

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To establish a process for members of the public to file complaints of trash collection noise violations with the Mayor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Trash Collection Noise Violations Abatement Act of 2008”.

Sec. 2. (a) Any person may file a complaint of a trash collection noise violation with the Mayor.

(b) A complaint under subsection (a) of this section shall be submitted in written form prescribed by the Mayor and made available on the District of Columbia website. The complaint shall be submitted within one week of the alleged violation and shall be signed by an original complainant who shall attest to its accuracy, under penalty of perjury. The complaint shall include:

- (1) The name of the individual or company alleged to have violated section 2806 of Title 20 of the District of Columbia Municipal Regulations;
- (2) The location of the alleged violation;
- (3) The date and time of the alleged violation; and
- (4) Any additional identifying information about the trash truck or its driver.

(c) A District inspector need not witness a violation for a complaint to be valid.

(d) A complainant under subsection (a) of this section may appear and give testimony at any administrative hearing or administrative review of the complaint, or any other judicial or quasi-judicial action that may result from the complaint.

(e) If the Mayor deems that the complaint has merit, the Mayor shall file a Notice of Infraction 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.*), and with the Office of Administrative Hearings.

(f) This section shall not apply to complaints relating to Department of Public Works trash trucks.

**ENROLLED ORIGINAL**

Sec. 3. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.

Sec. 4. 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. 5. 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.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia