

D.C. LAW 1-76

In the Council of the District of Columbia

July 22, 1976

To provide consumers in the District with procedures for the redress of improper trade practices, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "District of Columbia
Consumer Protection Procedures Act".

DEFINITIONS AND PURPOSES

Sec. 2. (a) As used in this act, the term-

(1) "person" means an individual, firm, corporation, partnership, cooperative, association or any other organization, legal entity, or group of individuals however organized;

(2) "consumer" means a person who does or would purchase, lease (from), or receive consumer goods or services, including a co-obligor or surety, or a person who does or would provide the economic demand for a trade practice; as an adjective, "consumer" describes anything, without exception, which is primarily for personal, household, or family use;

(3) "merchant" means a person who does or would sell, lease (to), or transfer, either directly or indirectly, consumer goods or services, or a person who does or would supply the goods or services which are or would be the subject matter of a trade practice;

(4) "complainant" means one or more consumers who took part in a trade practice, or one or more persons acting on behalf of (not the legal representative or other counsel of) such consumers, or the successors or assigns of such consumers or persons, once such

consumers or persons complain to the Office about the trade practice;

(5) "respondent" means one or more merchants alleged by a complainant to have taken part in or carried out a trade practice, or the successors or assigns of such merchants, and includes other persons who may be deemed legally responsible for the trade practice;

(6) "trade practice" means any act which does or would create, alter, repair, furnish, make available, provide information about, or, directly or indirectly, solicit or offer for or effectuate, a sale, lease or transfer, of consumer goods or services;

(7) "goods and services" means any and all parts of the economic output of society, at any stage or related or necessary point in the economic process, and includes consumer credit, franchises, business opportunities, and consumer services of all types;

(8) "Office", "Director", "General Counsel", "Advisory Committee" and other such terms mean the Office of Consumer Protection, and certain senior officials and organizational structures thereof, established in section 3, and further specified in other parts of this act.

(b) The purposes of this act are to:

- (1) assure that a just mechanism exists to remedy all improper trade practices;
- (2) promote, through effective enforcement, fair business practices throughout the community;
- (3) educate consumers to demand high standards and seek proper redress of grievances.

OFFICE OF CONSUMER PROTECTION

Sec. 3. (a) There is established an Office of Consumer Protection, which shall be the principal consumer protection agency of the District of Columbia Government, and shall carry out the purposes of this act and other duties assigned to it.

(b) (1) The Director of the Office shall be appointed by the Mayor. The Director may hold no other public office, except ex officio as Director.

(2) The Director shall be chief of any section of administration within the Office, and shall have direct control of all general administrative and personnel employees within the Office. The Director may make administrative orders, not inconsistent with this act, for the operation of the Office and to facilitate and foster consumer protection in the District.

(3) Consistent with this act and other District laws, the Director may hire employees, assign work, and delegate the duties, exercise the powers, and carry out the functions, of the Office and the Director.

(c) The Director shall exercise the powers of the Director in section 6 of this act through a Section of Investigations, and shall appoint a Deputy Director-Chief of Section of Investigations, who may carry out investigative, conciliatory and other duties assigned by the Director.

(d) The General Counsel shall be appointed by the Director, from among active lawyer members of the unified District of Columbia Bar. The General Counsel may hold no other public office, except ex officio as General Counsel.

(e) The Mayor shall appoint one full-time administrative law judge to the Section of Hearings. Such judge shall be appointed to a three-year term.

(f) Organization Order No. 40 (C.O. 73-225, October 3, 1973), establishing the Office of Consumer Affairs, is repealed, and such Office is abolished. All the powers, duties and functions, under any District law, of such Office and of its Director, are transferred to the Office of Consumer Protection. All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made

available relating to the powers, duties and functions so transferred, are authorized to be transferred to the Office of Consumer Protection. All positions and personnel so transferred which are in the competitive service shall retain such status and continue to be subject to all rules and regulations governing such competitive service, until such time as the District Government personnel system is established in accordance with section 422 of the District Charter. Such positions and personnel may be retransferred or found in excess and separated from the service in accordance with this act or an administrative order of the Director.

