

COUNCIL OF THE DISTRICT OF COLUMBIA

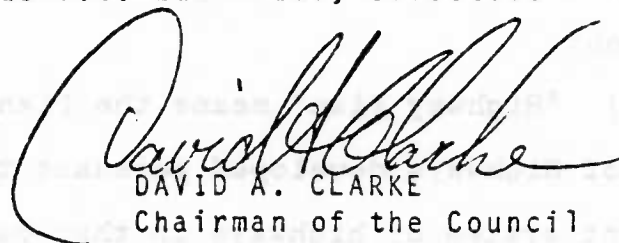
NOTICE

D.C. LAW 4-201

"Street and Alley Closing and Acquisition Procedures Act of 1982".

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. 4-341 on first and second readings, November 16, 1982, and December 14, 1982, respectively. Following the signature of the Mayor on December 28, 1982, this legislation was assigned Act No. 4-285, published in the January 14, 1983, edition of the D.C. Register, (Vol. 30 page 148) and transmitted to Congress on January 7, 1983 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 4-201, effective March 10, 1983.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	25, 26, 27, 28, 31
February	1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 22, 23, 24, 25, 28
March	1, 2, 3, 4, 7, 8, 9

D.C. ACT 4 - 285

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC 28 1982

To establish procedures for closing streets and alleys and for condemning land for streets and alleys, and for other purposes.

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

That this act may be cited as the "Street and Alley Closing and Acquisition Procedures Act of 1982".

TITLE I. DEFINITIONS

Sec. 101. For purposes of this act the term:

(1) "Alley" means any public alley, as recorded in the records of the Office of the Surveyor, from its intersection with a street or another alley to its next intersection with a street or alley, or where it deadends.

(2) "Council" means the Council of the District of Columbia.

(3) "District" means the District of Columbia government.

(4) "Highway Plan" means the Plan of the Permanent System of Highways developed pursuant to An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, approved March 2, 1893 (27 Stat. 532; D.C. Code, sec. 7-108 et seq.).

(5) "Mayor" means the Mayor of the District of Columbia, or the Mayor's designated representative.

CODIFICATION  
D.C. Code,  
title 7,  
new chapter 4  
subchapter I  
New  
D.C. Code,  
sec. 7-411  
(1981 ed.)

(6) "Owner" means the owner(s) of record as shown on the records in the Department of Finance and Revenue.

(7) "Street" means any public right-of-way, recorded as a street, road, or highway in the records of the Office of the Surveyor.

(8) "Surveyor" means the Surveyor of the District of Columbia.

TITLE II. STREET AND ALLEY CLOSING PROCEDURES

Sec. 201. The Council may close all or part of any street or alley which it determines is unnecessary for street or alley purposes.

D.C.Code,  
title 7,  
chapter 4,  
new subcha  
II

Sec. 202. Prior to consideration by a Committee of the Council of an application to close all or part of a street or alley, the Mayor shall:

New  
D.C.Code,  
sec. 7-421  
(1981 ed.)

(a) Provide the Council with a Surveyor's plat showing:

New  
D.C.Code,  
sec. 7-422  
(1981 ed.)

(1) the street or alley, or part thereof, to be closed;

(2) the lots abutting the street or alley, or part thereof, to be closed;

(3) any dedication of land for street or alley purposes;

(4) any easements to be established or reserved by the District; and

(5) the person(s) to whom the title to the land to be closed is to revert or vest.

(b) Provide the Council with any comments on the proposed closing submitted by the affected District agencies

and public utilities.

(c) Except as provided in section 203, refer the application to the National Capital Planning Commission for its recommendations.

(d) Refer to the Historic Preservation Review Board, as established by section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Code, sec. 5-1003) for its review, any application to close any street located on the L'Enfant Street Plan.

Sec. 203. Section 202(c) shall not apply to any application to close all or part of an alley in the circumstances enumerated in section 205(b), (d)(1), (e), or (f).

New  
D.C.Code  
sec. 7-4  
(1981 ed

Sec. 204. Except as provided in section 205, the Council shall hold a public hearing on all applications to close all or part of a street or alley.

