

# ENROLLMENT(S)



(5)

# COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

### D.C. LAW 12-52

#### "Nuisance Repairs Amendment Act of 1997"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-174, and first and second readings, September 8, 1997 and September 22, 1997, respectively. Following the signature of the Mayor on October 3, 1997, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-169, and published in the October 31, 1997, edition of the D.C. Register (Vol. 44 page 6226) and transmitted to Congress on October 23, 1997 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 this enactment as D.C. Law 12-52, effective February 27, 1998.



LINDA W. CROPP  
Chairman of the Council

#### Dates Counted During the 30-day Congressional Review Period:

|      |                                |
|------|--------------------------------|
| Oct. | 23,24,27,28,29,30,31           |
| Nov. | 3,4,5,6,7,10,12,13             |
| Jan. | 27,28,29                       |
| Feb. | 2,3,4,5,9,10,11,12,23,24,25,26 |

AN ACT

D.C. ACT 12-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 3, 1997

*Codification  
District of  
Columbia  
Code  
1998 Supp.*

To amend section 1 of An Act To provide for the abatement of nuisances in the District of Columbia, and for other purposes, to require owners of real property that have become a nuisance to pay fair market value for repairs made to the property by the District of Columbia government.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nuisance Repairs Amendment Act of 1997".

Sec. 2. Section 1(a) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Code § 5-513(a)), is amended by striking the phrase "assess the cost of correcting such condition" and inserting the phrase "assess the fair market value of the correction of the condition or the actual cost of the correction, whichever is higher," in its place.

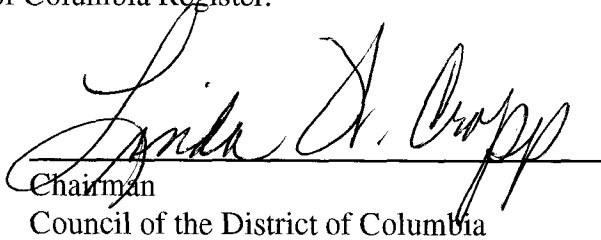
**Section  
5-513**

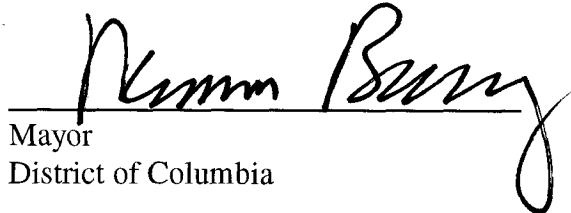
Sec. 3. Fiscal impact statement.

As before, the cost of correcting the nuisance will be paid by the owner, presumably, so there is no added cost to the District. It can be expected, however, that there will be an increase in litigation costs preceding the District's effort to abate the nuisances. The legislation does not address who pays this cost, but it can be presumed that it will be added to the cost of abating the nuisance itself. The revenue to be raised by correcting the nuisances will be offset by an equal amount of cost to the agency doing the correcting. Currently, there isn't any historical data which will predict how many nuisances will reach this level, so the amount of potential cost and revenue to and for that agency cannot be estimated. The Financial Plan and Budget will be impacted by a like amount of revenues and expenditures if the proposed legislation is implemented to the letter, however, neither can be quantified at this time.

**ENROLLED ORIGINAL**

Sec. 4. 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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

APPROVED: October 3, 1997



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B12-174

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 09-08-97

VOICE VOTE APPROVED

RECORDED VOTE ON REQUEST

ABSENT ALL PRESENT

ROLL CALL VOTE - Result

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Cropp   |     |     |    |    | Dixon         |     |     |    |    | Smith, Jr.    |     |     |    |    |
| Allen         |     |     |    |    | Evans         |     |     |    |    | Thomas, Sr.   |     |     |    |    |
| Ambrose       |     |     |    |    | Jarvis        |     |     |    |    |               |     |     |    |    |
| Brazil        |     |     |    |    | Mason         |     |     |    |    |               |     |     |    |    |
| Chavous       |     |     |    |    | Patterson     |     |     |    |    |               |     |     |    |    |

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

September 26, 1997  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 09-22-97

VOICE VOTE APPROVED

RECORDED VOTE ON REQUEST

ABSENT DIXON, JARVIS AND THOMAS

ROLL CALL VOTE - Result

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Cropp   |     |     |    |    | Dixon         |     |     |    |    | Schwartz      |     |     |    |    |
| Allen         |     |     |    |    | Evans         |     |     |    |    | Smith, Jr.    |     |     |    |    |
| Ambrose       |     |     |    |    | Jarvis        |     |     |    |    | Thomas, Sr.   |     |     |    |    |
| Brazil        |     |     |    |    | Mason         |     |     |    |    |               |     |     |    |    |
| Chavous       |     |     |    |    | Patterson     |     |     |    |    |               |     |     |    |    |

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

September 26, 1997  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Cropp   |     |     |    |    | Dixon         |     |     |    |    | Schwartz      |     |     |    |    |
| Allen         |     |     |    |    | Evans         |     |     |    |    | Smith, Jr.    |     |     |    |    |
| Ambrose       |     |     |    |    | Jarvis        |     |     |    |    | Thomas, Sr.   |     |     |    |    |
| Brazil        |     |     |    |    | Mason         |     |     |    |    |               |     |     |    |    |
| Chavous       |     |     |    |    | Patterson     |     |     |    |    |               |     |     |    |    |

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date