

COUNCIL OF THE DISTRICT OF COLUMBIA

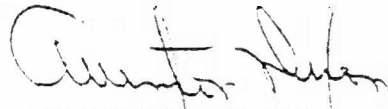
NOTICE

D.C. LAW 3-108

"Neighborhood Municipal Off-Street Parking Facilities Act of 1980".

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. 3-191, on first and second readings, July 15, 1980 and July 29, 1980, respectively. Following the signature of the Mayor on July 31, 1980, this legislation was assigned Act No. 3-233, published in the August 29, 1980, edition of the D.C. Register, (Vol. 27 page 3781) and transmitted to Congress on August 1, 1980 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 3-108 effective September 26, 1980.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

August 1, 4, 5, 6, 18, 19, 20, 21, 22, 25, 26, 27, 28

September 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25

D.C. LAW 3- 108

EFFECTIVE DATE SEP 26 1980

Enrolled Original

AN ACT

D.C. ACT 3-233

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 31 1980

To authorize the establishment of neighborhood municipal off-street parking facilities to encourage economic development and stabilization in neighborhoods.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA.

That this act may be cited as the "Neighborhood Municipal Off-Street Parking Facilities Act of 1980".

Sec. 2. The Council of the District of Columbia finds that:

(a) A number of traditional neighborhood commercial centers have suffered and declined;

(b) Many of these declining neighborhood commercial centers have traditionally encouraged and promoted minority entrepreneurship and employment opportunities;

(c) One of the District's goals is the revitalization of neighborhood commercial areas for the purposes of creating new jobs, increasing incomes, and increasing the availability of goods and services at the neighborhood level particularly in low-and moderate-income neighborhoods;

CODIFICATION
Note,
D.C.Code,
sec. 40-804

(d) One of the major problems hindering the revitalization of neighborhood commercial centers is the lack of adequate short-term parking facilities for shoppers; and

(e) If the District is to achieve its goal of revitalization of these commercial areas and maximize their growth potential, low-cost short-term parking must be provided in or adjacent to such centers.

Sec. 3. The District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 90; D.C. Code, sec. 40-801 et seq.) is amended as follows:

(a) By striking the word "Commissioner" wherever it appears and inserting the word "Mayor" in lieu thereof;

D.C. Code,
sec. 40-801
et seq.

(b) Section 3 (D.C. Code, sec. 40-804) is amended as follows:

D.C. Code,
sec. 40-804

(1) the introductory paragraph is amended to read as follows:

"The Mayor of the District of Columbia is authorized to exercise all powers necessary and convenient to carry out the purposes of this Act, the said purposes being hereby declared to be the acquisition, creation, and operation, in any manner hereinafter provided, under public regulations, of public off-street parking facilities in the

District of Columbia as a necessary incident to insuring in the public interest the free circulation of traffic in and through the District of Columbia and to promoting the economic growth and stability of neighborhood commercial centers. Such powers include, but shall not be limited to, the powers hereinafter enumerated:";

(2) subsection (a) is amended by inserting the following sentences immediately after the phrase "necessary or expedient." "In the case of neighborhood municipal off-street parking, condemnation powers, under the provisions of chapter 13 of title 16 of the District of Columbia Code, shall not be used to acquire residential property on which there are improvements or commercial property with improvements that are in use. Before acquiring any real property for neighborhood municipal off-street parking facilities or establishing such facilities the Mayor shall hold at least one public hearing and request any affected Advisory Neighborhood Commission(s) for its comments and reports within thirty days of such request.";

(c) Section 5 (D.C. Code, sec. 40-806) is amended by adding the following provisions at the end thereof:

D.C. Code,
sec. 40-806

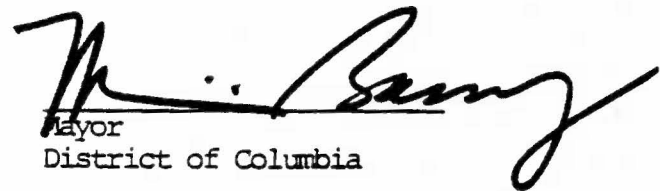
"Neighborhood municipal off-street parking facilities shall not be located in districts zoned C-4.

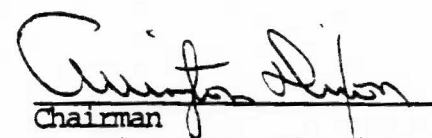
C-5, C-3-B, C-3-A, W-1, W-2, W-3, SP, and C-2, nor shall they be established on lots on which housing currently exists or on parcels within four blocks of a Metrorail station stop."; and

D.C. Code,
sec. 40-
809a

(d) Section 10 (D.C. Code, sec. 40-809a) is amended by (1) deleting immediately following the phrase "fringe parking facility" the word "and"; and (2) adding immediately after the phrase "public highway" the phrase "and (4) any neighborhood off-street parking facility to promote economic growth and stability".

Sec. 4. This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 502(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).


Mayor
District of Columbia


Chairman
Council of the District of Columbia

APPROVED: July 31, 1980

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: B 3-191

ACTION: Adopted First Reading 7-15-80

VOICE VOTE: Unanimous

Absent: Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARVIS					ROLARK									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: Adopted Final Reading 7-29-80

VOICE VOTE: Majority

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARVIS					ROLARK									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARVIS					ROLARK									

CERTIFICATION OF RECORD

Secretary to the Council