New  
D.C.Code  
sec. 7-4  
(1981 ed

Sec. 205. Section 204 shall not apply to any application to close:

(a) All or part of any alley when the application has been supported in writing by all of the owners of all the property in the square;

New  
D.C.Code  
sec. 7-4  
(1981 ed

(b) All or part of any alley where the width of the alley is 10 feet or less, and the application has been supported in writing by all of the owners of all the property abutting the entire alley;

(c) All or part of any deadend or unimproved street or alley when the application has been supported in writing by

all of the record owners of all the property on both sides of the block(s) of the street which abuts the block(s) of that street to be closed or which abuts the entire alley;

(d) All or any part of any alley when the application has been supported in writing by all of the record owners of all the property abutting the entire alley, and when land in the same square is concurrently provided for alley purposes either by (1) dedication or (2) easement;

(e) All or part of any alley when:

(1) the closing is supported in writing by all of the owners of the property in 2/3 of the square;

(2) the alley, all or part of which to be closed, is located entirely within 2/3 of the square owned by the persons supporting the closing; and

(3) the owners propose to develop the entire area of the square which they own; and

(f) All or part of any alley when the District or the United States holds title to all the property abutting the alley, all or part of which is to be closed.

Sec. 206. (a) At least 30 days and no more than 60 days prior to the date of any public hearing to consider an application to close all or part of a street or alley, the applicant shall:

New  
D.C. Code,  
sec. 7-42  
(1981 ed.)

(1) give written notice of the date, time, and location of the public hearing to all of the owners of all the property on both sides of the block(s) of the street which abuts the block(s) of that street to be closed or which abuts that entire alley; and

(2) post a sign which indicates the date, time, and location of the public hearing at each end of the block(s) of that street to be closed, or at each entrance from a street to any alley in the square.

(b) At least 15 days and no more than 6 months prior to final consideration by the Council of proposed legislation to close all or part of a street or alley which has not been the subject of a public hearing, the applicant shall:

(1) give written notice of the Council's intent to consider the proposed legislation to all of the owners of all the property on both sides of the block(s) of the street or which abuts that alley system; and

(2) post a sign which indicates the Council's intent to consider the proposed legislation at each end of the block(s) of that street to be closed, or at each entrance from a street to any alley in the square.

(c) The applicant shall certify to the Council that the notice required in subsection (a) or (b) has been given. A post office receipt of proof of mailing of the notice to the property owner's last known address and a photograph of each posted sign shall be sufficient proof that the required notice was given.

(d) The Mayor shall make available the signs and shall prescribe by rule a format for the written notice to be given pursuant to this section.

Sec. 207. (a) At least 30 days prior to a public hearing to consider an application to close all or part of a

street or alley, the Council shall publish notice of the public hearing in the D.C. Register and shall give written notice of the public hearing to the Advisory Neighborhood Commission(s) in whose Commission area the street and alley to be closed is located.

(b) At least 15 days and no more than 6 months prior to final consideration by the Council of proposed legislation to close all or part of a street or alley which has not been the subject of a public hearing, the Council shall give written notice of the Council's intent to consider the proposed legislation to the Advisory Neighborhood Commission(s) in whose Commission area the street and alley to be closed is located.

Sec. 208. Where title to the street or alley, of which all or part is to be closed, can reasonably be determined to be held by the United States or the District, the Council may dispose of the property to the best advantage of the District and may assess the fair market value of the land and the value of the District's improvements on the land to the person(s) to whom the title to the land is to vest. Any money received for land where the title was held by the United States shall be deposited in the Treasury of the United States to the credit of the United States. Any money received for land where title was held by the District shall be credited to the General Fund of the District.

Sec. 209. The Council may make the approval of a closing of all or part of a street or alley contingent upon any or all of the following:

New  
D.C. Code  
sec. 7-  
(1981 ed

New  
D.C. Code  
sec. 7-  
(1981 ed

(a) The dedication of any other land for street or alley purposes;

(b) The granting to the District of specific easements for public purposes; or

(c) Any other condition(s) the Council deems necessary.

