

COUNCIL OF THE DISTRICT OF COLUMBIA

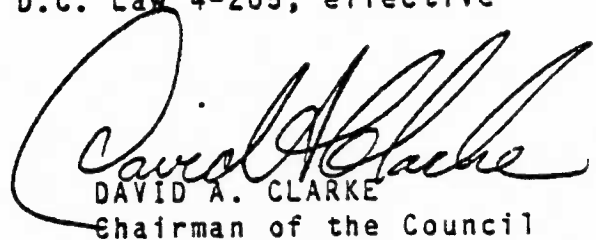
NOTICE

D.C. LAW 4-205

"Summary Abatement of Life-or-Health Threatening
Conditions 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. 4-459 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. 4-289, published in the January 14, 1983, edition of the D.C. Register, (Vol. 30 page 188) 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 4-205, 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. LAW 4 - 205

AN ACT

EFFECTIVE
DATE MAR 10 1983D.C. ACT 4 - 289

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC 28 1982

To authorize the Mayor of the District of Columbia to provide for summary abatement of life-or-health threatening housing or vacant lot conditions, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Summary Abatement of Life-or-Health Threatening Conditions Act of 1982".

Sec. 2. Section 1 of An Act to provide for the abatement of nuisances in the District, and by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Code, sec. 5-513) is amended by adding new subsections (c) and (d) to read as follows:

CODIFICATION
D.C. Code,
sec. 5-513
(1981 ed.)

"(c) The Mayor may cause the summary correction of housing regulation violations where a life-or-health threatening condition exists, as determined by the Mayor. A life-or-health threatening condition means a condition which imminently endangers the health or safety of the tenant who occupies the premises in a housing unit. The condition may include, but is not limited to, the interruption of electrical, heat, gas, water, or other essential services, when the interruption results from other than natural causes. The Mayor shall notify promptly the owner or

authorized agent that the correction is ordered within a specified time period. If at the time of this notice the owner is engaged in a good faith effort to make the necessary correction, the Mayor shall not commence corrective action unless and until the owner interrupts or ceases the effort. A good faith effort shall be one which is likely to cause the correction of the condition at least as soon as it could otherwise be corrected by the Mayor. The Mayor shall provide an opportunity for review of the summary corrective action without prejudice to the Mayor's authority to take and complete that action. The owner or authorized agent shall be notified by personal service or by registered mail to the last known address and by conspicuous posting on the property. If the owner or address is unknown, or cannot be located, notice shall be provided by conspicuous posting on the property. The Mayor may assess all reasonable costs of correcting the condition and all expenses incident thereto as a tax against the property, to carry this tax on the regular tax rolls, and to collect the tax in the same manner as real estate taxes are collected. Monies in the revolving fund established by subsection (b)(1) shall be available to cover the costs of the summary correction authorized by this subsection.

"(d) The Mayor may charge any property owner whose property is the subject of corrective action, as provided in subsection (c), as added by section 2 of the Summary Abatement of Life-or-Health Threatening Conditions Act of 1982, or any property owner who receives a notice to correct

wrongful conditions pursuant to section 3 a fee to cover the administrative costs incurred by the District of Columbia in its efforts to provide that the violation be corrected. The Mayor may assess this fee as a tax against the property, may carry this tax on the regular tax rolls, and may collect this tax in the same manner as real estate taxes are collected."

Sec. 3. Section 4 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C. Code, sec. 5-604) is amended by adding at the end thereof a new subsection (c) to read as follows:

D.C. Code,
sec. 5-60
(1981 ed.)

"(c) Where the Mayor determines that there exists a life-or-health threatening condition on a vacant lot, the notice required by this Act shall be deemed to have been served if the owner or authorized agent is notified by personal service or by registered mail to the last known address and by conspicuous posting on the property. If the owner or owner's address is unknown, notice shall be provided by conspicuous posting on the property. A life-or-health threatening condition means a condition which imminently endangers the health or safety of persons in the area of the vacant lot."

Sec. 4. Section 5 of An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, approved March 1, 1899 (30 Stat. 923; D.C.

D.C. Code,
sec. 5-60
(1981 ed.)

Code, sec. 5-605) is amended as follows:

- (a) By designating the existing text as subsection "(a)"; and
- (b) By inserting at the end thereof a new subsection (b) to read as follows:

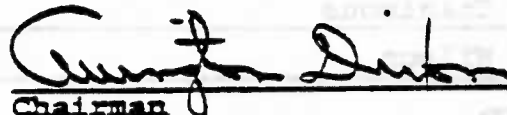
"(b) The Mayor may assess all reasonable costs, including administrative costs, of correcting a life-or-health threatening condition pursuant to section 4(c) and all expenses incident thereto as a tax against the property, may carry this tax on the regular tax rolls, and may collect this tax in the same manner as real estate taxes are collected. Monies in the revolving fund established by section 1(b)(1) of An Act to provide for the abatement of nuisances in the District and by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Code, sec. 5-513) shall be available to cover the costs of correcting life-or-health threatening conditions. Any amounts assessed and collected as a tax against real property pursuant to this section shall be deposited to the credit of the revolving fund."

Sec. 5. Any person who is the owner of vacant property in the District of Columbia and who is not a resident of the District of Columbia must appoint or employ an agent who is a resident of the District of Columbia. This person shall be authorized by the owner and shall be responsible for the care and maintenance of the property. The owner shall notify the Director of the Department of Finance and Revenue of the appointment of the agent and of any change in the


New
D.C. Code
secs. 5-
& -604.
(1981 et

agent or in the address of the agent. Any owner of vacant property in the District of Columbia found to be in violation of this section shall be subject to a fine of \$50.

Sec. 6. 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 of the District of Columbia 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)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: December 28, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Four

Second Session

DOCKET NO: B 4-459

Item on Consent Calendar

ACTION: Adopted First Reading, 11-16-82

VOICE VOTE: By Majority, Members Winter and Mason abstained

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.
CEMN. 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

William E. Cunningham 12/15/82
Secretary to the Council Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 12-14-82

VOICE VOTE: Unanimous

Absent: Wilson

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.
CEMN. 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

William E. Cunningham 12/15/82
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.
CEMN. 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

Secretary to the Council Date