

AN ACT

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Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend AN ACT to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to limit the exemption from registering under the vacant properties registry where the owner has a valid building permit for construction, renovation, rehabilitation, or repair, or is actively seeking to rent or sell the property; and to provide for civil fines for failure to comply with the Act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may cited as the "Nuisance Properties Abatement Reform Amendment Act of 2005".

Sec. 2. AN ACT to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 115; D.C. Official Code § 42-3131.01 *et seq.*), is amended as follows:

(a) Section 6 (D.C. Official Code _ 42-3131.06) is amended as follows:

**Amend
§ 42-3131.06**

(1) Subsection (b)(3) is amended by striking the phrase "and if there is a valid building permit that was issued within 60 days of the required registration date;" and inserting the phrase "and if there is a valid building permit that was issued within 60 days of the required registration date; provided, that the scope of the permit is not limited to electrical or plumbing work; provided further, that this exemption shall not exceed one year from the date of issuance of the first building permit for rehabilitation, renovation or repair;" in its place.

(2) Subsection (b)(4) is amended by striking the phrase "the owner or his agent has been actively seeking to rent or sell it;" and inserting the phrase "the owner or his agent has been actively seeking to rent or sell it; provided, that the time period for sale or rent shall not exceed one year from the initial listing, offer, or advertisement of sale, or 90 days from the initial listing, offer, or advertisement to rent;" in its place.

(b) Section 10 (D.C. Official Code _ 42-3131.10) is amended as follows:

**Amend
§ 42-3131.10**

(1) Subsection (a) is amended by adding a new sentence to read as follows:
"The Director of the Department of Consumer and Regulatory Affairs shall provide the Office

of the Attorney General with a list of all owners who fail to register and pay the required fee after notice.”. (2) A new subsection (c) is added to read as follows:

“(c) In addition to the penalties provided in subsection (a) of this section, and other available remedies, the failure of the owner of a vacant building to register and pay all the required fees under section 6(a) or 9 within 10 days after receipt of the mailing of a delinquency and determination notice under section 11 shall be punishable by a civil fine not to exceed \$1,000 for each instance of inclusion of each property in the semiannual list under section 11. The Mayor shall provide for such fines in accordance with the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801-01 *et seq.*)”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813 D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia

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