Sec. 210. Except in the circumstances enumerated in section 205(a) through (f), following enactment of legislation ordering the closing of all or part of a street or alley, the Mayor shall give written notice to the owners of the property on both sides of the block(s) of the street to be closed or which abuts that entire alley, that the legislation has been approved by the Council and signed by the Mayor. This notice shall also indicate that any written objection by an interested party aggrieved by the closing must state how the person is aggrieved by the closing and must be filed with the Mayor within 30 days of the mailing of the notice.

New  
D.C.Code,  
sec. 4-430  
(1981 ed.)

Sec. 211. When an objection is filed with the Mayor as provided for in section 210, the Mayor shall institute a proceeding in rem in the Superior Court of the District of Columbia for the closing of the street or alley, or part thereof, and for the ascertainment of damages and the assessment of benefits resulting from the closing. The proceedings shall be conducted in the same manner as proceedings for the condemnation of land for streets and alleys pursuant to chapter 13 of title 16 of the D.C. Code. Any damages awarded by the Court shall cover the

New  
D.C.Code,  
sec. 4-431  
(1981 ed.)



administrative costs of the proceedings and shall be paid by the applicant for the closing, the applicant having the right, within a reasonable time to be fixed by the Court in its order confirming the verdict, to abandon the proposed closing without being liable for damages ordered by the Court. If no damages are awarded by the Court, the person who filed the objection shall pay the administrative costs of the in rem proceeding.

Sec. 212. Following the effective date of an act ordering the closing of a street or alley, and following the finding by the Surveyor of compliance with any conditions required in the street or alley closing act pursuant to section 209 and following the payment of any damages awarded pursuant to section 211, the Surveyor shall record a copy of the street or alley closing act and the Surveyor's plat in the Office of the Surveyor. Upon the recordation of the Surveyor's plat, the street or alley, or part thereof, will be deemed closed and the title to the land shall revert to or be vested in fee simple to the record owners as shown on the plat. This land shall thereafter be assessable in all respects as all other real property in the District of Columbia. The right of the public to use the street or alley, and any proprietary interest of the United States or the District in the street or alley, or part thereof, shall cease, unless a temporary continued use is required by the Mayor. Upon the recordation in the Office of the Surveyor of a closing plat showing any easement or dedication of land for public purposes that has been established or accepted in

New  
D.C.Code,  
sec. 7-432  
(1981 ed.)

an act closing a street or alley, or part thereof, the land encompassed by the easement or dedication shall thereafter be available for that public use.

Sec. 213. Upon the recordation of the plat, the Surveyor shall send a copy of the act and the plat to the applicant and to the Director of the Department of Finance and Revenue.

New  
D.C.Code,  
sec. 7-433  
(1981 ed.)

Sec. 214. The Mayor shall establish a fee schedule to recover the costs associated with the consideration of an application to close all or part of a street or alley.

New  
D.C.Code,  
sec. 7-434  
(1981 ed.)

Sec. 215. Within 6 months of the effective date of this act, the Mayor shall issue procedures to ensure the thorough review by the affected District agencies and by the public utilities of all applications to close all or part of a street or alley.

New  
D.C.Code,  
sec. 7-435  
(1981 ed.)

### TITLE III. NEW STREETS OR ALLEYS

Sec. 301. The Mayor may open, extend, widen, or straighten:

D.C.Code,  
title 7,  
chapter 4,  
new sub-  
chapter I

(a) Any street to conform with the Highway Plan; or  
(b) Any minor street or alley, upon the petition of the owners of more than 1/2 of the property fronting on the proposed street or alley, or when the Mayor finds that the public interest would be served best by the action.

New  
D.C.Code,  
sec. 7-441  
(1981 ed.)

Sec. 302. Any land used for the purpose of opening, extending, widening, or straightening any street, minor street, or alley pursuant to section 301 may be acquired by:

New  
D.C.Code,  
sec. 7-442  
(1981 ed.)

- (a) Purchase;
- (b) Condemnation pursuant to chapter 13 of title 16 of

the D.C. Code; or

(c) Acceptance by the Council of a dedication of land:

PROVIDED, That if the land is to be acquired for a Federal Aid Highway project, the person offering to dedicate the land must be informed of his or her right to compensation for it.

