



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council passes Act 20-45, Criminal Fine Proportionality Emergency Amendment Act of 2013
- DC Council schedules a public roundtable on PR20-125, Vending Business License Regulation Resolution of 2013
- District Department of Transportation prohibits U-turns across bicycle lanes
- Office of the State Superintendent of Education announces funding availability for the ESEA Title III, Part A Increase in Immigrant Children -Youth Enrollment Grant
- Department of Mental Health advertises certification opportunity to provide CBI Level I - MST and Rehabilitation/Day Services
- DC Commission on the Arts and Humanities announces availability of grant funds for Fiscal Year 2014
- Department of Health schedules a public meeting on the Childless, Nondisabled Adults, Ages 21-64, Medicaid Demonstration Program

DISTRICT OF COLUMBIA REGISTER

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VINCENT C. GRAY
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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AN ACT

D.C. ACT 20-41

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 25, 2013

To amend, on an emergency basis, due to Congressional review, An Act For the retirement of public-school teachers in the District of Columbia to comply with applicable tax qualification provisions of the Internal Revenue Code for governmental retirement plans.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Retirement of Public-School Teachers Omnibus Congressional Review Emergency Amendment Act of 2013".

Sec. 2. An Act For the retirement of public-school teachers in the District of Columbia, approved August 7, 1946 (60 Stat. 875; D.C. Official Code § 38-2021.01 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 38-2021.01) is amended as follows:

(1) The heading of the section is amended by striking the phrase “; purchase of annuity”.

(2) Subsection (b) is repealed.

(3) New subsections (c), (d), and (e) are added to read as follows:

“(c) Amounts deducted and withheld from the annual salary of each teacher shall be:

“(1) Picked up by the public schools of the District of Columbia, as described in section 414(h)(2) of the Internal Revenue Code;

“(2) Deducted and withheld from the annual salary of the teachers as salary reduction contributions;

“(3) Paid by the public schools of the District of Columbia to the Custodian of Retirement Funds, as defined in section 102(6) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D. C. Official Code § 1-702(6)); and

“(4) Made a part of the teacher’s annuity benefit.

“(d) Notwithstanding any provisions of this act to the contrary, the amounts contributed under this section shall be fully (100%) vested.

“(e) Notwithstanding any provisions of this act to the contrary, upon the employer's

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request, a contribution that was made by a mistake of fact shall be returned to the employer by the trustee within one year after the payment of the contribution. A portion of a contribution returned pursuant to this section shall be adjusted to reflect earnings or gains. Notwithstanding any provisions of this act to the contrary, the right or claim of a participant or beneficiary to an asset of the trust or a benefit under this act shall be subject to and limited by the provisions of this subsection.”

(b) Section 3 (D.C. Official Code § 38-2021.03) is amended by adding a new subsection (c-1) to read as follows:

“(c-1) A teacher who completes 5 years of eligible service shall be 100% vested.”

(c) Section 4(d) (D.C. Official Code § 38-2021.04(d)) is amended to read as follows:

“(d) In cases where the annuity is discontinued under the provisions of this section, as much of the annuity payments as would have been provided by an annuity whose actuarial value at the time of retirement was equal to the contributions accumulated with interest shall be charged against the teacher's individual account and, unless the teacher shall become reemployed in a position covered under the Teachers’ Retirement Program established pursuant to the Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code § 1-901.01 *et seq.*), the teacher shall be considered as having been separated from the service for other than retirement purposes and entitled to the benefits set forth in section 9.”

(d) Section 5 (D.C. Official Code § 38-2021.05) is amended by adding a new subsection (f) to read as follows:

“(f) Each year, the District of Columbia Retirement Board shall set the applicable interest rate, mortality table, and cost-of-living factor to be used in the determination of actuarial equivalents or for other pertinent benefit calculations under the provisions of this act.”

(e) A new section 7a is added to read as follows:

"Sec. 7a. Required minimum distributions.

“(a) Distributions shall begin no later than the teacher’s required beginning date, as defined in section 401(a)(9) of the Internal Revenue Code, and shall be made in accordance with all other requirements of section 401(a)(9) of the Internal Revenue Code. The provisions of this section shall apply for the purposes of determining minimum required distributions under section 401(a)(9) of the Internal Revenue Code and take precedence over any inconsistent provisions of this act; provided, that these provisions are intended solely to reflect the requirements of section 401(a)(9) of the Internal Revenue Code and accompanying Treasury regulations and are not intended to provide or expand, and shall not be construed as providing or expanding, a benefit or distribution option not otherwise expressly provided for under the terms of this act. The provisions of this section shall apply only to the extent required under section 401(a)(9) of the Internal Revenue Code as applied to a governmental plan, and if any special rules for governmental plans are not set forth in this section, these special rules are incorporated by reference and shall for all purposes be deemed a part of this act.

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"(b)(1) The teacher's entire interest shall be distributed, or begin to be distributed, to the teacher no later than April 1 following the later of the calendar year in which the teacher attains age 70 ½ or the calendar year in which the teacher retires or terminates employment (the "required beginning date").

"(2) If the teacher dies before distributions begin, the teacher's entire interest shall be distributed, or shall begin to be distributed, no later than as follows:

"(A) If the teacher's surviving spouse is the sole designated beneficiary, distributions to the surviving spouse shall begin by December 31 of the calendar year immediately following the calendar year in which the teacher died, or by December 31 of the calendar year in which the teacher would have attained age 70½, if later;

"(B) If the teacher's surviving spouse is not the sole designated beneficiary, distributions to the designated beneficiary shall begin by December 31 of the calendar year immediately following the calendar year in which the teacher died;

"(C) If there is no designated beneficiary as of September 30 of the year following the year of the teacher's death, the teacher's entire interest shall be distributed by December 31 of the calendar year of the 5th anniversary of the teacher's death;

"(D) If the teacher's surviving spouse is the sole designated beneficiary and the surviving spouse dies after the teacher but before distributions to the surviving spouse begin, subparagraph (A) of this paragraph shall not apply, and subparagraphs (B) and (C) of this paragraph shall apply as if the surviving spouse were the teacher. For the purposes of this paragraph and subsection (d) of this section, distributions are considered to begin on the teacher's required beginning date or, if this subparagraph applies, the date distributions to the surviving spouse are required to begin under subparagraph (A) of this paragraph. If annuity payments to the teacher irrevocably commence before the teacher's required beginning date or to the teacher's surviving spouse before the date distributions to the surviving spouse are required to begin under subparagraph (A) of this paragraph, the date distributions are considered to begin is the date distributions actually commence.

"(3) Unless the teacher's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution, calendar year distributions shall be made in accordance with subsections (c) and (d) of this section. If the teacher's interest is distributed in the form of an annuity purchased from an insurance company, distributions under the annuity shall be made in accordance with the requirements of section 401(a)(9) of the Internal Revenue Code and applicable Treasury regulations. A part of the teacher's interest that is in the form of an individual account described in section 414(k) of the Internal Revenue Code shall be distributed in a manner satisfying the requirements of section 401(a)(9) of the Internal Revenue Code and the Treasury regulations that apply to individual accounts.

"(c)(1) The amount of the annuity is to be determined each year.

"(2) If the teacher's interest is paid in the form of annuity distributions, payments under the annuity shall satisfy the following requirements:

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"(A) The annuity distributions shall be paid in periodic payments made at intervals not longer than one year;

"(B) Payments shall either be non-increasing or increase only as follows:

"(i) By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index based on prices of all items (the CPI-W) and issued by the Bureau of Labor Statistics;

"(ii) To provide cash refunds of employee contributions upon the teacher's death; or

"(iii) To pay increased benefits that result from an amendment to this act.

"(3) The amount that must be distributed on or before the teacher's required beginning date or, if the teacher dies before distributions begin, the date distributions are required to begin under subsection (b)(2)(A) or (B) of this section, is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received (for example, bi-monthly, monthly, semi-annually, or annually). The teacher's benefit accruals as of the last day of the first distribution calendar year shall be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the teacher's required beginning date.

"(4) Additional benefits accruing to the teacher in a calendar year after the first distribution calendar year shall be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which the amount accrues.

"(d) Amounts payable if a teacher dies before distribution begins are subject to the following requirements:

"(1) If the teacher dies before the date of distribution of his or her interest begins and there is a designated beneficiary, the teacher's entire interest shall be distributed, beginning no later than the time described in subsection (b)(2)(A) or (B) of this section, over the life of the designated beneficiary not exceeding either of the following:

"(A) Unless the benefit commenced is before the first distribution calendar year, the life expectancy of the designated beneficiary, determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the teacher's death; or

"(B) If the benefit commenced before the first distribution calendar year, the life expectancy of the designated beneficiary, determined using the beneficiary's age as of his or her birthday in the calendar year that begins before benefits commence;

"(2) If the teacher dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the teacher's death, distribution of the teacher's entire interest shall be completed by December 31 of the calendar year containing the 5th anniversary of the teacher's death; or

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"(3) If the teacher dies before the date distribution of the teacher's interest begins, the teacher's surviving spouse is the teacher's sole designated beneficiary, and the surviving spouse dies before distributions to the surviving spouse begin, this subsection shall apply as if the surviving spouse were the teacher, except that the time by which distributions must begin shall be determined without regard to subsection (b)(2)(A) of this section."