(g) On the effective date of this act or soon thereafter, the Mayor shall appoint an Acting Director or Director of the Office of Consumer Protection. Appointments to the offices of Deputy Director-Chief of Section of Investigations, General Counsel, and Chief of the Section of Consumer Education shall be made solely by the Director of the Office of Consumer Protection after appointment by the Mayor.

POWERS OF THE OFFICE

Sec. 4. (a) The Office may:

(1) receive and investigate complaints and initiate its own investigation of deceptive, unfair, or unlawful trade practices against consumers; issue

summonses, hold hearings, compel the attendance of witnesses, administer oaths, and take the testimony of any person under oath, concerning any trade practice or practices;

(2) issue subpoenas to compel the production of documents, papers, books, records and other evidence concerning any trade practice;

(3) issue cease and desist orders with respect to trade practices determined to be in violation of District law by the Office;

(4) report to appropriate governmental agencies any information concerning violation of any law;

(5) present the interest of consumers before administrative and regulatory agencies and legislative bodies;

(6) assist, advise and cooperate with private, local and federal agencies and officials to protect and promote the interest of the District of Columbia consumer public;

(7) assist, develop and conduct programs of consumer education and information through public hearings, meetings, publications or other materials prepared for distribution to the consumer public of the District of Columbia;

(8) undertake activities to encourage local business and industry to maintain high standards of honesty, fair business practices and public responsibility in the production, promotion and sale of consumer goods and services and in the extension of credit;

(9) exercise and perform such other functions and duties consistent with the purposes or provisions of this act which may be deemed necessary or appropriate to protect and promote the welfare of District of Columbia consumers;

(10) publish rules and regulations governing the Office's procedures, developed by the Director in accordance with the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1503-06);

(11) implead and interplead persons who are properly parties to a case before the Office under section 6 of this act;

(12) negotiate, agree to, and sign consent decrees;

(13) determine whether a person has executed a trade practice in violation of any law of the District of Columbia, and provide full remedy for such violation by:

(A) damages in contract, and orders for restitution, rescission, reformation, repair and replacement,

(B) stipulations, conditions and directives, both temporary and permanent, of all kinds,

(C) enforcement of orders and decrees, collection of civil penalties, and other activities, in the courts,

(D) and other lawful methods; and

(14) maintain both confidential and public records, and publicize its own actions, in accordance with section 6 of this act.

(b) The Office shall:

(1) perform the functions of the Mayor, Office of Consumer Affairs or Department of Economic Development in:

(A) the District of Columbia Consumer Credit Protection Act of 1971 (D.C. Code, Title 28, Chs. 36, 37, 38, et. al.),

(B) the District of Columbia Consumer Retail Credit Regulation (Regulation 71-18; SP DCRR),

(C) and the District of Columbia Consumer Goods Repair Regulation (Regulation 74-3):

(2) render annual reports to the Council and the Mayor as to the number of complaints filed and the nature, status and disposition thereof, and about the other activities of the office undertaken during the previous year.

(c) The Office may not:

(1) order damages for personal injury of a tortious nature:

(2) apply the provisions of section 6 to:

(A) landlord-tenant relations;

(B) persons subject to regulation by the Public Service Commission of the District of Columbia;

(C) professional services of clergymen, lawyers, practitioners of the healing arts and Christian Science practitioners engaging in their respective professional endeavors;

(D) a television or radio broadcasting station or publisher or printer of a newspaper, magazine, or other form of printed advertising, which broadcasts, publishes or prints an advertisement which violates District law, except insofar as such station, publisher or printer engages in a trade practice which violates District

law in selling or offering for sale its own goods or services, or has knowledge of the advertising being in violation of District law;

(E) an action of an agency of government.