Sec. 303. Where the Highway Plan shows:

(a) A street as 90 feet wide, the Council may accept a dedication of land no less than 60 feet wide;

(b) A street as 120 feet or more wide, the Council may accept a dedication of land no less than 90 feet wide: PROVIDED, That in both subsections (a) and (b) the persons dedicating the land agree to establish building restriction lines to correspond with the width of the street as shown on the Highway Plan.

New  
D.C.Code,  
sec. 7-443  
(1981 ed.)

Sec. 304. In any 1 block length, a minor street shall be 75 feet wide, though land may be acquired at a width of 55 feet with building restriction lines set 10 feet back on both sides of the street lines.

New  
D.C.Code,  
sec. 7-444  
(1981 ed.)

Sec. 305. Any area between the property line and the building restriction line shall be considered as private property set aside and treated as public space under the care and maintenance of the property owner. The use of this area shall be controlled by the District of Columbia Police Regulations with respect to the use of public space and the projection of buildings beyond the building line. The District shall have a right-of-way through this area for sewers and water mains free of charge. The Mayor may build

New  
D.C.Code,  
sec. 7-445  
(1981 ed.)

sidewalks on this area if in the judgment of the Mayor the space between the street lines is not sufficient to permit the construction of sidewalks within the street lines.

TITLE IV. NAMING OF PUBLIC SPACES

Sec. 401. The Council may name or change the name of any public street, alley, circle, bridge, building, park, or other public place or property referred to in this title as "public space" in the District of Columbia.

D.C.Code,  
title 7,  
chapter 4,  
new sub-  
chapter I.  
New  
D.C.Code,  
sec. 7-451  
(1981 ed.)

Sec. 402. In naming any street or circle the following system shall be adhered to:

(a) The broad diagonal highways shall be designated as avenues, and shall be named after States and Territories of the United States.

New  
D.C.Code,  
sec. 7-452  
(1981 ed.)

(b) Streets running north and south shall be designated with numbers consecutively in each direction from the meridian of the United States Capitol. Any street not in exact alignment with those streets to its north and south shall be given the same designation as the street which is most nearly in line with its alignment.

(c) Streets running east and west shall be designated with the letters of the alphabet until these letters are exhausted. Beyond this they shall have names of 1 syllable, then names of 2 and 3 syllables, all arranged in alphabetical order. Any street not in exact alignment with those streets to its east and west shall be given the same designation as the street most nearly in line with its alignment.

(d) Streets which do not form an essential part of the

rectangular system of streets shall be designated as roads or places and shall be named after a prominent local feature in their vicinity, or by such other distinguishing designation as the Council may determine to be appropriate.

(e) Circles shall be named after distinguished persons who have been prominent in the service of this country.

Sec. 403. The Council shall not name any alley in the District of Columbia except when the alley provides the only access to a residential or commercial property.

New  
D.C.Code,  
sec. 7-453  
(1981 ed.)

Sec. 404. No public space in the District of Columbia shall be given the same name as that given another public space in the District.

New  
D.C.Code,  
sec. 7-454  
(1981 ed.)

Sec. 405. No public space in the District shall be named in honor of any living person, or in honor of any person who has been deceased less than 2 years, unless the deceased person was a President or Vice President of the United States, a United States Senator or Representative, a Mayor of the District of Columbia, or a member of the Council of the District of Columbia.

New  
D.C.Code,  
sec. 7-455  
(1981 ed.)

Sec. 406. The Council shall use the person's given name as well as the person's surname in naming a public space in the District of Columbia in honor of a person. If the full name exceeds 21 characters a meaningful part of the name may be used on the street signs.

New  
D.C.Code,  
sec. 7-456  
(1981 ed.)

Sec. 407. The Council shall submit a copy of the bill for review and comment to the Advisory Neighborhood Commission(s) in whose area the public space to be named or

New  
D.C.Code,  
sec. 7-457  
(1981 ed.)

renamed is located, at least 30 days prior to Council consideration of a bill to rename a public space in the District of Columbia.

Sec. 408. The person or persons who initiate a proposal to name or rename a street or alley in the District of Columbia shall submit in writing a copy of the proposal to each owner of property abutting the affected street or alley.

New  
D.C.Code,  
sec. 7-458  
(1981 ed.)