(f) Section 8(a) (D.C. Official Code § 38-2021.08(a)) is amended to read as follows:

"(a) The years of service which form the basis for determining the amount of the annuity provided in section 5(a) shall be computed from the date of original appointment as a teacher in the public schools of the District of Columbia, including so much of any authorized leaves of absence without pay as does not exceed 6 months in the aggregate in a fiscal year, plus service credit that may be allowed under the provisions of this section. A teacher or former teacher who returns to duty after a period of separation is deemed, for the purpose of this section, to have been on a leave of absence without pay for that part of the period in which he or she was receiving benefits under subchapter I of 5 U.S.C. Chapter 81, or any earlier statute on which the subchapter is based. In computing an annuity under section 5(a), the total service of a teacher shall include days of unused sick leave credited to him. No deposit may be required for days of unused sick leave included in a teacher's total service under the preceding sentence. Days of unused sick leave shall not be counted in determining a teacher's average salary or his eligibility for an annuity. In computing the length of service of retiring teachers credit may be given, year for year, for:

"(1) Public school service or its equivalent outside the District of Columbia but not to exceed 10 years;

"(2) Continuous temporary service in the public schools of the District immediately before probationary appointment;

"(3) Service in the District government or the government of the United States allowable under subchapter III of 5 U.S.C. Chapter 83;

"(4) Periods of honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States (but not the National Guard except when ordered to active duty in the service of the United States) before the date of the separation upon which title to annuity is based; provided, that if a teacher is awarded retired pay on account of military service, the teacher's military service shall not be included unless the retired pay is awarded on account of a service-connected disability:

"(A) Incurred in combat with an enemy of the United States; or

"(B) Caused by an instrumentality of war and incurred in the line of duty during an enlistment or employment as provided in Veterans Regulation No. 1(a), part 1, paragraph 1, or is awarded under 10 U.S.C. § 12736;

"(5) Educational leaves of absence with part pay authorized by the Board of Education in accordance with sections 1201, 1202, and 1203 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-612.01, 1-612.02, and 1-612.03); and

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"(6) Continuous temporary service as an employee of a cafeteria or lunchroom operated in the public school buildings of the District of Columbia during a period before the date on which the cafeteria or lunchroom is placed under the Office of Central Management, Department of Food Services, District of Columbia, and immediately before appointment as a teacher in the public schools of the District of Columbia; provided, that portion of the annuity which results from credit for service allowable under paragraphs (1) and (3) of this subsection shall be reduced by the amount of any annuity that the retired teacher is entitled to receive under a federal, state, or municipal retirement or pension system with respect to the service, except that that portion of the annuity after reduction shall not be less than the annuity purchasable with the deposit that the teacher is required to make under the provisions of this section in order to obtain credit for such service; provided further, that no credit for service prescribed in this section, with the exception of periods of honorable service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States and all educational leaves of absence with part pay authorized by the Board of Education in accordance with sections 1201, 1202, and 1203 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 2-139; D.C. Official Code § 1-612.01, 1-612.02, 1-612.03), shall be given to a teacher until the teacher shall have deposited to the credit of the District of Columbia Teachers' Retirement Fund a sum equal to:

"(A) The accumulated contributions that the teacher would have had credited to the teacher's individual account if the service had been rendered on active duty in the public schools of the District of Columbia, the contributions to be based on the average annual salary of the class to which the teacher is appointed; and

"(B) Interest thereon computed in accordance with section 24(b); provided further, that contributions to the retirement fund made by a teacher on education leave with part pay shall be determined in accordance with the provisions of section 1, but otherwise no provision of this act shall be interpreted to deprive a teacher employed by the Board of Education of any rights or benefits allowable under sections 1201, 1202, and 1203 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-612.01, 1-612.02, 1-612.03). If the teacher so elects, the teacher may deposit the required sum in the District of Columbia Teachers' Retirement Fund in monthly installments, upon making a claim with the District of Columbia Retirement Board. Notwithstanding any other provision to the contrary, contributions, benefits, and service credit with respect to qualified military service will be provided in accordance with section 414(u) of the Internal Revenue Code. Except as otherwise provided in this subsection, this section shall not be construed to allow any teacher more than one year's credit for all services rendered in any one fiscal year."

(g) Section 9 (D.C. Official Code § 38-2021.09), is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) Should a teacher to whom this act applies, after completing 5 years of eligible service and before becoming eligible for retirement, become separated from the service, the teacher may elect to receive a deferred annuity, computed as provided in section 5, beginning at the age of 62 years and terminating on the date of the teacher's death; provided, that a teacher

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who becomes separated from the public schools of the District of Columbia for other than retirement purposes and who does not elect to receive a deferred annuity as provided for in this section shall receive as soon as practicable after separation the refund of deductions, deposits, or redeposits; provided further, that no teacher who shall withdraw the amount of the teacher's deductions, deposits, or redeposits under this section shall, after reinstatement, be entitled to credit for previous service unless the teacher shall repay to the Custodian of Retirement Funds as defined in section 102(6) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D. C. Official Code § 1-702(6)), for deposit in the District of Columbia Teachers' Retirement Fund, established by section 123(a) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C Official Code § 1-713(a)), the amount withdrawn by him (including the interest thereon) plus interest computed in accordance with section 24(c); and provided further, that the amount required to be so deposited may be paid by the teacher, if he so elects, in any number of monthly installments, not exceeding 100.”.

(2) Subsection (b) is amended by adding a new paragraph (4) to read as follows:

“(4) In the event that a teacher to whom this act applies shall die after January 1, 2007, while performing qualified military service, the survivor or survivors of the teacher shall be entitled to receive any additional benefits provided under this act (other than benefit accruals relating to the period of qualified military service) as if the teacher resumed employment and then terminated employment on account of death.”.

(3) A new subsection (b-1) is added to read as follows:

“(b-1) Effective January 1, 2007, benefits payable under this act shall not be paid until at least 30 days, or a shorter period as may be permitted by law, but no more than 180 days after a teacher's receipt of required distribution notices and election forms pursuant to section 402(f) of the Internal Revenue Code. The notices must include a description of the teacher's right, if any, to defer receipt of a distribution, the consequences of failing to defer receipt of the distribution, the relative value of optional forms of benefit, and other information as may be required by applicable regulations and guidance.”.

(4) Subsection (c) is amended by adding a new paragraph (8) to read as follows:

“(8) The term “qualified military service” shall mean any military service in the uniformed services, as defined in 38 U.S.C. § 43, by a teacher, if the teacher is entitled to reemployment rights with respect to such military service, all within the meaning of section 414(u)(5) of the Internal Revenue Code.”.

(h) Section 13 (D.C. Official Code § 38-2021.13) is amended by adding a new paragraph at the end to read as follows:

“For the purposes of this Act, the term “Internal Revenue Code” or “Internal Revenue Code of 1986” means the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 *et seq.*)”.

(i) Section 14 (D.C. Official Code § 38-2021.14) is repealed.

(j) A new section 15a (D.C. Official Code § 38-2021.15a) is added to read as follows:

“Sec. 15a. Disposition of forfeitures.

“Forfeitures in the Teacher's Retirement Fund shall not be applied to increase the annuity

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of a person hereunder, but rather, shall be applied to pay administrative expenses, if and as directed by the District of Columbia Retirement Board, or used to reduce the District's contributions.”

(k) Section 17 (D.C. Official Code § 38-2021.17) is amended to read as follows:

“Sec. 17. Except as provided in the District of Columbia Spouse Equity Act of 1988, effective March 16, 1989 (D.C. Law 7-214; D.C. Official Code § 1-529.01 *et seq.*), none of the money mentioned in this act, including any assets of the District of Columbia Teachers' Retirement Fund established by section 123(a) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-713(a)), shall be assignable, either in law or equity, or be subject to execution or levy by attachment, garnishment, or other legal process, except with respect to a domestic relations order that substantially meets all of the requirements of section 414(p) of the Internal Revenue Code, as determined solely by the District of Columbia Retirement Board.”

(l) Section 18 (D.C. Official Code § 38-2021.18) is amended to read as follows:

“Sec. 18. Applicability.

“The provisions of this act shall constitute a defined benefit plan and a governmental plan, as described in section 414(d) of the Internal Revenue Code, which is intended to qualify under section 401(a) of the Internal Revenue Code. Notwithstanding anything to the contrary contained in this act, the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-701 *et seq.*), or the Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code § 1-901.01 *et seq.*), the provisions of this act shall apply to and control the provision of any annuity payable. The provisions of this act shall apply to all teachers on the rolls of the public schools of the District who accrue service after June 30, 1997, under the Teachers' Retirement Program established pursuant to the Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code § 1-901.01 *et seq.*), if otherwise eligible.”

(m) Section 24 (D.C. Official Code § 38-2021.24) is amended as follows:

(1) Redesignate section 24 as section 26.

(2) The newly designated section 26 is amended as follows:

(A) Subsection (a) is amended to read as follows:

“(a) An individual withdrawing a distribution under this act that constitutes an eligible rollover distribution within the meaning of section 402(c) of the Internal Revenue Code may elect, at the time and in the manner prescribed by the District of Columbia Retirement Board, and after receipt of proper notice, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan, within the meaning of section 402(c) of the Internal Revenue Code, in a direct rollover in accordance with section 401(a)(31) of the Internal Revenue Code. Any nontaxable distribution or portion thereof from a qualified plan may be directly rolled over tax-free to another qualified plan or a plan or annuity contract described in section 403(b) of the Internal Revenue Code, if separate accounting and other requirements are met pursuant to section 402(c)(2)(A) of the Internal Revenue Code.”

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(B) Subsection (c) is amended by striking the phrase "contribution from:" in the lead-in language and inserting the phrase "contribution from an eligible retirement plan, including:" in its place.

(C) Subsection (d) is amended by striking the phrase "shall administer the plan" and inserting the phrase "shall administer this act" in its place.

(D) A new subsection (e) is added to read as follows:

"(e) For the purposes of this section, the term:

"(1) "Direct rollover" means a payment to the eligible retirement plan specified by the distributee described in section 402(e)(6) of the Internal Revenue Code.

"(2) "Distributee" means a teacher or former teacher. In addition, the teacher's or former teacher's surviving spouse is a distributee with regard to the interest of the spouse or former spouse. A nonspouse beneficiary of a deceased teacher is also a distributee for purposes of this section; provided, that, in the case of a nonspouse beneficiary, the direct rollover may be made only to an individual retirement account or annuity under section 408 of the Internal Revenue Code that is established on behalf of the nonspouse beneficiary and that will be treated as an inherited IRA pursuant to the provisions of section 402(c)(11) of the Internal Revenue Code. The determination of the extent to which a distribution to a nonspouse beneficiary is required under section 401(a)(9) of the Internal Revenue Code shall be made in accordance with IRS Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

"(3) "Eligible retirement plan" means:

"(A) An individual retirement account described in section 408(a) of the Internal Revenue Code, including a Roth IRA described in section 408A of the Internal Revenue Code;

"(B) An individual retirement annuity described in section 408(b) of the Internal Revenue Code, including a Roth IRA described in section 408A of the Internal Revenue Code;

"(C) A qualified trust described in section 401(a) of the Internal Revenue Code or an annuity plan described in section 403(a) of the Internal Revenue Code that accepts the distributee's eligible rollover distribution;

"(D) An annuity contract described in section 403(b) of the Internal Revenue Code that accepts the distributee's eligible rollover distribution; and

"(E) An eligible plan described in section 457(b) of the Internal Revenue Code which is maintained by a state, political subdivision of a state, or an agency or instrumentality of a state or political subdivision of a state, that accepts the distributee's eligible rollover distribution and agrees to account separately for amounts transferred into such plan from the arrangement described under this act. The foregoing definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a domestic relations order.