UNLAWFUL TRADE PRACTICES

Sec. 5. It shall be a violation of this act, whether or not any consumer is in fact misled, deceived or damaged thereby, for any person to:

(a) represent that goods or services have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits or quantities that they do not have;

(b) represent that the person has a sponsorship, approval, status, affiliation, certification or connection that the person does not have;

(c) represent that goods are original or new if in fact they are deteriorated, altered, reconditioned, reclaimed or second hand, or have been used;

(d) represent that goods or services are of particular standard, quality, grade, style or model, if in fact they are of another;

(e) misrepresent as to a material fact which has a tendency to mislead;

(f) fail to state a material fact if such failure tends to mislead;

(g) disparage the goods, services or business of another by false or misleading representations of material facts;

(h) advertise or offer goods or services without the intent to sell them or without the intent to sell them as advertised or offered;

(i) advertise or offer goods or services without supplying reasonably expected public demand, unless the advertisement or offer discloses a limitation of quantity or other qualifying condition which has no tendency to mislead;

(j) make false or misleading representations of fact concerning the reasons for, existence of, or amounts of price reductions, or the price in comparison to price of competitors or one's own price at a past or future time;

(k) falsely state that services, replacements or repairs are needed;

(l) falsely state the reasons for offering or supplying goods or services at sale or discount prices;

(m) harass, or threaten a consumer with any act other than legal process, either by telephone, cards or letters;

(n) cease work on, or return after ceasing work on, an electrical or mechanical apparatus, appliance, chattel or

other goods or merchandise, in other than the condition contracted for, or to impose a separate charge to reassemble or restore such an object to such a condition without notification of such charge prior to beginning work on or receiving such object;

(o) replace parts or components in an electrical or mechanical apparatus, appliance, chattel or other goods or merchandise when such parts or components are not defective, unless requested by the consumer;

(p) falsely state or represent that repairs, alterations, modifications or servicing have been made and receiving remuneration therefor when they have not been made;

(q) fail to supply to a consumer a copy of a sales or service contract, lease, promissory note, trust agreement or other evidence of indebtedness which the consumer may execute;

(r) make or enforce unconscionable terms or provisions of sales or leases; in applying this subsection, consideration shall be given to the following, and other factors:

(1) knowledge by the person at the time credit sales are consummated that there was no reasonable

probability of payment in full of the obligation by the consumer;

(2) knowledge by the person at the time of the sale or lease of the inability of the consumer to receive substantial benefits from the property or services sold or leased;

(3) gross disparity between the price of the property or services sold or leased and the value of the property or services measured by the price at which similar property or services are readily obtainable in transactions by like buyers or lessees;

(4) that the person contracted for or received separate charges for insurance with respect to credit sales with the effect of making the sales, considered as a whole, unconscionable;

(5) that the person has knowingly taken advantage of the inability of the consumer reasonably to protect his interests by reasons of age, physical or mental infirmities, ignorance, illiteracy or inability to understand the language of the agreement, or similar factors;

(s) pass off goods or services as those of another;

(t) use deceptive representations or designations of geographic origin in connection with goods or services;

(u) represent that the subject of a transaction has been supplied in accordance with a previous representation when it has not;

(v) misrepresent the authority of a salesman, representative or agent to negotiate the final terms of a transaction;

(w) offer for sale or distribute any consumer product which is not in conformity with an applicable consumer product safety standard or has been ruled a banned hazardous product under the federal Consumer Product Safety Act (15 U.S.C. SS 2051-83), without holding a certificate issued in accordance with section 14(a) of that Act to the effect that such consumer product conforms to all applicable consumer product safety rules (unless the certificate holder knows that such consumer product does not conform), or without relying in good faith on the representation of the manufacturer or a distributor of such product that the product is not subject to a consumer product safety rule issued under that Act;

(x) sell consumer goods in a condition or manner not consistent with that warranted by operation of sections 28:2-312 through 318 of the District of Columbia Code, or by operation or requirement of federal law. ✓

COMPLAINT PROCEDURES

Sec. 6. (a) A case is begun by filing with the Office a complaint plainly describing a trade practice and stating the complainant's (and, if different, the consumer's) name and address, the name and address (if known) of the respondent, and such other information as the Director may require. The complaint must be in or reduced by the Director to writing.