Sec. 409. Nothing in this act shall prohibit the Board of Education, the Board of Library Trustees, or the Board of Trustees of the University of the District of Columbia from naming or renaming the public buildings or spaces under their respective jurisdictions.

New  
D.C.Code,  
sec. 7-459  
(1981 ed.)

TITLE V. AMENDMENTS TO CONDEMNATION PROCEDURES

Sec. 501. D.C. Code, sec. 16-1311 is amended to read as follows:

"When real property in the District of Columbia is needed by the Mayor of the District of Columbia for sites of schoolhouses, fire or police stations, rights-of-way for roads, highways, streets and alleys or parts thereof, rights-of-way for water mains or sewers, or any other authorized municipal use, and that property cannot be acquired by purchase from the owners thereof at a price satisfactory to the officers of the District authorized to negotiate for the property, a complaint may be filed in the Superior Court of the District of Columbia in the name of the District of Columbia for the condemnation of the property or rights-of-way and the ascertainment of its

D.C.Code,  
sec. 16-1311

value."

Sec. 502. D.C. Code, sec. 16-1336 is amended as follows:

D.C. Code,  
sec. 16-1336

(a) Subsection (a) is amended by striking the phrase ", sections 7-202 to 7-212, 7-213a, 7-214, 7-215, or sections 7-301 to 7-305, 7-313 to 7-318, 7-320, 7-321 and 7-323".

(b) Subsection (c) is amended by striking the phrase "or sections 7-301 to 7-305, 7-313 to 7-318, 7-320, 7-321 and 7-323".

TITLE VI. MISCELLANEOUS

D.C. Code,  
title 7,  
chapter 4,  
new sub-  
chapter V

Sec. 601. The validity of any condemnation proceeding or any street or alley closing pursuant to any section of law repealed by this act shall not be affected by its repeal.

New  
D.C. Code,  
sec. 7-471  
(1981 ed.)

Sec. 602. The Mayor may issue rules necessary to implement and enforce this act.

New  
D.C. Code,  
sec. 7-472  
(1981 ed.)

Sec. 603. If any provision of this act or the application thereof to any person or circumstances is held to be unconstitutional or beyond the statutory authority of the Council, or otherwise invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

New  
D.C. Code,  
sec. 7-473  
(1981 ed.)

TITLE VII. AMENDMENTS TO AND REPEALERS OF EXISTING LAW

Sec. 701. An Act to provide for the opening of alleys in the District of Columbia, approved July 22, 1892 (27

Stat. 255) is amended as follows:

(a) Section 1 is amended by striking the phrase:

"Provided, That in the opening, extension, widening, or straightening of an alley it shall be lawful to close any original alley, or part of an original alley, the fee of which is in the United States, which may thereby become useless or unnecessary; and that it shall also, in like manner, be lawful to close any other alleys or parts of alleys, the title thereto to revert to the person or persons who dedicated the same for alley purposes, or to their assigns."

(b) Section 2 is amended by striking the phrase ", and showing also the alley or part of alley to be closed, if any, and the lots or parts of lots to which the land contained in such closed alley to be annexed"; and

(c) By striking section 3.

Sec. 702. In the paragraph entitled "CONSTRUCTION OF COUNTRY ROADS" of the section entitled "STREETS" of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes, approved June 30, 1898, (30 Stat. 532; D.C. Code, sec. 7-106) strike the phrase ": PROVIDED, That the Commissioners of the District of Columbia shall hereafter have the power and authority to change the name of any street, road, avenue, or other highway whenever any two of such highways have the same name as provided by subsection (f) of section 1 of the Act of December 29, 1944

D.C. Code,  
sec. 7-106  
(1981 ed.)  
repealed



(D.C. Code, sec. 1-244(f))".

Sec. 703. An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes, approved May 30, 1908 (35 Stat. 494; D.C. Code, sec. 7-330) is amended by striking the paragraph entitled "ALLEYS" of the section entitled "CONTINGENT EXPENSES" which reads as follows:

D.C. Code,  
sec. 7-330  
(1981 ed.)