"(4) "Eligible rollover distribution," within the meaning of section 402(c) of the Internal Revenue Code, means any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include:

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"(A) A distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of 10 years or more; and

"(B) A distribution to the extent such distribution is required under section 401(a)(9) of the Internal Revenue Code. A distribution to a nonspouse beneficiary under section 401(f)(2)(A) of the Internal Revenue Code is an eligible rollover distribution. A portion of the distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includible in gross income. However, the portion may be paid only to an individual retirement account or annuity described in section 408(a) or (b) of the Internal Revenue Code or to a qualified trust or annuity plan described in section 401(a) or 403(a) of the Internal Revenue Code or an annuity contract described in section 403(b) of the Internal Revenue Code if the trust or annuity plan or contract provides for separate accounting for amounts so transferred (and earnings thereon), including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible."

(n) Section 25 (D.C. Official Code § 38-2021.25) is amended as follows:

(1) Redesignate section 25 as section 27.

(2) The newly designated section 27 is amended to read as follows:

"Sec. 27. Internal Revenue Code limits.

"(a) Benefits and contributions under the provisions of this act shall not be computed with reference to any compensation that exceeds that maximum dollar amount permitted by section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost-of-living.

"(b) Notwithstanding the foregoing provisions of this act to the contrary, benefits under this act are subject to the limitations imposed by section 415 of the Internal Revenue Code, as adjusted from time to time and, to that end, effective for limitation years beginning on or after January 1, 2008:

"(1)(A) To the extent necessary to prevent disqualification under section 415 of the Internal Revenue Code, and subject to the remainder of this subsection, the maximum monthly benefit to which any teacher may be entitled in any limitation year with respect to his or her accrued retirement benefit, as adjusted from time to time pursuant to section 21 (hereafter referred to as the "maximum benefit"), shall not exceed the defined benefit dollar limit (adjusted as provided in this subsection). In addition to the foregoing, to the extent necessary to prevent disqualification under section 415 of the Internal Revenue Code, and subject to this subsection), the maximum annual additions for any limitation year shall be equal to the lesser of:

"(i) The dollar limit on annual additions; or

"(ii) 100% of the teacher's remuneration.

"(B) The defined benefit dollar limit and the dollar limit on annual additions shall be adjusted, effective January 1 of each year, under section 415(d) of the Internal Revenue Code in such manner as the Secretary of the Treasury shall prescribe. The dollar limit

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as adjusted under section 415(d) of the Internal Revenue Code shall apply to limitation years ending with or within the calendar year for which the adjustment applies, but a teacher's benefits shall not reflect the adjusted limit before January 1 of that calendar year. To the extent that the monthly benefit payable to a teacher who has reached his or her termination date is limited by the application of this subsection, the limit shall be adjusted to reflect subsequent adjustments made in accordance with section 415(d) of the Internal Revenue Code, but the adjusted limit shall apply only to benefits payable on or after January 1 of the calendar year for which the adjustment applies.

"(2) Benefits shall be actuarially adjusted based upon the defined benefit dollar limit, as follows:

"(A) There shall be an adjustment for benefits payable in a form other than a straight life annuity as follows:

"(i) If a monthly benefit is payable in a form other than a straight life annuity, before applying the defined benefit dollar limit, the benefit shall be adjusted, in the manner described in sub-subparagraphs (ii) or (iii) of this subparagraph, to the actuarially equivalent straight life annuity that begins at the same time. No actuarial adjustment to the benefit shall be made for benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits), or in the case of a form of benefit not subject to section 417(e)(3) of the Internal Revenue Code, the inclusion of a feature under which a benefit increases automatically to the extent permitted to reflect cost-of-living adjustments and the increase, if any, in the defined benefit dollar limit under section 415(d) of the Internal Revenue Code.

"(ii) If the benefit of a teacher is paid in a form not subject to section 417(e) of the Internal Revenue Code, the actuarially equivalent straight life annuity (without regard to cost-of-living adjustments described in this subsection) is equal to the greater of the annual amount of the straight life annuity, if any, payable to the teacher commencing at the same time, or the annual amount of the straight life annuity commencing at the same time that has the same actuarial present value as the teacher's form of benefit, computed using a 5% interest rate and the applicable mortality designated by the Secretary of the Treasury from time to time pursuant to section 417(e)(3) of the Internal Revenue Code.

"(iii) If the benefit of a teacher is paid in a form subject to section 417(e) of the Internal Revenue Code, the actuarially equivalent straight life annuity is equal to the greatest of:

"(I) The annual amount of the straight life annuity having a commencement date that has the same actuarial present value as the teacher's form of benefit, computed using the interest rate and mortality table (or other tabular factor) specified in the definition of actuarial equivalent for adjusting benefits in the same form;

"(II) The annual amount of the straight life annuity commencing at the time that has the same actuarial present value as the teacher's form of benefit, computed using a 5.5% interest rate assumption and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to section 417(e)(3) of the Internal

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Revenue Code; or

"(III) The annual amount of the straight life annuity commencing at the same time that has the same actuarial present value as the teacher's form of benefit, computed using the applicable interest rate and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to section 417(e)(3) of the Internal Revenue Code, divided by 1.05.

"(iv) For the purposes of this subparagraph, whether a form of benefit is subject to section 417(e) of the Internal Revenue Code is determined without regard to the status of this act as a government plan as described in section 414(d) of the Internal Revenue Code.

"(B) There shall be an adjustment to benefits that commence before age 62 or after age 65 as follows:

"(i) If the benefit of a teacher begins before age 62, the defined benefit dollar limit applicable to the teacher at such earlier age is an annual benefit payable in the form of a straight life annuity beginning at the earlier age that is the actuarial equivalent of the defined benefit dollar limit applicable to the teacher at age 62 (adjusted for participation of fewer than 10 years, if applicable) computed using a 5% interest rate and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to section 417(e)(3) of the Internal Revenue Code. However, if the benefit provided under this act provides an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement, the defined benefit dollar limit is the lesser of:

"(I) The limitation determined under the immediately preceding sentence; or

"(II) The defined benefit dollar limit, adjusted for participation of fewer than 10 years, if applicable, multiplied by the ratio of the annual amount of the immediately commencing straight life annuity under this act at the age of benefit commencement to the annual amount of the immediately commencing straight life annuity under this act at age 62, both determined without applying the limitations of this section. The adjustment in this sub-subparagraph shall not apply as a result of benefits paid on account of disability under section 4 or as a result of the death of a teacher under section 9.

"(ii) If the benefit of a teacher begins after age 65, the defined benefit dollar limit applicable to the teacher at the later age is the annual benefit payable in the form of a straight life annuity beginning at the later age that is actuarially equivalent to the defined benefit dollar limit applicable at age 65 (adjusted for participation of fewer than 10 years, if applicable) computed using a 5% interest rate assumption and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to section 417(e)(3) of the Internal Revenue Code. However, if the benefit provided under this act provides an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement, the defined benefit dollar limit is the lesser of:

"(I) The limitation determined under the immediately preceding sentence; or

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"(II) The defined benefit dollar limit (adjusted for participation of less than 10 years, if applicable) multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under this act at the age of benefit commencement to the annual amount of the adjusted immediately commencing straight life annuity under this act at age 65, both determined without applying the limitations of this section. For this purpose, the adjusted immediately commencing straight life annuity under this act at the age the benefit commences is the annual amount of the annuity payable to the teacher, computed disregarding the teacher's accruals after age 65 but including any actuarial adjustments, even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under this act at age 65 is the annual amount of such annuity that would be payable under this act to a hypothetical teacher who is age 65 and has the same annuity as the teacher.

"(iii) For the purposes of this subparagraph, no adjustment shall be made to the defined benefit dollar limit to reflect the probability of a teacher's death between the commencing date and age 62, or between age 65 and the commencing date, as applicable, if benefits are not forfeited upon the death of the teacher before the annuity having a commencing date. To the extent benefits are forfeited upon death before the date the benefits first commence, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the teacher's death if the benefit provided under this act does not charge the teacher for providing a qualified preretirement survivor annuity (as defined for purposes of section 415 of the Internal Revenue Code) upon the teacher's death.

"(3) If the teacher has fewer than 10 years of participation in the defined benefit portion of this act (as determined under section 415 of the Internal Revenue Code and associated regulations), the defined benefit dollar limit shall be multiplied by a fraction, the numerator of which is the number of years (or part thereof) of participation under this act and the denominator of which is 10. The adjustment in this paragraph shall not apply to benefits paid on account of disability under section 4(d) or as a result of the death of a teacher under section 9. In the case of years of credited service credited to a teacher pursuant to section 8:

"(A) The limitations contained in paragraph (1)(A)(i) of this subsection and this paragraph shall not apply to the portion of the teacher's accrued retirement benefit (determined as of the annuity commencement date) that is attributable to any additional years of credited service under section 8 that are actuarially funded by:

"(i) A transfer or rollover from the teacher's account under a retirement plan qualified under section 401(a) of the Internal Revenue Code or an eligible deferred compensation plan within the meaning of section 457(b) of the Internal Revenue Code or from an individual retirement account; or

"(ii) A direct payment.

"(B) The limitations contained in paragraph (1)(A)(i) of this subsection and this paragraph shall apply to the portion of the teacher's accrued retirement benefit (determined as of the annuity commencement date) that is attributable to any additional years of

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credited service under section 8 that are not actuarially funded by:

"(i) A transfer or rollover from the teacher's account under a retirement plan qualified under section 401(a) of the Internal Revenue Code or an eligible deferred compensation plan (within the meaning of section 457(b) of the Internal Revenue Code) or from an individual retirement account; or

"(ii) A direct payment.

