.

(b) The Department of Public Works shall provide the Council with a water main map that illustrates the entire water main system of the District. Each water main shall be labeled, on the map, with consecutive numbers so that each water main can be identified when the map is used in conjunction with the report required pursuant to subsection (a) of this section. The water main map shall be submitted by the Department of Public Works, to the Council on the anniversary of this act, and on January 1st of each year when the map is updated. The water main map shall be updated each time a water main is added or is taken out of service.

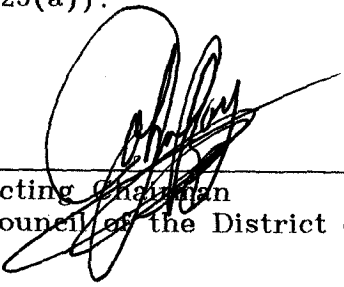
Sec. 6. Repairs.

In the event that water main breaks occur in a concentrated area suggesting that there is weakness throughout that section of the infrastructure, the Department of Public Works shall repair the affected infrastructure in a timely fashion.

Sec. 7. Effective date.

This act shall take effect upon its enactment (approval by the Mayor, or in the event of veto by the Mayor, override of the veto by the Council) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Self-Government and

Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 788; D.C. Code § 1-229(a)).



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Acting Chairman  
Council of the District of Columbia

VETOED

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Mayor  
District of Columbia  
AUGUST 4, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TEN

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-347

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 7-13-93

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry, Chavous and Thomas

ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and rows for CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council (Signature)

Date: July 16, 1993

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and rows for CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE: - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and rows for CHMN. RAY, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date