"ALLEYS: That hereafter cases of condemnation proceedings for opening, widening, and extending alleys and minor streets in the District of Columbia, taken pursuant to law, which fail of confirmation and ratification by the court, the Commissioners of the District of Columbia are authorized to pay all costs and expenses that may be incurred in connection with such proceedings from the appropriation for 'Alleys, District of Columbia.'".

Sec. 704. In the part entitled "BRIDGES" In the section entitled "IMPROVEMENTS AND REPAIRS" in An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 950; D.C. Code, sec. 7-201) strike the following paragraph:

D.C. Code,  
sec. 7-201  
(1981 ed.)  
repealed

"That the Commissioners of the District of Columbia are hereby authorized to open, extend, or widen any street, avenue, road, or highway to conform with the plan of the permanent system of highways in that portion of the District of Columbia outside of the cities of Washington and

Georgetown, adopted under the Act of Congress approved March second, eighteen hundred and ninety-three, as amended by the Act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight, by condemnation under the provisions of subchapter one of chapter fifteen of the Code of Law for the District of Columbia: PROVIDED, That the entire amount found to be due and awarded by the jury under such proceedings as damages for and in respect of the land condemned, plus the cost and expenses of said proceedings, shall be assessed by the jury as condemnation proceedings taken under the provisions hereof, and the amounts awarded as damages for and in respect of the land condemned, shall be paid entirely from the revenues of the District of Columbia, and shall be repaid to said District of Columbia from the assessments for benefits and covered into the Treasury of the United States to the credit of the revenues of the District of Columbia; and such sum is necessary for said purpose during the fiscal year to end June thirtieth, nineteen hundred and fourteen, is hereby appropriated, payable entirely from the revenues of the District of Columbia."

Sec. 705. In the section entitled "REPAIRS - STREETS, AVENUES, AND ALLEYS" in An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes, approved March 3, 1917 (39 Stat. 1017; D.C. Code, sec. 7-319) strike the following sentence:

D.C. Code,  
sec. 7-319  
(1981 ed.)  
repealed

"Hereafter in all proceedings for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia the jury of condemnation shall not be restricted as to the assessment area, but shall assess the entire amount awarded as damages plus the costs and expenses of the proceedings as benefits upon any and all lots, parts of lots, pieces or parcels of land which they may find will be benefited by the opening, extension, widening, or straightening of the alley or minor street, or by the establishment of the building line as they may find said lots, parts of lots, pieces or parcels of land will be benefited."

Sec. 706. An Act To authorize the Commissioners of the District of Columbia to close certain alleys, and to set aside land owned by the District of Columbia for alley purposes, approved June 14, 1932 (47 Stat. 303; D.C. Code, secs. 7-309 - -312) is amended as follows:

D.C. Code,  
secs. 7-309  
-312  
(1981 ed.)  
repealed

(a) Section 1 is amended by striking the phrase: "and the said Commissioners are further authorized to close any alleys or parts of alleys in the District of Columbia when, in their judgment, such alleys, or parts of alleys, are rendered useless and unnecessary by reason of the acquisition of abutting land for municipal purposes: PROVIDED, That the District of Columbia, prior to the closing of any such alley or part of alley, has acquired title to all the land abutting on the alley or part of alley proposed to be closed: PROVIDED FURTHER, That the title to

the land comprised in the alleys or parts of alleys so closed shall revert to the District of Columbia: And PROVIDED FURTHER, That no property owner within the block where such alleys or parts of alleys are closed shall be deprived of the right of access to his property by alleys or parts of alleys, unless adequate access to such property be substituted therefor."

(b) By striking the following sections 2, 3, and 4 respectively:

"Sec. 2. The Commissioners of the District of Columbia are hereby further authorized to set aside for alley purposes any land owned by the District of Columbia whenever it becomes necessary to provide additional area for alleys by reason of the closing of any alley or part of any alley: PROVIDED, That in each case the area set aside for alley purposes shall not exceed the area of the alley or part of alley closed."

"Sec. 3. The Commissioners of the District of Columbia shall cause public notice to be given, by advertisement in a newspaper of general circulation in the District of Columbia, of any order to be made by the said Commissioners under the authority granted them by the provisions of this Act: PROVIDED, That such public notice shall be given not less than thirty days prior to the effective date of such order: and PROVIDED FURTHER, That if any interested property owner affected adversely by such order shall request a public hearing by the said Commissioners, within thirty days prior to the effective date of the order, the

said Commissioners shall grant such hearing."