"(C) The determination of the extent to which additional years of credited service under section 8 have been actuarially funded as of the annuity commencement date shall be determined in accordance with section 411(c) of the Internal Revenue Code (using the actuarial assumptions thereunder), applied as if section 411(c) of the Internal Revenue Code applied and treating the amount transferred from a plan qualified under section 401(a) of the Internal Revenue Code, the teacher's account under an eligible deferred compensation plan (within the meaning of section 457(b) of the Internal Revenue Code), or an individual retirement account, or the amount of the direct lump-sum payment to the Custodian of Retirement Funds, as if it were a mandatory employee contribution.

"(4) In addition to the foregoing, the maximum benefit and contributions shall be reduced, and the rate of benefit accrual shall be frozen or reduced accordingly, to the extent necessary to prevent disqualification under section 415 of the Internal Revenue Code, with respect to any teacher who is also a participant in:

"(A) Any other tax-qualified retirement plan maintained by the District of Columbia, including a defined benefit plan in which an individual medical benefit account, as described in section 415(l) of the Internal Revenue Code, has been established for the teacher;

"(B) A welfare plan maintained by the District of Columbia in which a separate account, as described in section 419A(d) of the Internal Revenue Code, has been established to provide post-retirement medical benefits for the teacher; or

"(C) A retirement or welfare plan, as aforesaid, maintained by an affiliated or predecessor employer, as described in regulations under section 415 of the Internal Revenue Code, or otherwise required to be taken into account under such regulations.

"(5) If a teacher has distributions commencing at more than one date determined in accordance with section 415 of the Internal Revenue Code and associated regulations, the annuity payable having the commencement date shall satisfy the limitations of this subsection as of each date, actuarially adjusting for past and future distributions of benefits commencing at the other dates that benefits commence.

"(6) The application of the provisions of this subsection shall not cause the maximum permissible benefit for a teacher to be less than the teacher's annuity under this act as of the end of the last limitation year beginning before July 1, 2007 under provisions of this act that were both adopted and in effect before April 5, 2007 and that satisfied the limitations under section 415 of the Internal Revenue Code as in effect as of the end of the last limitation year beginning before July 1, 2007.

"(7) To the extent that a teacher's benefit is subject to provisions of section 415 of the Internal Revenue Code that have not been set forth in this act, these provisions are hereby incorporated by reference and for all purposes shall be deemed a part of this act.

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"(c) Notwithstanding any other provision to the contrary, all death benefit payments referred to in this section shall be distributed only in accordance with section 401(a)(9) of the Internal Revenue Code and accompanying Treasury regulations, as more fully set forth in section 7a."

"(d) For the purposes of this section, the term:

"(1) "Annual additions" means the sum of the following items credited to the teacher under this act and any other tax-qualified retirement plan sponsored by the District of Columbia for a limitation year and treated as a defined contribution plan for purposes of section 415 of the Internal Revenue Code: District of Columbia contributions that are separately allocated to the teacher's credit in any defined contribution plan; forfeitures; teacher contributions (other than contributions that are picked up by the District of Columbia as described in section 414(h)(2) of the Internal Revenue Code); and amounts credited after March 31, 1984 to a teacher's individual medical account (within the meaning of section 415(l) of the Internal Revenue Code).

"(2) "Defined benefit dollar limit" means the dollar limit imposed by section 415(b)(1)(A) of the Internal Revenue Code, as adjusted pursuant to section 415(d) of the Internal Revenue Code. The defined benefit dollar limit as set forth above is the monthly amount payable in the form of a straight life annuity, beginning no earlier than age 62 (except as provided in subsection (b)(2)(B)(i) of this section and no later than age 65. In the case of a monthly amount payable in a form other than a straight life annuity, or beginning before age 62 or after age 65, the adjustments in subsection (b)(2) of this section shall apply.

"(3) "Dollar limit" means the dollar limit on annual additions imposed by section 415(c)(1)(A) of the Internal Revenue Code, as adjusted pursuant to section 415(d) of the Internal Revenue Code.

"(4) "Remuneration" means a teacher's wages as defined in section 3401(a) of the Internal Revenue Code and all other payments of salary to the teacher from the public schools of the District of Columbia for which the public schools of the District of Columbia is required to furnish the teacher a written statement under sections 6041(d) and 6051(a)(3) of the Internal Revenue Code. For this purpose:

"(A) Remuneration shall be determined without regard to any rules that limit the remuneration included in wages based on the nature or location of the employment or the services performed.

"(B) Remuneration does not include mandatory employee contributions picked up by the public schools of the District of Columbia pursuant to section 1.

"(C) Remuneration shall include an amount that would otherwise be deemed remuneration under this definition but for the fact that it is subject to a salary reduction agreement under a plan described in section 457(b), 132(f), or 125 of the Internal Revenue Code.

"(D) Remuneration with respect to any limitation year shall in no event exceed the dollar limit specified in section 401(a)(17) of the Internal Revenue Code (as adjusted from time to time by the Secretary of the Treasury). The cost-of-living adjustment in effect for

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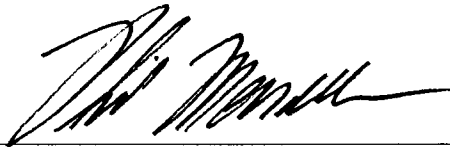
a calendar year applies to remuneration for the limitation year that begins with or within such calendar year.”.

Sec. 3. Fiscal impact statement.

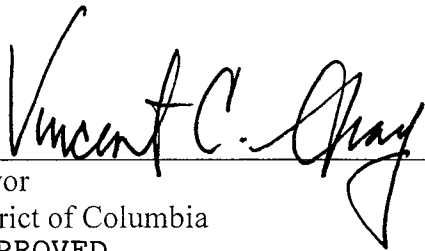
The Council adopts the fiscal impact statement in the committee report for the Retirement of Public-School Teachers Omnibus Amendment Act of 2012, signed by the Mayor on February 15, 2013 (D.C. Act 19-680; 60 DCR ___), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 25, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-42

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 26, 2013

To approve, on an emergency basis, Change Orders No. 001 through 003 to Contract No. GF-2012-C-0039 with Consys, Inc., for renovation of the University of the District of Columbia David A. Clarke School of Law and to authorize payment in the aggregate amount of \$1,297,670.69 for goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Orders No. 001 through 003 to Contract No. GF-2012-C-0039 Approval and Payment Authorization Emergency Act of 2013".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Orders No. 001 through 003 with Consys, Inc., for renovation of the University of the District of Columbia David A. Clarke School of Law, located at 4200 Connecticut Avenue, N.W., building 39, Washington, D.C. 20008, and authorizes payment in the amount of \$1,297,670.69 for the goods and services received and to be received under these change orders.

Sec. 3. Fiscal impact statement.

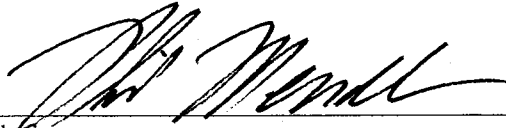
The Council adopts the fiscal statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4 Effective date.

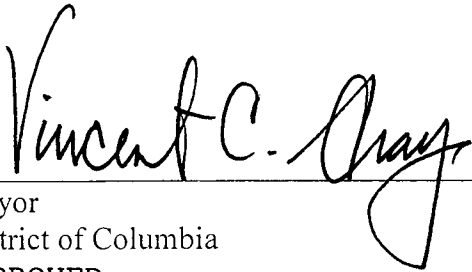
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 26, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-43

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 26, 2013

To amend, on an emergency basis, the Procurement Practices Reform Act of 2010 to streamline and provide a cooperative interagency structure for the coordination of capital, operating, and supportive services funding for the production of permanent supportive housing units for individuals and families who are homeless or at risk of homelessness.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Permanent Supportive Housing Application Streamlining Emergency Amendment Act of 2013”.

Sec. 2. Section 105(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)), is amended as follows:

- (a) Paragraph (14) is amended by striking the word “and” after the semicolon.
- (b) Paragraph (15) is amended by striking the period at the end and inserting the phrase “; and” in its place.
- (c) A new paragraph (16) is added to read as follows:

“(16) The procurement, by the Department of Housing and Community Development or the Department of Human Services, of goods and services related to the production of permanent supportive housing units produced through fiscal year 2018.”.

Sec. 3. Fiscal impact statement.

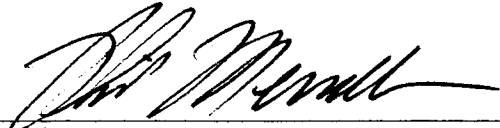
The Council adopts the February 26, 2013 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D. C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

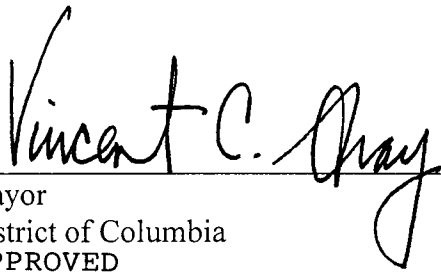
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 26, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-44

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 1, 2013

To amend, on an emergency basis, due to Congressional review, the Omnibus Public Safety and Justice Amendment Act of 2009 to clarify that intentionally failing to charge a detection device is considered tampering for purposes of the offense; to amend An act for the preservation of the public peace and the protection of property within the District of Columbia to return prosecutorial authority on certain matters to the Office of the Attorney General, and to permit a charge for a less serious offense where one or more persons demonstrate in an area where it is not permitted and remain or return to the area after receiving a warning from law enforcement; to amend the District of Columbia Law Enforcement Act of 1953 to prohibit excessive noise and disruptive conduct in public buildings and to return prosecutorial authority on certain matters to the Office of the Attorney General; to amend An Act Regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia to increase the felony threshold for a “bad check” to \$1,000; to amend An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes to clarify a provision related to escape from an institution or officer; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to designate the Criminal Justice Coordinating Council as a criminal justice agency for purposes of accessing criminal justice-related data and information; to amend Title 23 of the District of Columbia Official Code to conform the District’s Crime Victim’s Rights statute with the federal statute on crime victims restitution, to modify the list of offenses for which pre-trial detention is authorized, and to allow law enforcement officers to arrest, without a warrant, an individual that he or she has probable cause to believe has committed a misdemeanor offense outside of the officer’s presence; to amend the Federal Law Enforcement Officer Cooperation Act of 1999 to make conforming changes related to amendments in Title 23 related to law enforcement officers’ ability to arrest without a warrant; to amend the District of Columbia Uniform Controlled Substances Act of 1981 to clarify the Mayor’s authority to schedule substances, and to add to the list of controlled substances those substances that have recently been added to the federal controlled substances act; to amend An Act To establish a code of law for the District of Columbia to create offenses for assault and aggravated assault on a public vehicle inspection officer; to amend the District of Columbia Taxicab Commission Establishment Act of 1985 to create an offense for

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fleeing from a public vehicle inspection officer; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the compensation for the Director of the Department of Forensic Sciences; to amend The District of Columbia Health Occupations Revision Act of 1985 to clarify the regulation of massage therapists; to amend the Motor Vehicle Theft Prevention Act of 2008 to incorporate technical corrections; to amend the Access to Justice Initiative Establishment Act of 2010 to enlarge the number of eligible participants and improve civil legal services to low-income residents; to amend the Omnibus Police Reform Amendment Act of 2000 to clarify the duties of the Police Officers Standards and Training Board; to amend the Arson Investigators Amendment Act of 1998 to provide authority related to ensuring compliance with the fire code; to amend the Department of Forensic Sciences Establishment Act of 2011 to clarify the membership of the Science Advisory Board; to amend the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006 to change the terms of commission members; to amend section 16-914 of the District of Columbia Official Code to prohibit a person convicted of rape from obtaining legal custody, physical custody, or any visitation rights with a child that has been conceived as a result of that rape; to amend the Innocence Protection Act of 2001 to amend the definition of "Biological material"; to repeal section 47-2811(b) of the District of Columbia Official Code; to amend the District of Columbia Traffic Act, 1925 to make technical corrections; to require the Office of the Attorney General to develop and submit a report on drug screening and drug treatment programs for youth arrested for possession of a controlled substance; and to repeal section 401 of An Act To provide for the more effective prevention, detection, and punishment of crime in the District of Columbia; the Criminal Justice Supervisory Board Act of 1978; and Chapter 10 of Title 28 of the District of Columbia Municipal Regulations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Omnibus Criminal Code Amendments Congressional Review Emergency Amendment Act of 2013".

TITLE I -- CRIMINAL CODE AMENDMENTS

Sec. 101. Section 103(a)(1) of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-1211(a)(1)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase "device; or" and inserting the phrase "device;" in its place.

(b) Subparagraph (B) is amended by striking the phrase "device." and inserting the phrase "device; or" in its place.

(c) A new subparagraph (C) is added to read as follows:

"(C) Intentionally fail to charge the power for the device or otherwise maintain the device's battery charge or power."

ENROLLED ORIGINAL

Sec. 102. Section 6 of An act for the preservation of the public peace and the protection of property within the District of Columbia, approved July 29, 1892 (27 Stat. 323; D.C. Official Code § 22-1307), is amended to read as follows:

“Sec. 6. Crowding, obstructing, or incommoding.

“(a) It is unlawful for a person, alone or in concert with others:

“(1) To crowd, obstruct, or incommode:

“(A) The use of any street, avenue, alley, road, highway, or sidewalk;

“(B) The entrance of any public or private building or enclosure;

“(C) The use of or passage through any public building or public

conveyance; or

“(D) The passage through or within any park or reservation; and

“(2) To continue or resume the crowding, obstructing, or incommoding after being instructed by a law enforcement officer to cease the crowding, obstructing, or incommoding.

“(b)(1) It is unlawful for a person, alone or in concert with others, to engage in a demonstration in an area where it is otherwise unlawful to demonstrate and to continue or resume engaging in a demonstration after being instructed by a law enforcement officer to cease engaging in a demonstration.

“(2) For purposes of this subsection, the term “demonstration” means marching, congregating, standing, sitting, lying down, parading, demonstrating, or patrolling by one or more persons, with or without signs, for the purpose of persuading one or more individuals, or the public, or to protest some action, attitude, or belief.

“(c) A person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500, imprisoned for not more than 90 days, or both.”.

Sec. 103. Section 211 of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 98; D.C. Official Code § 22-1321), is amended as follows:

(a) Subsection (c) is amended to read as follows:

“(c) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct with the intent and effect of impeding or disrupting the lawful use of a public conveyance by one or more other persons.”.

(b) A new subsection (c-1) is added to read as follows:

“(c-1) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct in a public building with the intent and effect of impeding or disrupting the orderly conduct of business in that public building.”.

Sec. 104. An Act Regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia, approved July 1, 1922 (42 Stat. 820; D.C. Official Code § 22-1510), is amended as follows:

(a) Strike the phrase “instrument is \$100 or more” and insert the phrase “instrument is \$1,000 or more” in its place.

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(b) Strike the phrase “is less than \$100” and insert the phrase “has some value” in its place.

Sec. 105. Section 8(a)(1) of An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 698; D.C. Official Code § 22-2601(a)(1)), is amended as follows:

- (a) Strike the word “penal” and insert the phrase “penal or correctional” in its place.
- (b) Strike the phrase “, judge, or commissioner”.

Sec. 106. Section 1504 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4233), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (7) is amended by striking the phrase “Corporation Counsel for the District of Columbia” and inserting the phrase “Attorney General for the District of Columbia” in its place.

(2) Paragraph (8) is amended by striking the phrase “Human Services’ Youth Services Administration” and inserting the phrase “Youth Rehabilitation Services” in its place.

(3) Paragraphs (13), (16), and (17) are repealed.

(4) Paragraph (15) is amended by adding the word “and” at the end.

(5) A new paragraph (18) is added to read as follows:

“(18) The United States Marshal, Superior Court of the District of Columbia.”.

(b) Subsection (b) is repealed.

Sec. 107. Title 23 of the District of Columbia Official Code is amended as follows:

(a) Section 23-1331 is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (H) is amended by striking the phrase “abuse; or” and inserting the phrase “abuse;” in its place.

(B) Subparagraph (I) is amended by striking the phrase “offense.” and inserting the phrase “offense; or” in its place.

(C) A new subparagraph (J) is added to read as follows:

“(J) Fleeing from an officer in a motor vehicle (felony).”.

(2) Paragraph (4) is amended as follows:

(A) Strike the phrase “assault with intent to commit any other offense” and insert the phrase “assault with significant bodily injury; assault with intent to commit any other offense” in its place.

(B) Strike the phrase “or an attempt or conspiracy” and insert the phrase “or an attempt, solicitation, or conspiracy” in its place.

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(b) Section 23-1905(2)(A)(i) is amended by striking the word “violent”.

(c) Section 23-1322(c)(7) is amended by striking the phrase “§ 22-4503 (unlawful possession of a firearm) or [§ 22-2511] (presence in a motor vehicle containing a firearm)” and inserting the phrase “or § 22-4503 (unlawful possession of a firearm)” in its place.

TITLE II -- PROBABLE CAUSE MISDEMEANOR ARREST

Sec. 201. Section 2(a) of the Federal Law Enforcement Officer Cooperation Act of 1999, effective May 9, 2000 (D.C. Law 13-100; D.C. Official Code § 5-301(a)), is amended as follows:

(a) The lead-in language is amended by striking the phrase “the Department” and inserting the phrase “MPD” in its place.

(b) Paragraph (2) is amended as follows:

(1) Strike the phrase “reasonably believes” and insert the phrase “has probable cause to believe” in its place.

(2) Strike the phrase “in his presence” at the end.

Sec. 202. Section 23-581 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a-7) is amended to read as follows:

“(a-7) A law enforcement officer may arrest a person without a warrant if the officer has probable cause to believe the person has committed the offense of misdemeanor sexual abuse, misdemeanor sexual abuse of a child or minor, or lewd, indecent, or obscene acts, or sexual proposal to a minor, as provided in §§ 22-3006, 22-3010.01, and 22-1312.”

(b) New subsections (a-8) and (a-9) are added to read as follows:

“(a-8) A law enforcement officer may arrest a person without a warrant if the officer has probable cause to believe the person has committed the offense of stalking as provided in § 22-3133.

“(a-9) A law enforcement officer may arrest a person without a warrant if the officer has probable cause to believe the person has committed the offense of presenting a fraudulent identification document for the purpose of entering an establishment possessing an on-premises retailer’s license, an Arena C/X license, or a temporary license as provided in § 25-1002(b)(2).”

TITLE III -- CONTROLLED SUBSTANCES

Sec. 301. The District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.01 *et seq.*), is amended as follows:

(a) Section 201(d) (D.C. Official Code § 48-902.01(d)) is amended to read as follows:

“(d) If any substance is designated, rescheduled, or deleted as a controlled substance under federal law, the Mayor may similarly designate, reschedule, or delete the controlled

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substance under this act, or may otherwise designate, reschedule or delete as a controlled substance pursuant to subsections (a) and (b) of this section.”

(b) Section 204 (D.C. Official Code § 48-902.04) is amended as follows:

(1) Paragraph (3) is amended as follows:

(A) Subparagraph (X) is amended by striking the word “and”.

(B) New subparagraphs (Z) through (KK) are added to read as follows:

“(Z) Alpha-methyltryptamine (other name: AMT);

“(AA) 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-

DIPT);

“(BB) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-

T-7);

“(CC) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);

“(DD) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);

“(EE) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);

“(FF) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);

“(GG) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);

“(HH) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);

“(II) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);

“(JJ) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N); and

“(KK) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);”.

(2) Paragraph (4) is amended as follows:

(A) Subparagraph (A) is amended by striking the word “and”.

(B) A new subparagraph (C) is added to read as follows:

“(C) Gamma-hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);”.

(3) Paragraph (5) is amended as follows:

(A) The lead-in language is amended by striking the word “including” and inserting the phrase “including their analogues or derivatives and” in its place.