(b) The Director shall investigate each such complaint and determine:

- (1) what trade practice actually occurred, and
- (2) whether the trade practice which occurred violates any statute, regulation, rule of common law, or other law, of the District of Columbia.

In carrying out such investigation and determination, the Director shall consult the respondent and such other available sources of information, and make such other efforts, as are appropriate and necessary to carry out such duties.

(c) If at any time the Director finds that the trade practice complained of may, in whole or in part, be a violation of law other than a law of the District of Columbia or a law within the jurisdiction of the Office, the Director may in writing so inform the complainant.

respondent and officials of the District, the United States, or other jurisdiction, who would properly enforce such law.

(d) Within 60 days after the complaint is filed, the Director shall determine that there are, or that there are not, reasonable grounds to believe that a trade practice, in violation of a law of the District of Columbia within the jurisdiction of the Office, has occurred in any part or all of the case. The Director may find that there are not such reasonable grounds for any of the following reasons:

(1) any violation of law which may have occurred is of a law not of the District of Columbia or not within the jurisdiction of the Office, or occurred more than three years prior to the filing of the complaint;

(2) in case paragraph (1) does not apply, no trade practice occurred in violation of any law of the District;

(3) the respondent cannot be identified or located, or would not be subject to the personal jurisdiction of a District of Columbia court;

(4) the complainant, to the Director's knowledge, no longer seeks redress in the case;

(5) the complainant and respondent, to the Director's knowledge, have themselves reached an agreement which settles the case;

(6) the complainant can no longer be located.

The Director may dismiss any part or all of a case to which one or more of such reasons apply. The Director shall inform all parties in writing of the determination, and, if any part or all of the case is dismissed, shall specify which of the reasons in this subsection applies to which part of the case, and such other detail as is necessary to explain the dismissal.

(e) The Director shall attempt to settle, in accordance with subsection (h), each case for which reasonable grounds are found in accordance with subsection (d). Within 45 days after determining the reasonable grounds provided for in subsection (d), and in no event later than 105 days after the complaint is filed, the Director shall:

(1) effect a consent decree,

(2) dismiss the case in accordance with paragraph (h) (2),

(3) through the General Counsel, present to the Section of Hearings, with copies to all parties, a brief and plain statement of each trade practice which occurred in violation of District law, the law it violates, and the relief sought from the Section of Hearings for the violation,

(4) notify all parties of another action taken, with the reasons therefor stated in detail and supported by fact; such reasons may include only:

(A) any of those in paragraphs (1) through (6) of subsection (d), and

(B) that the presentation of a charge to the Section of Hearings would not serve the purposes of this act, or

(5) refer the case, with recommendations for disposition, to the Board of Consumer Goods Repair Services.

(f) When the case is transmitted to the Section of Hearings, the General Counsel shall sign, and serve the respondent, the Office's summons to answer or appear before the Section of Hearings. Not less than 30 nor more than 90 days after such transmittal, the case shall be heard. The case shall proceed under section 10 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1509). The Section of Hearings may, without delaying its hearing or decision, attempt to settle the case pursuant to subsection (h), and has discretion to permit any stipulation or consent decree the parties agree to. The Director shall be a party on behalf of the complainant. Applications to intervene shall be decided as may be proper or required by

law or rule. Reasonable discovery shall be freely allowed. Any finding or decision may be modified or set aside, in whole or part, before a notice of appeal is filed in the case, or the time to so file has run out.

(g) If, after hearing the evidence, the Section of Hearings decides a trade practice occurred in which the respondent violated a law of the District of Columbia within the jurisdiction of the Office, such Section shall issue an order which:

(1) shall require the respondent to cease and desist from such conduct;

(2) shall, if such Section also decides that the consumer has been injured by the trade practice, order redress through contract damages, restitution for money, time, property or other value received from the consumer by the respondent, or through rescission, reformation, repair, replacement, or other just method;

(3) shall state the number of trade practices the respondent performed in violation of law;

(4) shall, absent good cause found by the Section, require the respondent to pay the Office its costs for investigation, negotiation, and hearing;

(5) may include such other findings, stipulations, conditions, directives, and remedies as are reasonable

and necessary to identify, correct, or prevent the conduct which violated District law;

(6) may be based, in whole or part, upon a violation of a law establishing or regulating a type of business, occupational or professional license or permit, and may refer the case for further proceedings to an appropriate board or commission, but may not suspend or revoke a license or permit if there is a board or commission which oversees the specific type of license or permit.

(h) (1) At any time after reasonable grounds are found in accordance with subsection (d), the respondent, the Office (represented by (i) the Director prior to transmittal to the Section of Hearings and after an order issued pursuant to subsection (f) has been appealed, and (ii) the Section of Hearings after transmittal to that Section and prior to such appeal), and the complainant, may agree to settle all or part of the case by a written consent decree which may:

(A) include any provision described in paragraphs (2) through (5) of subsection (g);

(B) not contain an assertion that the respondent has violated a law;

(C) contain an assurance that the respondent will refrain from a trade practice;

(D) bar the Office from further action in the case, or a part thereof;

(E) contain such other provisions or considerations as the parties agree to.

(2) The representative of the Office shall administer the settlement proceedings, and may utilize the good offices of the Advisory Committee on Consumer Protection. All settlement proceedings shall be informal and include all interested parties and such representatives as the parties may choose to represent them. Such proceedings shall be private, and nothing said or done, except a consent decree, shall be made public by the Office, any party, or the Advisory Committee, unless the parties agree thereto in writing. The representative of the Office may call settlement conferences. For persistent and unreasonable failure by the complainant to attend such conferences or to take part in other settlement proceedings, the Director, prior to transmittal to the Section of Hearings, may dismiss the case.

(3) A consent decree described in paragraph (1) may be modified by agreement of the Office, complainant and respondent.

(i) (1) An aggrieved party may appeal to the District of Columbia Court of Appeals after:

(A) the Section of Hearings decides a case pursuant to subsection (f);

(B) all parts of a case have been dismissed by operation of subsections (d) or (e);

(C) the Director dismisses an entire case in accordance with paragraph (h) (2).

Such appeals shall be conducted in accordance with the procedures and standards of section 11 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1510), and take into account the procedural duties placed upon the Office in this section and all actions taken by the Office in the case.

(2) An aggrieved party may appeal any ruling of the Section of Hearings under subsection (j) to the Superior Court of the District of Columbia.

(3) (A) Any person found to have executed a trade practice in violation of a law of the District of Columbia within the jurisdiction of the Office:

(i) shall be liable to the Office for a civil penalty of not exceeding \$1000.00 for each violation enumerated in an order pursuant to paragraph (g) (3);

(ii) may be assessed and made liable to the Office for a civil penalty of not exceeding \$1000.00 for each violation or failure to adhere to a provision, of an order described in subsections (f), (g) or (j) or a consent decree described in subsection (h).