"Sec. 4. That any and all necessary maps showing the action taken by the Commissioners of the District of Columbia under the provisions of this Act: shall be prepared by the Surveyor of the District of Columbia, approved by the Commissioners of the District of Columbia, and ordered by said Commissioners to be recorded in the office of the surveyor of the District of Columbia."

Sec. 707. Subsection (f) of section 1 of An Act To grant additional powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Code, sec. 1-337(f)) is amended by striking the phrase "in the District of Columbia under the jurisdiction of the District of Columbia, except

D.C. Code,  
sec. 1-337  
(1981 ed.)

"(1) No highway, circle, bridge, building, park or other public place or property under the jurisdiction of the District of Columbia shall hereafter be named in honor of any living person, and consideration shall not be given to naming any such public place in honor of any deceased person, until two years after his or her death" and inserting the phrase "as provided in Title IV of the Street and Alley Closing and Acquisition Procedures Act of 1982" in lieu thereof.

Sec. 708. An Act to continue, alter and amend the Charter of the City of Washington, approved May 17, 1848 (9 Stat. 223) is repealed.

Sec. 709. R.S.D.C. sec. 249 (D.C. Code, sec. 7-105) is repealed.

D.C. Code,  
sec. 7-105  
(1981 ed.)  
repealed

Sec. 710. An Act to authorize the changing of Alley-Ways in the City of Washington, approved July 6, 1882 (22 Stat. 151) is repealed.

Sec. 711. Section 5 of An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, approved March 2, 1893 (27 Stat. 534; D.C. Code, sec. 7-111) is repealed.

D.C.Code,  
sec. 7-111  
(1981 ed.)  
repealed

Sec. 712. Section 3 of An Act To amend an Act of Congress approved March second, eighteen hundred and ninety-three, entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and for other purposes, approved June 28, 1898 (30 Stat. 520; D.C. Code, sec. 7-113) is repealed.

D.C.Code,  
sec. 7-113  
(1981 ed.)  
repealed

Sec. 713. Section 2 of An Act To regulate the grades of Twentieth Street, and for other purposes, approved May 31, 1900 (31 Stat. 248; D.C. Code, sec. 7-117) is repealed.

D.C.Code,  
sec. 7-117  
(1981 ed.)  
repealed

Sec. 714. Sections 1605 through 1608d of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1428; D.C. Code, secs. 7-301-- 308) are repealed.

D.C.Code,  
secs. 7-301 - -  
(1981 ed.)  
repealed

Sec. 715. Sections 1608e through 1608j of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (33 Stat. 734; D.C. Code, sec. 7-313 - -318) are repealed.

D.C.Code,  
secs. 7-313 - -  
(1981 ed.)  
repealed

Sec. 716. Sections 1608k through 1608l of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (33 Stat. 736; D.C. Code, secs. 7-320 & 321) are repealed.

D.C.Code,  
secs. 7-320 & -  
(1981 ed.)  
repealed

Sec. 717. Section 1610 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (33 Stat. 736; D.C. Code, sec. 7-322) is repealed.

D.C.Code,  
sec. 7-322  
(1981 ed.)  
repealed

Sec. 718. Sections 1611 through 1616 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1430; D.C. Code, secs. 7-324 - -329) are repealed.

D.C.Code,  
secs. 7-324  
-329  
(1981 ed.)  
repealed

Sec. 719. Sections 491a through 491k and 491m and 491n of An Act To amend an Act entitled " An Act to establish a code of law for the District of Columbia," regulating proceedings for condemnation of land for streets, approved April 30, 1906 (34 Stat. 151; D.C. Code, secs. 7-202 - -214) are repealed.

D.C.Code,  
secs. 7-202  
-214  
(1981 ed.)  
repealed

Sec. 720. The section entitled "Opening Alleys and Minor Streets" in An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and seven, and for other purposes, approved June 27, 1906 (34 Stat. 491; D.C. Code, sec. 7-332) is repealed.

D.C. Code,  
sec. 7-332  
(1981 ed.)  
repealed

Sec. 721. An Act To provide for the condemnation of streets or parts of streets under the plan for the permanent system of highways for the District of Columbia, approved March 30, 1910, (36 Stat. 268; D.C. Code, secs. 7-215 and 7-216) is repealed.

D.C.Code,  
secs. 7-215  
-216  
(1981 ed.)  
repealed

Sec. 722. An Act To authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening,

or straightening, in accordance with the highway plan of other streets, roads, or highways in the District of Columbia, and for other purposes, approved January 30, 1925 (43 Stat. 799; D.C. Code, secs. 7-123 & 124) is repealed.

D.C. Code,  
secs. 7-123  
-124  
(1981 ed.)  
repealed

Sec. 723. An Act To provide for the condemnation of land for the opening, extension, widening, or straightening of streets, avenues, roads, or highways in accordance with the plan of the permanent system of highways for the District of Columbia and for other purposes, approved May 28, 1926 (44 Stat. 675; D.C. Code, secs. 7-218 & 219) is repealed.

D.C. Code,  
sec. 7-218  
-219  
(1981 ed.)  
repealed

Sec. 724. An Act To provide for notice to owners of land assessed for benefits by the verdict of condemnation juries in the District of Columbia, and for other purposes, approved May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7-220) is repealed.

D.C. Code,  
sec. 7-220  
(1981 ed.)  
repealed

Sec. 725. Section 8 of An Act To amend the Act entitled "An Act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9, approved April 3, 1930 (46 Stat. 139; D.C. Code, sec. 7-103) is repealed.

D.C. Code,  
sec. 7-103  
(1981 ed.)  
repealed

Sec. 726. The Street Readjustment Act of the District of Columbia, approved December 15, 1932 (47 Stat. 747; D.C. Code, sec. 7-401 et seq.) is repealed.

D.C. Code,  
secs. 7-401  
-410  
(1981 ed.)  
repealed

Sec. 727. An Act Relating to benefit assessments from



condemnation proceedings for the opening, extension, widening, or straightening of alleys or minor streets, approved June 20, 1939 (53 Stat. 844; D.C. Code, sec. 7-323) is repealed.

D.C. Code,  
sec. 7-323  
(1981 ed.)  
repealed

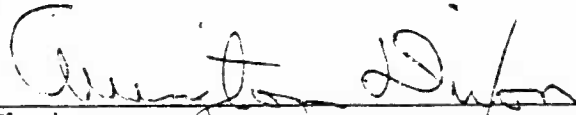
TITLE VIII. EFFECTIVE DATE

Sec. 801(a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

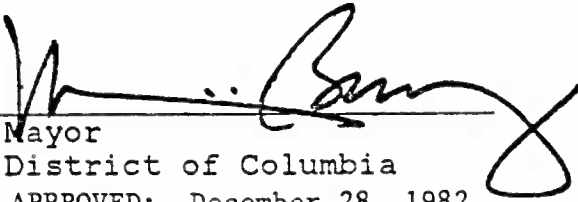
(b) The applicant for any street or alley closing on file with the Surveyor and assigned a Surveyor's Order Number as of November 3, 1982, may elect to have the street or alley closed pursuant to the provisions of this act or to proceed with the closing under the applicable provisions of law in force at the time the application was filed. All applicants shall comply with sections 206 and 207, except, if a public hearing to consider an application was held prior to the effective date of this act then the applicant is exempt for that application from the provisions of

New  
D.C. Code,  
sec. 7-474  
(1981 ed.)

section 206.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED: December 28, 1982

00400121703



COUNCIL OF THE DISTRICT OF COLUMBIA  
Council Period Four  
Second Session

DOCKET NO: B 4-341

Item on Consent Calendar

ACTION: Adopted First Reading, 11-16-82

VOICE VOTE: By Majority

Absent: Shackleton, Crawford and Spaulding

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.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*Vivian R. Cunningham* 12/23/82  
Secretary to the Council Date

Item on Consent Calendar

ACTION: Adopted Final Reading 12-14-82

VOICE VOTE: By Majority

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.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*Vivian R. Cunningham* 12/23/82  
Secretary to the Council Date

Item on Consent Calendar

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.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD