

AN ACT

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Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, to authorize the Mayor to enter into mutual aid agreements for debris removal.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Debris Removal Mutual Aid Amendment Act of 2008".

Sec. 2. The 2nd sentence of the 3rd paragraph under the subheading "Streets." of the heading "District of Columbia." of An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, approved July 11, 1919 (41 Stat. 39; D.C. Official Code § 8-704), is amended to read as follows:

Amend
§ 8-704

"Sec. 2. Collection and disposal of refuse authorized as municipal function; purchase or lease of facilities; sale of products; gratuities prohibited; authorization to enter into mutual aid agreements for debris removal.

"(a) For the purposes of this section, the term:

"(1) "Debris removal operations" means:

"(A) Actions contributing to the removal of debris, including the collection, pick-up, hauling, and storage of debris at a temporary site;

"(B) Segregation, reduction, and final disposal of debris;

"(C) Providing personnel, equipment, parts, or fuel for equipment for debris removal;

"(D) Travel to the site where debris removal is needed; or

"(E) Support for any of the foregoing.

"(2) "Emergency" shall have the same meaning as provided in section 7302(a)(3) of the Intelligence Reform and Terrorism Protection Act of 2004, approved December 17, 2004 (Pub. L. 108-458; 118 Stat. 3340).

"(3) "Public service event" shall have the same meaning as provided in section 7302(a)(9) of the Intelligence Reform and Terrorism Protection Act of 2004, approved December 17, 2004 (Pub. L. 108-458; 118 Stat. 3840).

“(4) “Training” shall have the same meaning as provided in section 7302(a)(11) of the Intelligence Reform and Terrorism Protection Act of 2004, approved December 17, 2004 (Pub. L. 108-458; 118 Stat. 3841).

“(b) The Mayor of the District of Columbia is authorized, if in his opinion such action shall be to the best interests of the District of Columbia, after July 11, 1919, to conduct any or all of the operations involved in the collection and disposal of city refuse of every kind as municipal functions, and for that purpose to purchase or lease the necessary plants, buildings, and land, to purchase or hire horses and horse-drawn vehicles, passenger-carrying and other motor-propelled vehicles, equipment, and machinery, and to employ expert and other personal services, and labor, and to pay traveling, maintenance, incidental, and contingent expenses; provided, that products arising from such operations conducted as authorized herein may be sold and the proceeds arising therefrom shall be paid for each fiscal year into the Treasury of the United States to the credit of the General Fund of the District of Columbia; provided further, that any or all operations herein authorized to be conducted as municipal functions may be put into effect as such upon the expiration of any of the contracts existing July 11, 1919, for the collection and disposal of city refuse or upon the failure of any of the contractors existing July 11, 1919, to properly perform the work covered by their contracts existing July 11, 1919; provided further, that it shall be unlawful for any employee of the District of Columbia engaged in the removal of garbage, ashes, miscellaneous refuse, dead animals, or night soil, or for any employee of a contractor doing such work for the District of Columbia, to accept any gift, except from his employer, in money or any other thing of value for any service performed in connection with the removal of city refuse as hereinbefore described; and it shall be unlawful for any person, firm, or corporation, except such employer, to pay or offer to pay, any money or to make any gift to any such employee for such service; that any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in a sum of not less than \$5 nor more than \$40 for each such offense.

“(c) The Mayor of the District of Columbia is authorized, if in his opinion such action shall be in the best interests of the District of Columbia, to conduct any or all of the operations involved in debris removal operations during a public service event, an emergency, or training, as municipal functions, and to enter into mutual aid agreements with neighboring jurisdictions, the federal government, and any agency of any neighboring jurisdiction or the federal government or a combination of the foregoing, for cooperation in the furnishing of debris removal operations during a public service event, an emergency, training, or for other purposes.”.

Sec. 3. 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)).

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Sec. 4. 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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia