

A BILL 1

17-479 2

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA 3

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To amend the Street and Alley Closing and Acquisition Procedures Act of 1982 to provide 5
conditions for the construction of new streets being dedicated to the District and allow for 6
nonconforming narrower street width or building-line set back under specified 7
circumstances. 8

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this 9
act may be cited as the “Street and Alley Closing and Acquisition Procedures Amendment Act of 10
2008”. 11

Sec. 2. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective 12
March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), is amended as follows: 13

(a) Section 101 (D.C. Official Code § 9-201.01) is amended by adding a new paragraph 14
(2A) to read as follows: 15

“(2A) “DDOT” means the District Department of Transportation.”. 16

(b) Section 303 (D.C. Official Code § 9-203.03) is amended as follows: 17

(1) Designate the existing text as subsection (a). 18

(2) New subsections (b) and (c) are added to read as follows: 19

ENGROSSED ORIGINAL

“(b) An application to dedicate land to establish a minor street that would not meet the requirements of section 304 shall be accompanied by a document signed by the Mayor, stating that the Mayor has authorized the nonconforming street width or building line set back.

“(c) When the Council makes street construction a condition for the dedication of land for street purposes, the Surveyor shall not record a dedication plat until DDOT has issued a written statement (“DDOT Statement”) that:

“(1) The owner of the property to be dedicated has constructed the street improvements in accordance with the Council’s conditions, DDOT’s standard and specifications, and any plans required and approved by DDOT; and

“(2) The owner of the property being dedicated has signed a document, which shall be attached to the DDOT Statement, that indemnifies and save harmless the District and all of its officers, agents, and servants against any and all claims or liability arising from or based on, or as a consequence or result of, any latent defects, act, omission or default of the owner of the property, his employees, agents, servants, contractors, or subcontractors, in the performance of or in connection with any work required, contemplated, or performed in connection with the construction of the street.”

(c) Section 304 (D.C. Official Code § 9-203.04) is amended by striking the phrase “In any” and inserting the phrase “Except as provided in section 303(b) and (c), and any regulations issued pursuant to section 303(b) and (c), in any” in its place.

Sec. 3. Fiscal impact statement. 1

The Council adopts the fiscal impact statement in the committee report as the fiscal 2
impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, 3
approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)). 4

Sec. 4. Effective date. 5

This act shall take effect following approval by the Mayor (or in the event of veto by the 6
Mayor, action by the Council to override the veto), a 30-day period of Congressional review as 7
provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 8
1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of 9
Columbia Register. 10