(B) The Office, the complainant, or the respondent may sue in the Superior Court of the District of Columbia for a remedy, enforcement, or assessment or collection of a civil penalty, when any violation, or failure to adhere to a provision of a consent decree described in subsection (h), or an order described in subsections (f), (g) or (j), has occurred. The Office shall sue in that Court for assessment of a civil penalty when an order described in subsection (g) has been issued and become final. A failure by the Office or any person to file suit or prosecute under this subparagraph in regard to any provision or violation of a provision of any consent decree or order, shall not constitute a waiver of such provision or any right under such provision. The Court shall levy the appropriate civil penalties, and may order, if supported by evidence, temporary, preliminary or permanent injunctions, damages, treble damages, reasonable attorney's fees, consumer redress, or other remedy.

(4) The Corporation Counsel shall represent the Office in all proceedings described in this subsection.

(j) If, at any time before notice of appeal from a decision made according to subsection (f) is filed or the time to so file has run out, the Director believes that legal action is necessary to preserve the subject matter of the case, to prevent further injury to any party, or to enable the Office ultimately to order a full and fair remedy in the case, the General Counsel shall present the matter to the Section of Hearings, which may issue a cease and desist order to take effect immediately, or grant such other relief as will assure a just adjudication of the case, in accordance with such beliefs of the Director which are substantiated by evidence. The Section's ruling may be appealed to court within 7 days of notice thereof on the Director, respondent, and complainant.

(k) (l) Any consumer who suffers any damage as a result of the use or employment by any person of a trade practice in violation of a law of the District of Columbia within the jurisdiction of the Office may bring an action in the Superior Court of the District of Columbia to recover or obtain any of the following:

- (A) treble damages;
- (B) reasonable attorneys' fees;

(C) punitive damages;

(D) any other relief which the court deems proper.

(2) Nothing in this act shall prevent any person who is injured by a trade practice in violation of a law of the District of Columbia within the jurisdiction of the Office from exercising any right or seeking any remedy to which the person might be entitled or from filing any complaint with any other agency.

(3) Any written decision made pursuant to subsection (f) is admissible as prima facie evidence of the facts stated therein.

(4) If a merchant files in any court a suit seeking to collect a debt arising out of a trade practice from which has also arisen a complaint filed with the Office by the defendant in the suit either before or after the suit was filed, the court shall dismiss the suit without prejudice, or remand it to the Office.

(1) The Director and Section of Hearings may use any power granted to the Office in section 4 of this act, as each reasonably deems will aid in carrying out the functions assigned to each in this section. Each, while holding the primary responsibility of the Office for decision in a certain case, may join such case with others then before the

Office. No case may be disposed of in a manner not expressly authorized in this section. Every complaint case filed with the Office and within its jurisdiction shall be decided in accordance with the procedures and sanctions of this section, notwithstanding that a given trade practice, at issue in the case, may be governed in whole or part by another law which has different enforcement procedures and sanctions.

(m) (1) Whenever requested, the Office will make available to the complainant and respondent an explanation, and any other information helpful in understanding, the provisions of any consent decree to which the Office agrees, and any order or decision which the Office makes.

(2) The Director shall maintain a public index for all the cases on which the Office has made a final action or a consent decree, organized by:

(A) name of complainant;

(B) name of respondent;

(C) industry of the merchant involved;

(D) nature of the violation of District law alleged or found to exist (for example, subsection of section 5 of this act involved, or section of a licensing law involved);

(E) final disposition.

(n) All of the moneys paid to the Office by operation of this section shall be paid to the General Fund of the District.

(o) Every complaint case that is before the Office in accordance with this section shall proceed in confidence, except for hearings and meetings before the Section of Hearings, until the Office makes a final action or a consent decree.

(p) The Director may file a complaint in accordance with subsection (a), on behalf of one or more consumers or as complainant, based on evidence and information gathered by the Office in carrying out this act. Persons not parties to but directly or indirectly intended as beneficiaries of an order described in subsections (f), (g) or (j), or a consent decree described in subsection (h), arising out of a complaint filed by the Director, may enforce such order or decree in the manner provided in subparagraph (i) (3) (B).

(q) At any hearing pursuant to subsections (f) or (j), a witness has the right to be advised by counsel present at such hearing. In any process under this section, the complainant and respondent may have legal or other counsel for representation and advice.

CONSUMER EDUCATION

Sec. 7. (a) The Section of Consumer Education shall:

(1) inform the public and the business community of existing laws, regulations and guidelines concerning consumer rights and standards of fair treatment;

(2) coordinate consumer education programs with, and use consumer education programs to help carry out, the consumer protection programs of the Office;

(3) handle publicity for the Office concerning cases under section 6, when the Director requests;

(4) aid the Director in the formulation of consumer protection plans and recommend legislation and regulations related to consumer education;

(5) cooperate with consumer-related agencies, groups and individuals in the D.C. area to improve consumer education efforts.

(b) The Section Chief shall be appointed by the Director.

ADVISORY COMMITTEE ON CONSUMER PROTECTION

Sec. 8. (a) There shall be an Advisory Committee on Consumer Protection consisting of 11 members appointed by the Mayor for three-year terms. The non-governmental members, immediately prior to the effective date of this act, of the Advisory Committee on Consumer Affairs established in Organization Order No. 40 (C.O. 73-225; October 3, 1973), shall carry out their terms. No District Government employees shall be members. Four members shall be District merchants. Seven members shall be persons with demonstrated and current records of activity on behalf of consumers.

(b) The Committee shall:

(1) recommend priorities in, and, at the Committee's discretion, carry out, investigations and research, which concern broad, developing, or frequently encountered consumer problems;

(2) assist the Director as the Director may request;

(3) monitor the performance and organization of the Office, by quantitative and qualitative methods, and make recommendations and criticisms, based thereon;

(4) cooperate with consumer-related agencies, groups, and individuals in the District and in the

metropolitan area to improve city-wide and area-wide consumer protection and education efforts.

(c) The Committee shall elect one of its members as Chairperson and another as Vice-Chairperson, each to serve at the pleasure of the Committee, and such other officers and subcommittees as it determines.

(d) The Office shall provide staff support for the Advisory Committee. Appropriate expenses incurred by the Committee as a whole, or by individual members, may be paid when authorized by the Director.

(e) The Committee shall meet on call by the Chairperson as frequently as required to perform its duties, but no less than once each month, and it shall submit an annual report to the Mayor, Council, and the public.

(f) The Committee shall hold public hearings as deemed necessary.

SEVERABILITY

Sec. 9. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected.

Docket for the Bill B:11 1-253

Considered in Council 4-6-75

First Vote 12-0-1(abc)

| RECORD OF COUNCIL 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. | |
| TUCKER | X | | | | DIXON | X | | | | SPAULDING | X | | | | |
| MOORE, D. | X | | | | HARDY | X | | | | WILSON | X | | | | |
| BARRY | | | | X | HOBSON | X | | | | WINTER | X | | | | |
| CLARKE | X | | | | MOORE, J. | X | | | | | | | | | |
| COATES | X | | | | SHACKLETON | X | | | | | | | | | |

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

Robert Williams

(Secretary of the Council)

Final Vote in Council 4-20-76

10-0-3(abc)

| RECORD OF COUNCIL 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. | |
| TUCKER | X | | | | DIXON | | | | X | SPAULDING | X | | | | |
| MOORE, D. | | | | X | HARDY | X | | | | WILSON | X | | | | |
| BARRY | X | | | | HOBSON | X | | | | WINTER | X | | | | |
| CLARKE | X | | | | MOORE, J. | | | | X | | | | | | |
| COATES | X | | | | SHACKLETON | X | | | | | | | | | |

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

Robert Williams

(Secretary of the Council)

Presented to the Mayor APR 30 1976

Mayor's Action:

Approved: ✓ 14 APR 1976
Disapproved: _____

Robert Williams

(Secretary of the Council)

Robert Williams
(Mayor's Signature)

Enacted without Mayor's Signature _____

(Secretary of the Council)