

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

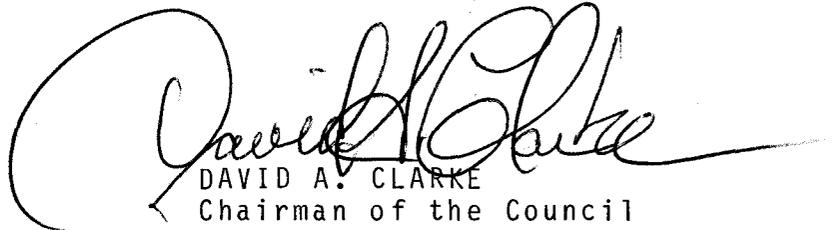
NOTICE

D.C. LAW 8-163

"Office of Zoning Independence Act
of 1990".

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. 8-118 on first and second readings, May 29, 1990, and June 12, 1990, respectively. The legislation was deemed approved without the signature of the Mayor on June 29, 1990, pursuant to Section 404(e) of "the Act", and was assigned Act No. 8-227, published in the July 20, 1990, edition of the D.C. Register, (Vol. 37 page 4676) and transmitted to Congress on July 10, 1990 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 8-163, effective September 20, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 10,11,12,13,16,17,18,19,20,23,24,25,26,27,30,31

August 1,2,3

September 5,6,7,10,11,12,13,14,17,18,19

D.C. LAW 8 - 163

SEP 20 1990

Enrolled Original

Codification
District of Columbia Code
(1991 Supplement)

AN ACT

D.C. ACT 8 - 227

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN 29 1990

To establish, as an independent agency, the Office of Zoning to consist of the professional, technical, and administrative staff of the Zoning Commission for the District of Columbia and the Board of Zoning Adjustment; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to designate the District of Columbia members of the Zoning Commission for the District of Columbia as the personnel authority for the excepted service position of Director of the Office of Zoning and to designate the Director as the personnel authority for all other employees of the Office of Zoning; to transfer to the Office of Zoning all of the functions currently performed by the Zoning Secretariat division of the Office of Planning; to require the Office of Planning to provide review of and comment on every zoning case; to require the Zoning Commission for the District of Columbia and the Board of Zoning Adjustment to give great weight to the recommendations of the Office of Planning; and to require the Office of Planning to provide information and technical assistance in a timely manner upon the request of the Zoning Commission for the District of Columbia or the Board of Zoning Adjustment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office of Zoning Independence Act of 1990".

Sec. 2. There is established as an independent agency of the District of Columbia ("District") government an Office of Zoning to provide professional, technical, or administrative staff assistance to the Zoning Commission for the District ("Zoning Commission") and to the Board of Zoning Adjustment in the performance of their functions and any other duties provided by law.

New Section
5-412.1

Sec. 3. The Office of Zoning shall consist of a Director and other staff as the Zoning Commission deems necessary, subject to appropriations. The Director of the Office of Zoning shall be appointed by the District members of the Zoning Commission and shall serve as an excepted service employee in accordance with section 901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-610.1).

New Section
412.2

Sec. 4. In accordance with section 404(b) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 787; D.C. Code, sec. 1-227), the functions of the Zoning Secretariat division of the Office of Planning, under the direction of the Deputy Mayor for Economic Development pursuant to the Establishment of the Office of Economic Development, effective January 3, 1983 (M.O. 83-18; 30 DCR 319), and any position, property, record, unexpended balance of appropriations, allocation, or other funds available to or to be made available relating to the functions of the Zoning Secretariat division of the Office of Planning, are transferred to the Office of Zoning established by section 2.

New Section
412.3

Sec. 5. Nothing in this act shall be construed to prevent the Office of Planning from continuing to provide recommendations and reports to the Zoning Commission and the Board of Zoning Adjustment on any zoning case. The Office of Planning shall review and comment upon all zoning cases, and the Zoning Commission and the Board of Zoning Adjustment shall give great weight to the recommendation of the Office of Planning. Upon request of the Zoning Commission or the Board of Zoning Adjustment, the Office of Planning shall provide recommendations, information, or technical assistance in a timely manner.

New Section
412.4

Sec. 6. Section 406(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-604.6(b)), is amended by adding a new paragraph (13) to read as follows:

New Section
1-604.6

"(13) For the Director of the Office of Zoning, the personnel authority shall be the District members of the Zoning Commission for the District of Columbia, and for any other employee of the Office of Zoning the personnel authority shall be the Director of the Office of Zoning."

Sec. 7. (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 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)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

(b) The provisions of this act shall not apply until October 1, 1991.

Note,
New Sections
412.1
412.2
412.3
412.4



Chairman
Council of the District of Columbia

DEEMED APPROVED WITHOUT
SIGNATURE UPON EXPIRATION
OF 10-DAY MAYORAL REVIEW PERIOD.

NOT SIGNED

Mayor
District of Columbia

June 29, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-118

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 5-29-90

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: -- RESULT Approved (9 / 3 / 0 / 1)

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. CLARKE	X				MASON	X				THOMAS, SR.		X		
CRAWFORD				X	NATHANSON	X				WILSON	X			
JARVIS	X				RAY	X				WINTER	X			
KANE	X				ROLARK		X							
LIGHTFOOT	X				SMITH, JR.		X							

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

 Secretary to the Council

6-14-90

 Date

CERTIFICATION RECORD

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-12-90

VOICE VOTE: Approved, Member Rolark voted no

Recorded vote on request

Absent: Ray

ROLL CALL VOTE: -- RESULT _____ (_____)

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. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

 Secretary to the Council

6-14-90

 Date

CERTIFICATION RECORD

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: -- RESULT _____ (_____)

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. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

 Secretary to the Council

 Date

CERTIFICATION RECORD