

COUNCIL OF THE DISTRICT OF COLUMBIA

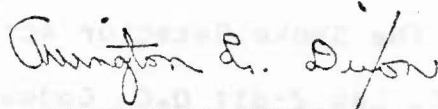
NOTICE

D. C. LAW 3-42

"Regulation Enforcement and Fire Safety Amendment
Act of 1979"

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. 3-150 on first and second readings, September 25, 1979 and October 9, 1979 respectively. Following the signature of the Mayor on October 30, 1979, this legislation was assigned Act No. 3-114, published in the November 9, 1979, edition of the D.C. Register, (Vol. 26 page 2082) and transmitted to Congress on November 5, 1979 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 3-42 effective December 21, 1979.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

November	1, 2, 5, 6, 7, 8, 9, 13, 14, 15, 16, 19, 20, 26, 27, 28, 29, 30
December	3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20

Enrolled Original

AN ACT

D.C. ACT 3 - 114

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCT 30 1979

To require the installation of smoke detectors in all nursing homes and residential-custodial care facilities by January 1, 1980; to require the installation of smoke detectors before a certificate of occupancy may be issued; to authorize the Mayor or his designee to enforce the Building Code, Fire Prevention Code, Health Regulations, Housing Regulations and Smoke Detector Act of 1978; to revise the egress and fire door requirements for community residence facilities and for other purposes.

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

That this act may be cited as the "Regulation Enforcement and Fire Safety Amendment Act of 1979".

Sec. 2. The Smoke Detector Act of 1978, effective June 20, 1978 (D.C. Law 2-81; D.C. Code, sec. 5-328 et seq.), is amended by:

(a) adding the following sentence to the end of section 3(a) (D.C. Code, sec. 5-329(a)): "No certificate of occupancy may be issued for any dwelling unit, hotel, motel, hospital, nursing home or residential-custodial care

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facility unless smoke detectors have been installed as required by this act.";

(b) striking the phrase "motel, hospital, nursing home and residential-custodial care facility" from section 3(b) (D.C. Code, sec. 5-329(b)) and inserting in lieu thereof the words "motel and hospital";

(c) striking the phrase ", prison and residential-custodial care facility" from section 3(c) (D.C. Code, sec. 5-329(c)) and inserting in lieu thereof the words "and prison";

(d) striking the phrase "nursing home" from section 3(c) (D.C. Code, sec. 5-329(c));

(e) adding a new subsection (d) to section 3 (D.C. Code, sec. 5-329) to read as follows:

"(d) Except as provided in subsection (a) and except as provided in section 14(d) of Title VII of the Health Care and Community Residence Facilities Regulation, enacted June 14, 1974 (Reg. No. 74-15):

"(1) the owner of each residential-custodial care facility and nursing home shall install smoke detectors as required by this act by January 1, 1980.

"(2) The Mayor shall install smoke detectors as required by this act in each residential-

custodial care facility and nursing home owned by the District of Columbia by January 1, 1980.";

(f) making the following amendments to section 4(b) (D.C. Code, sec. 5-330(b)):

(1) adding a new sentence following the first sentence to read as follows:

"The owner of each dormitory shall install at least one (1) smoke detector to protect each resident room or resident suite.";

(2) inserting the words "or resident suite" after the words "quest suite" in the second sentence; and

(3) striking the words "or motel" in the third sentence and inserting in lieu thereof the phrase ", motel or dormitory"; and

(q) deleting the words "Fire Chief" from sections 4(b) and 4(c) (D.C. Code, sec. 5-330(b) and (c)) and sections 5(a) and 5(b) (D.C. Code, sec. 5-331(a) and (b)) and inserting in lieu thereof the word "Mayor".

Sec. 3. The District of Columbia Health Regulations (published as title 8 of the District of Columbia Regulations, 1962 revision, as amended) are amended by adding a new section 8-1:101 to read as follows:

"Section 8-1:101. Notwithstanding any other provision of these regulations, the Mayor may delegate

the authority to enforce these regulations to any agency he deems appropriate."

Sec. 4. Section 1.3 of the 1964 Fire Prevention Code, issued September 29, 1964 (C.O. 64-1397A; Title 7, DCRR) is amended by adding, at the end thereof, a new sentence to read as follows:

"Notwithstanding any other provision in this Code, the Mayor may delegate the authority to enforce this Code to any agency he deems appropriate."

Sec. 5. The Second Amendment to the Building Code for the District of Columbia, effective September 21, 1977 (D.C. Law 2-18; Title 5A-1, DCRR), is amended by striking the period at the end of section 2(a) and adding the following:

": EXCEPT, That notwithstanding any other provision of this act, the Mayor may delegate the authority to enforce this act to any agency he deems appropriate."

Sec. 6. The Housing Regulations of the District of Columbia, issued August 11, 1955 (C.O. 55-1503; Title 5G, DCRR) are amended by adding a new section 1104 to read as follows:

"Sec. 1104. Authority to Delegate.

"Notwithstanding any other provision of these regulations, the Mayor may delegate the authority to

enforce these regulations to any agency he deems appropriate.".

Sec. 7. Section 616.2 of the Second Amendment to the 1972 Building Code of the District of Columbia, effective September 21, 1977 (D.C. Law 2-18; title 5A-1 DCRR) is amended by striking the following words wherever they appear:

"except that all sleeping rooms above the street level in a community residence facility which has sleeping rooms above the second floor or which has more than six (6) occupants in sleeping rooms above the street level floor shall have access to two (2) separate means of exit, at least one (1) of which shall consist of an enclosed interior stair, or a fire escape, or a horizontal exit, all so arranged as to provide a safe path of travel to the outside of the building without transversing any corridor or space exposed to an unprotected vertical opening.".

Sec. 8. Section 14 of Title VII of the Health Care and Community Residence Facilities Regulation, enacted June 14, 1974 (Reg. No. 74-15) is amended by adding a new subsection (h) to read as follows:

"(h) Egress Requirements and Fire Doors

"(1) Notwithstanding any conflicting provisions contained in any District of Columbia rules or regulations, as defined by the District of Columbia Administrative Procedure Act:

"(A) Each community residence facility which has residents in sleeping rooms above the second floor or which has more than six (6) residents in sleeping rooms above the street level floor shall:

"(i) provide access to two (2) separate means of exit for all sleeping rooms above street level, at least one (1) of which shall consist of an enclosed interior stair, or a fire escape, or a horizontal exit, all arranged as to provide a safe path of travel to the outside of the building without transversing any corridor or space exposed to an unprotected vertical opening; or

"(ii) provide alternative arrangements or methods which according to reasonable equivalency criteria and in the opinion of the Mayor secure safety to life from fire; and

"(B) Each community residence facility shall comply with section 914 of the Second Amendment to the 1972 Building Code of the District of Columbia, effective September 21, 1977 (D.C. Law 2-18; title 5A-1, DCRR).

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"(2) For the purposes of paragraph (1)(A) of this subsection, the term 'resident' has the meaning given that term in section 3(39) of Title I of this regulation."

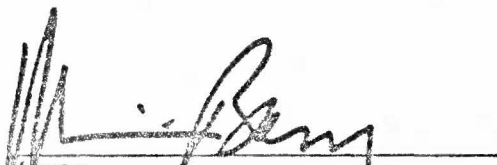
Sec. 9. Section 2 of the Police Manual Amendment Act of 1979, signed by the Mayor on August 9, 1979 (Act 3-83), is amended as follows:

(a) by striking the word "twentieth" wherever it appears and substituting the word "twenty-first"; and

(b) by striking the phrase "(20th)" and substituting the phrase "(21st)".

Sec. 10. This act shall take effect as provided for acts of the Council of the District of Columbia in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: October 30, 1979

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: Bill 3-150

ACTION: To Adopt (9-25-79)

VOICE VOTE: Unanimous

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TADWIC					ROLARK									

X—Unanimous Vote A. B.—Absence N. V.—Not Voting

CERTIFICATION OF RECORD

Kurt D. Robinson
Secretary to the Council

ACTION: To Adopt (10-9-79)

VOICE VOTE: Unanimous

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TADWIC					ROLARK									

X—Unanimous Vote A. B.—Absence N. V.—Not Voting

CERTIFICATION OF RECORD

Kurt D. Robinson
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TADWIC					ROLARK									

X—Unanimous Vote A. B.—Absence N. V.—Not Voting

CERTIFICATION OF RECORD

Secretary to the Council