(B) Subparagraph (B) is amended by striking the word “and”.

(C) Subparagraph (C) is amended by striking the phrase “Cathinone.” and inserting the phrase “Cathinone;” in its place.

(D) New subparagraphs (D) through (H) are added to read as follows:

“(D) N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);

“(E) Methcathinone (Some other names: 2-(methylamino)-propiofenone; alpha-(methylamino)propiofenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiofenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432), its salts, optical isomers and salts of optical isomers, as well as synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to methcathinone;

“(F) 4-methyl-N-methylcathinone (other name: mephedrone);

“(G) 3,4-methylenedioxypyrovalerone (other name: MDPV); and

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“(H) 3,4-methylenedioxy-N-methylcathinone (other name: methylone).”.

(c) Section 206(4)(G) (D.C. Official Code § 48-902.06(4)(G)) is amended by striking the word “Dronabianol” and inserting the word “Dronabinol” in its place.

(d) Section 208(a) (D.C. Official Code § 48-902.08(a)) is amended as follows:

(1) Paragraph (5)(BB) is amended by striking the word “and” at the end.

(2) Paragraph (6) is amended by striking the phrase “Cannabis.” and inserting the phrase “Cannabis; and” in its place.

(3) A new paragraph (7) is added to read as follows:

“(7)(A) Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of cannabimimetic agents, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

“(B)(i) For the purposes of this paragraph, the term “cannabimimetic agents” means any substance that is a cannabinoid receptor type 1 (CB1 receptor) agonist as demonstrated by binding studies and functional assays within any of the following structural classes:

“(I) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.

“(II) 3-(1-naphthoyl)indole or 3-(1-naphthylmethane)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.

“(III) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.

“(IV) 1-(1-naphthylmethylene)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.

“(V) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.

“(ii) The term “cannabimimetic agents” includes:

“(I) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol (HU-210);

“(II) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

“(III) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog);

“(IV) 1-pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678);

“(V) 1-butyl-3-(1-naphthoyl)indole (JWH-073);

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(JWH-200);
 250);
 081);
 122);
 398);
 (AM2201);
 (AM694);
 and RCS-4);
 methoxyphenylacetyl)indole (SR-18 and RCS-8); and
 203).”.

“(VI) 1-hexyl-3-(1-naphthoyl)indole (JWH- 019);
 “(VII) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole
 “(VIII) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-
 “(IX) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-
 “(X) 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-
 “(XI) 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-
 “(XII) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole
 “(XIII) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole
 “(XIV) 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19
 “(XV) 1-cyclohexylethyl-3-(2-
 methoxyphenylacetyl)indole (SR-18 and RCS-8); and
 “(XVI) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-

(e) Section 210(a) (D.C. Official Code § 48-902.10(a)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (UU) is amended by striking the word “and”.

(B) Subparagraph (VV) is amended by striking the phrase “Triazolam;” and inserting the phrase “Triazolam; and” in its place.

(C) A new subparagraph (WW) is added to read as follows:

“(WW) Fospropofol;”.

(2) Paragraph (3)(D) is amended by striking the word “Cathine” and inserting the word “Cathine” in its place.

(f) Section 408 (D.C. Official Code § 48-904.08) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “convicted of a second or subsequent offense under this act” and inserting the phrase “convicted under this act of a second or subsequent offense” in its place.

(2) Subsection (b) is amended by striking the phrase “narcotic drugs, depressants, stimulants, or hallucinogenic drugs” and inserting the phrase “a controlled substance” in its place.

TITLE IV -- ASSAULT ON PUBLIC VEHICLE INSPECTION OFFICERS

Sec. 401. An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189; codified in scattered cites of the D.C. Official Code), is amended by adding new sections 806b and 806c to read as follows:

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“Sec. 806b. Assault on a public vehicle inspection officer.

“(a) A person commits the offense of assault on a public vehicle inspection officer if that person assaults, impedes, intimidates, or interferes with a public vehicle inspection officer while that officer is engaged in or on account of the performance of his or her official duties.

“(b) A person who violates this subsection shall be guilty of a misdemeanor and, upon conviction, shall:

“(1) Be fined not more than \$1,000, or be imprisoned for not more than 180 days; and

“(2) Have his or her license or licenses for operating a public vehicle-for-hire, as required by the Commission pursuant to the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), revoked without further administrative action by the Commission.

“(c) It is neither justifiable nor excusable for a person to use force to resist the civil enforcement authority exercised by an individual believed to be a public vehicle inspection officer, whether or not such enforcement action is lawful.

“(d) For the purposes of this section, the term:

“(1) “Commission” shall have the same meaning as provided in section 4(6) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-303(6)).

“(2) “Public vehicle-for-hire” shall have the same meaning as provided in section 4(17) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-303(17)).

“(3) “Public vehicle inspection officer” shall have the same meaning as provided in section 4(19) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-303(19)).

“Sec. 806c. Aggravated assault on a public vehicle inspection officer.

“(a) A person commits the offense of aggravated assault on a public vehicle inspection officer if that person assaults, impedes, intimidates, or interferes with a public vehicle inspection officer while that officer is engaged in or on account of the performance of his or her official duties, and:

“(1) By any means, that person knowingly or purposely causes serious bodily injury to the public vehicle inspection officer; or

“(2) Under circumstances manifesting extreme indifference to human life, that person intentionally or knowingly engages in conduct which creates a grave risk of serious bodily injury to another person, and thereby causes serious bodily injury.

“(b) A person who violates this section shall be guilty of a felony and, upon conviction, shall:

“(1) Be fined not more than \$25,000, or be imprisoned for not more than 10 years, or both; and

“(2) Have his or her license or licenses for operating a public vehicle-for-hire, as required by the Commission pursuant the District of Columbia Taxicab Commission

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Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), revoked without further administrative action by the Commission.

“(c) It is neither justifiable nor excusable for a person to use force to resist the civil enforcement authority exercised by an individual believed to be a public vehicle inspection officer, whether or not such enforcement action is lawful.

“(d) For the purposes of this section, the term:

“(1) “Commission” shall have the same meaning as provided in section 4(6) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-303(6)).

“(2) “Public vehicle-for-hire” shall have the same meaning as provided in section 4(17) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-303(17)).

“(3) “Public vehicle inspection officer” shall have the same meaning as provided in section 4(19) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-303(19)).”

Sec. 402. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), is amended by adding new section 20o to read as follows:

“Sec. 20o. Fleeting from a public vehicle inspection officer in a public vehicle-for-hire.

“(a)(1) An operator of a public vehicle-for-hire who knowingly fails or refuses to bring the public vehicle-for-hire to an immediate stop, or who flees or attempts to elude a public vehicle inspection officer, following the public vehicle inspection officer’s signal to bring the public vehicle-for-hire to a stop, shall be fined not more than \$1,000, or be imprisoned for not more than 180 days.

“(2) An operator of a public vehicle-for-hire who violates paragraph (1) of this subsection and while doing so drives the public vehicle-for-hire in a manner that would constitute reckless driving under section 9 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-2201.04(b)), or cause property damage or bodily injury, shall be fined not more than \$12,500, or be imprisoned for not more than 5 years.

“(b) It is an affirmative defense under this section if the operator of a public vehicle-for-hire can show, by a preponderance of the evidence, that his or her failure to stop immediately was based upon a reasonable belief that his or her personal safety or the safety of passengers was at risk. In determining whether the operator has met this burden, the court may consider the following factors:

“(1) The time and location of the event;

“(2) Whether the public vehicle inspection officer was in a vehicle clearly identifiable by its markings, or if unmarked, was occupied by a public vehicle inspection officer in uniform or displaying a badge or other sign of authority;

“(3) The conduct of the public vehicle-for-hire operator while being followed by the public vehicle inspection officer;

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“(4) Whether the public vehicle-for-hire operator stopped at the first available reasonably lighted or populated area; and

“(5) Any other factor the court considers relevant.

“(c)(1)(A) The Chairperson of the Commission shall suspend the license or licenses for operating a public vehicle-for-hire, as required by the Commission pursuant to this act, of a person convicted under subsection (a)(1) of this section for a minimum of 30 days, but no more than 180 days, without further administrative action by the Commission.

“(B) The Chairperson of the Commission may suspend the license or licenses for operating a public vehicle for hire, as required by the Commission pursuant to this act, of a person convicted under subsection (a)(2) of this section for a period of no more than one year without further administrative action by the Commission.

“(2) A suspension of a public vehicle-for-hire operator’s license or licenses under paragraph (1) of this subsection for a person who has been sentenced to a term of imprisonment for a violation of subsection (a)(1) or (2) of this section shall begin following the person’s release from incarceration.”.

TITLE V -- MISCELLANEOUS PROVISIONS

Sec. 501. Section 1052(b) of Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)), is amended as follows:

(a) Strike the phrase “paragraph (2)” wherever it appears and insert the phrase “paragraphs (2) and (2A)” in its place.

(b) A new paragraph (2A) is added to read as follows:

“(2A) Notwithstanding paragraph (1) of this subsection, the Council approves the existing level of compensation for the position of Director of the Department of Forensic Sciences Max M. Houck (\$203,125).”.

(c) Paragraph (4) is amended by striking the phrase “February 24, 2012.” and inserting the phrase “February 24, 2012, or in the position of Director of the Department of Forensic Sciences, who takes office after the effective date of the Omnibus Criminal Code Amendments Act of 2012, passed on 2nd reading on December 18, 2012 (Enrolled version of Bill 19-645).” in its place.

502. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.02 *et seq.*), is amended by adding a new section 524 to read as follows:

"Sec. 524. Council approval of massage therapy regulations directed at licensed therapist facilities.

“There shall be no regulation of massage therapy that is directed at regulating a licensed therapist facility without affirmative approval by the Council of the District of Columbia.”.

Sec. 503. The Motor Vehicle Theft Prevention Act of 2008, effective July 18, 2008 (D.C. Law 17-197; D.C. Official Code § 3-1351 *et seq.*), is amended as follows:

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(a) Section 5 (D.C. Official Code § 3-1354) is amended as follows:

(1) Paragraph (8) is amended by striking the phrase “, subject to the financial limit in section 9(a)(2)”.

(2) Paragraph (9) is amended by striking the phrase “funds in the Fund to effectuate the purposes of the Commission, except as restricted by section 9” and inserting the phrase “its authorized budget to effectuate the purposes of the Commission” in its place.

(3) Paragraph (10) is amended by striking the phrase “for deposit into the Fund”.

(4) Paragraph (11) is amended by striking the phrase “provided, that non-monetary contributions shall not be included in the costs of administration limitation prescribed by section 9(a)(2);”.

(b) Section 8 (D.C. Official Code § 3-1357) is repealed.

(c) Section 9 (D.C. Official Code § 3-1358) is amended as follows:

(1) The heading is amended to read as follows:

“Sec. 9. Use of budget authority.”.

(2) Subsection (a) is amended as follows:

(A) The lead-in language is amended by striking the phrase “expend money in the Fund” and inserting the phrase “use its budget authority” in its place.

(B) Paragraph (2) is amended by striking the phrase “and the Fund; provided, that money expended for this purpose shall not in any fiscal year exceed 15% of the amount of funds deposited in the Fund during the same fiscal year”.

Sec. 504. The Access to Justice Initiative Establishment Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1701.01 *et seq.*), is amended as follows:

(a) Section 101(9) (D.C. Official Code § 4-1701.01(9)) is amended to read as follows:

“(9) “Eligible employment” means those areas of legal practice certified by the Administrator to serve the public interest, including employment with legal organizations that qualify for District of Columbia Bar Foundation funding, but does not include employment with the District of Columbia government or federal government or with or as the Administrator; and

“(A) Working not less than 35 hours per week where such hours are fully devoted to eligible employment, hereinafter “full-time employment”; or

“(B) Working not less than 17 hours per week where such hours are fully devoted to eligible employment, hereinafter “part-time employment.”.

(b) Section 403(a)(4) (D.C. Official Code § 4-1704.03(a)(4)) is amended by striking the phrase “\$65,000” and inserting the phrase “\$75,000, subject to a 3% annual increase beginning on October 1, 2013;”.

Sec. 505. Section 205 of the Omnibus Police Reform Amendment Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.04), is amended to read as follows:

“Sec. 205. Duties of the Board.

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“(a) The Board shall establish minimum application and appointment criteria for the Metropolitan Police Department that include the following:

- “(1) That an applicant be a citizen of the United States at the time of application;
- “(2) Age limits;
- “(3) Height and weight guidelines;
- “(4) Physical fitness and health standards;
- “(5) Psychological fitness and health standards;
- “(6) The completion of a criminal background investigation;
- “(7) The consideration to be placed on an applicant's participation in court-ordered community supervision or probation for any criminal offense at any time from application through appointment;
- “(8) The consideration to be placed on an applicant's criminal history, including juvenile records;
- “(9) The completion of a background investigation;
- “(10) Military discharge classification information; and
- “(11) Information on prior service with the Metropolitan Police Department.

“(b) Notwithstanding the minimum standards established by the Board in accordance with subsection (a) of this section, the Chief of Police may deny employment to any applicant based upon conduct occurring while the applicant was a minor if, considering the totality of the circumstances, the Chief of Police determines that the applicant has not displayed the good moral character or integrity necessary to perform the duties of a sworn member of the Metropolitan Police Department.

“(c) Each applicant selected for appointment as a sworn member of the Metropolitan Police Department shall successfully complete an initial training program and initial firearms training program before deployment, including minimum requirements developed by the Board, unless the applicant receives a waiver pursuant to subsection (e) of this section.

“(d) The Board shall determine minimum requirements for the initial training program and initial firearms training program for Metropolitan Police Department recruits, including the appropriate sequence, content, and duration of each program, and:

- “(1) The minimum number of hours required;
- “(2) If and under what circumstances the initial training program will include temporary deployment of the applicant before regular deployment as a sworn member; and
- “(3) The subjects to be included as part of every applicant's initial training.

“(e) The Chief of Police may modify or waive the initial training program and initial firearms training program requirements for either of the following:

- “(1) Any applicant who is a former sworn member of the Metropolitan Police Department who has been separated from employment with the Metropolitan Police Department for less than 3 years; or
- “(2) Any former member of a federal, state, or local law enforcement agency who has completed training similar to the Metropolitan Police Department's initial training program and initial firearms training program and who has been separated from employment with a federal, state, or local law enforcement agency for less than 3 years.

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“(f) The Board shall determine minimum requirements for a continuing education program for sworn members of the Metropolitan Police Department, including:

“(1) Requirements for a continuing education firearms training program; and

“(2) The appropriate consequence, including ineligibility for promotion, if a member fails to satisfy the continuing education requirement.

“(g) The Metropolitan Police Department may utilize the services of other law enforcement agencies or organizations engaged in the education and training of law enforcement personnel to satisfy any portion of the initial training program, the initial firearms training program, or the continuing education program pursuant to this section.

“(h) The Board shall establish the minimum requirements for any instructor of any component of the Metropolitan Police Department's initial training program, continuing education program, or firearms training program.

“(i) The Board shall establish minimum selection and training standards for members of the District of Columbia Housing Authority Police Department.

“(j) The Board shall also review and make recommendations to the Chief of Police, the Mayor, and the Council, regarding:

“(1) The Metropolitan Police Department's tuition assistance program;

“(2) The optimal probationary period for new members of the Metropolitan Police Department pursuant to subsection (q) of this section;

“(3) The issue of creating separate career tracks for patrol and investigations;

“(4) Minimum standards for continued level of physical fitness for sworn members of the Metropolitan Police Department; and

“(5) The Metropolitan Police Department Reserve Corps program's training and standards.

“(k) The minimum standards set by the Board pursuant to subsections (a), (d), (f), and (h) of this section shall not preclude the Metropolitan Police Department from establishing higher standards, including standards regarding its application, initial training, and continuing education programs at the department.

“(l) The minimum standards set by the Board pursuant to subsection (i) of this section shall not preclude the District of Columbia Housing Authority Police Department from establishing higher standards.

“(m) Not later than December 31 of each calendar year, the Board, through the Chief of Police, shall deliver a report to the Mayor and the Council concerning the Metropolitan Police Department's initial training program, continuing education program, and firearms training program. The report shall include:

“(1) The number of:

“(A) Applicants who have successfully completed the application process;

“(B) Applicants who have completed the initial training program;

“(C) Sworn members who have completed the continuing education and firearms training programs;

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“(2) An assessment of the Metropolitan Police Department’s compliance with the Board’s prescribed minimum standards for each of its application and training programs pursuant to this section;

“(3) Recommendations where the Board believes that the Metropolitan Police Department’s current standards for applicants, initial training including firearms training, and continuing education can be improved; and

“(4) An overall assessment of the Metropolitan Police Department’s current and planned recruiting efforts in light of public safety needs in the District.

“(n) The administrative work of the Board shall be carried out by members of the Metropolitan Police Department as appointed by the Chief of Police.

“(o) Any applicant who met the age requirement at the time of application and who was denied appointment on the basis of racial discrimination, as determined by the Director of the Office of Human Rights, may be appointed notwithstanding the applicant's age at the time of that determination.

“(p) Applications for appointment to the Metropolitan Police Department shall be made on forms furnished by the Metropolitan Police Department.

“(q) Appointments to the Metropolitan Police Department shall be for a probationary period to be determined by the Chief of Police. Continuation of service after the expiration of that period shall be dependent upon the conduct of the appointee and his or her capacity for the performance of the duties to which assigned, as indicated by reports of superior officers. The probationary period shall be an extension of the examination period.

“(r) If the Police and Fire Clinic shall find any probationer physically or mentally unfit to continue his or her duties, that probationer shall be required to appear before the Police and Firefighter's Retirement and Relief Board. That Board shall make any findings as are required pursuant to section 12(i) of the Policemen and Firemen’s Retirement and Disability Act, approved September 1, 1916 (39 Stat. 718; D.C. Official Code § 5-713), and those findings shall be incorporated in a recommendation submitted to the Mayor.

“(s) Each police officer appointed shall maintain a level of physical fitness to be determined by the Chief of Police. The final determination with respect to inappropriate fitness levels shall be made by the Medical Director of the Police and Fire Clinic.

“(t)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

“(2) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within this 45-day review period, the proposed rules shall be deemed approved.”.

Sec. 506. The Arson Investigators Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-176; D.C. Official Code § 5-417.01 *et seq.*), is amended by adding a new section 2a to read as follows:

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“Sec. 2a. Compliance with fire code and occupancy requirements -- Authority, generally; authority to enter and examine; sanctions.

“(a) The Fire Chief, the Fire Marshal, or his or her authorized representative shall have the authority to enter upon or examine any area, building or premises, vehicle or other thing during normal business hours to inspect for compliance with the District fire code, or enter any building at any time when there is probable cause to believe that the premises may be overcrowded.

“(b) The Fire Chief, the Fire Marshal, or his or her authorized representative shall have the authority to sanction a restaurant or other public venue for failure to post a seating or occupancy capacity placard; provided, that no restaurant or public venue shall be liable for the resulting fine or penalty unless the Mayor has provided the seating or occupancy capacity placard to the owner of the premises.”.

Sec. 507. Section 12(a)(1) of the Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.11(a)(1)), is amended by striking the word “journals” and inserting the phrase “journals, and who are not currently employed by the Department or by a law enforcement laboratory or agency” in its place.

Sec. 508. Section 202(b)(1) of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007(D.C. Law 16-262; D.C. Official Code § 7-2271.02(b)(1)), is amended to read to as follows:

“(b)(1) Commission members shall be nominated by the Mayor and confirmed by the Council for terms of 3 years, in accordance with section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), except that initially 4 Commission members shall be appointed to a 3-year term and 3 Commission members shall be appointed to a 2-year term.”.

Sec. 509. Section 16-914 of the District of Columbia Official Code is amended by adding a new subsection (k) to read as follows:

“(k) Notwithstanding any other provision of this section, no person shall be granted legal custody or physical custody of, or visitation with, a child if the person has been convicted of first degree sexual abuse, second degree sexual abuse, or child sexual abuse, and the child was conceived as a result of that violation. Nothing in this subsection shall be construed as abrogating or limiting the responsibility of a person described herein to pay child support.”.

Sec. 510. Section 2(2) of the Innocence Protection Act of 2001, effective May 17, 2002 (D.C. Law 14-134; D.C. Official Code § 22-4131(2)), is amended as follows:

(a) Strike the phrase “a sexual assault forensic examination kit, semen, vaginal fluid, blood, saliva, visible skin tissue, or hair” and insert the phrase “the contents of a sexual assault examination kit, bodily fluids (including, but not limited to, blood, semen, saliva, and

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vaginal fluid), hair, skin tissue, fingernail scrapings, bone, or other human DNA source matter” in its place.

(b) Add the following sentence at the end:

“This definition applies equally to material that is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups, or cigarettes, and to material that is recovered from evidence and thereafter maintained separately from that evidence, including, but not limited to, on a slide, on a swab, in cuttings, or in scrapings.”.

Sec. 511. Section 47-2811(b) of the District of Columbia Official Code is repealed.

Sec. 512. Section 7b of the District of Columbia Traffic Act, 1925, signed by the Mayor on October 23, 2012 (D.C. Act 19-487; 59 DCR 12507), is amended as follows:

(a) Subsection (a)(3)(A) is amended by striking the phrase “name address” and inserting the phrase “name, address” in its place.

(b) Subsection (b) is amended as follows:

(1) Strike the phrase “obtained by the Department of Motor Vehicles” and insert the phrase “obtained by the Department” in its place.

(2) Strike the phrase “motor-vehicle” and insert the phrase “motor vehicle” in its place.

(c) Subsection (c) is amended as follows:

(1) Paragraph (4)(A) is amended to read as follows:

“(A) For use by a person involved in the accident and listed on the accident report;”.

(2) Paragraph (12) is amended by striking the phrase “revoked by the person who is the subject of the motor vehicle record” and inserting the phrase “revoked by the person who is the subject of the motor vehicle record or accident report” in its place.

(d) Subsection (e) is amended as follows:

(1) Strike the phrase “of Motor Vehicles” wherever it appears.

(2) Paragraph (1) is amended by striking the phrase “made confidential and prohibited from disclosure” and inserting the phrase “prohibited from disclosure by subsection (b) of this section” in its place.

(3) Paragraph (2) is amended as follows:

(i) Strike the phrase “However only authorized” and insert the phrase “Authorized” in its place.

(ii) Strike the phrase “pursuant to” and insert the phrase “only in accordance with” in its place.

(e) Subsection (f) is amended by striking the phrase “of Motor Vehicles.”

Sec. 513. Juvenile drug screening and treatment diversion plan.

(a) The Office of the Attorney General for the District of Columbia (“OAG”), in

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cooperation with relevant stakeholders, shall develop a report on drug screening and drug treatment programs for youth arrested for possession of a substance in violation of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.01 *et seq.*)(“Uniform Controlled Substance Act”). The report shall include:

(1) A review of existing diversion programs available for juveniles that have been found delinquent in violation of the Uniform Controlled Substances Act, and a proposal to improve or enhance such programs;

(2) A review of existing wraparound services for juveniles that are arrested for or found delinquent in violation of the Uniform Controlled Substances Act, and a proposal to improve or enhance such services;

(3) A proposal to enhance the availability of, as well as the use of, diversion programs or wraparound services for juveniles arrested for violating the Uniform Controlled Substances Act, but for which the OAG has determined not to paper the case; and

(4) An identification of any perceived fiscal issues or other implementation issues with any of the above.

(b) For the purposes of this section, the term “wraparound services” means an intensive, individualized care management process for youths with serious or complex needs. During the wraparound process, a team of individuals who are relevant to the well-being of the child or youth (e.g., family members, other natural supports, services providers, and agency representatives) collaboratively develop an individualized plan of care, implement this plan, and evaluate success over time. The wraparound plan typically includes formal services and interventions, together with community services and interpersonal support and assistance provided by friends, kin, and other people drawn from the family’s social networks.

(c) The report required under this section shall be submitted by the OAG to the Council of the District of Columbia no later than March 4, 2013.

Sec. 514. Section 401 of An Act To provide for the more effective prevention, detection, and punishment of crime in the District of Columbia, approved June 29, 1953 (67 Stat. 101; D.C. Official Code § 3-801), is repealed.

Sec. 515. The Criminal Justice Supervisory Board Act of 1978, effective September 13, 1978 (D.C. Law 2-107; D.C. Official Code § 3-901 *et seq.*), is repealed.

Sec. 516. Chapter 10 of Title 28 of the District of Columbia Municipal Regulations is repealed.

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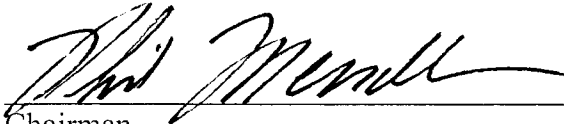
TITLE VI -- FISCAL IMPACT AND EFFECTIVE DATE

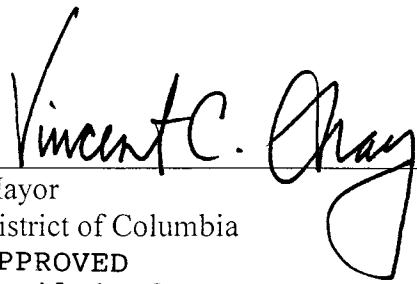
Sec. 601. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 602. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
April 1, 2013

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AN ACT

D.C. ACT 20-45

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 1, 2013

To establish, on an emergency basis, fines for criminal offenses, except where exempted by specific reference, proportional to the imprisonment term for each offense and to add a fine to any criminal offense that is currently punishable by a term of imprisonment but not by a fine; to establish the maximum alternative fine penalty involving pecuniary gain or loss at twice the gain or loss that has been alleged and proved; to exempt certain offenses from the fine proportionality in order to retain large fines for those offenses, to exempt certain offenses from fine proportionality in order to retain the progressive fine structure for subsequent offenses; to make conforming amendments to acts codified in Titles 22, 48, 50, and enacted titles of the District of Columbia Official Code; to clarify that the provisions of this act cannot be applied retroactively; and to provide a definitive applicability date for the act of June 1, 2013.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Criminal Fine Proportionality Emergency Amendment Act of 2013".

TITLE I -- CRIMINAL FINE PROPORTIONALITY
SUBTITLE A. FINES FOR CRIMINAL OFFENSES

Sec. 101. Fines for criminal offenses.

(a) Notwithstanding any other provision of the law, and except as provided in section 102, a defendant who has been found guilty of an offense under the District of Columbia Official Code punishable by imprisonment may be sentenced to pay a fine as provided in this section.

(b) An individual who has been found guilty of such an offense may be fined not more than the greatest of:

- (1) \$100 if the offense is punishable by imprisonment for 10 days or less;
- (2) \$250 if the offense is punishable by imprisonment for 30 days, or one month, or less but more than 10 days;
- (3) \$500 if the offense is punishable by imprisonment for 90 days, or 3 months, or less but more than 30 days;
- (4) \$1,000 if the offense is punishable by imprisonment for 180 days, or 6 months, or less but more than 90 days;
- (5) \$2,500 if the offense is punishable by imprisonment for one year or less but more than 180 days;

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- (6) \$12,500 if the offense is punishable by imprisonment for 5 years or less but more than one year;
 - (7) \$25,000 if the offense is punishable by imprisonment for 10 years or less but more than 5 years;
 - (8) \$37,500 if the offense is punishable by imprisonment for 15 years or less but more than 10 years;
 - (9) \$50,000 if the offense is punishable by imprisonment for 20 years or less but more than 15 years;
 - (10) \$75,000 if the offense is punishable by imprisonment for 30 years or less but more than 20 years;
 - (11) \$125,000 if the offense is punishable by imprisonment for more than 30 years; or
 - (12) \$250,000 if the offense resulted in death.
- (c) An organization that has been found guilty of an offense punishable by imprisonment for 6 months or more may be fined not more than the greatest of:
- (1) Twice the maximum amount specified in the law setting forth the penalty for the offense;
 - (2) Twice the applicable amount under subsection (b) of this section; or
 - (3) Twice the applicable amount under section 102(a).

Sec. 102. Applicability of fine proportionality provision.

(a) Notwithstanding any other provision of law, a sentence to pay a fine under section 101 shall be subject to the following:

(1) If a law setting forth the penalty for such an offense specifies a maximum fine that is lower than the fine otherwise applicable under section 101 and such law, by specific reference, exempts the offense from the applicability of the fine otherwise applicable under section 101, the defendant may not be fined more than the maximum amount specified in the law setting forth the penalty for the offense.

(2) If a law setting forth the penalty for such an offense specifies a maximum fine that is higher than the fine otherwise applicable under section 101 and such law, by specific reference, exempts the offense from the applicability of the fine otherwise applicable under section 101, the defendant may be fined the maximum amount specified in the law setting forth the penalty for the offense.

(3) If a law setting forth the penalty for such an offense specifies no fine and such law, by specific reference, does not exempt the offense from the fine otherwise applicable under section 101, the defendant may be fined pursuant to section 101.

(b)(1) If any person derives pecuniary gain from such an offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss.

(2) The court may impose a fine under this subsection in excess of the fine provided for by section 101 only to the extent that the pecuniary gain or loss is both alleged in the indictment or information and is proven beyond a reasonable doubt.

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(c) This act shall not apply to any provision of Title 11 of the District of Columbia Official Code.

SUBTITLE B. EXEMPTIONS TO CRIMINAL FINE PROPORTIONALITY

Sec. 111. Modification to alternative maximum fine based on gain or loss.

(a) The District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; codified at various sections of the D.C. Official Code), is amended as follows:

(1) Section 122 (D.C. Official Code § 22-3222) is amended by striking the phrase “3 times” wherever it appears and inserting the word “twice” in its place.

(2) Section 127c(a) (D.C. Official Code § 22-3227.03(a)) is amended by striking the phrase “3 times” wherever it appears and inserting the word “twice” in its place.

(3) Section 302(c) (D.C. Official Code § 22-712(c)) is amended by striking the phrase “3 times” and inserting the word “twice” in its place.

(b) Section 3(d) of the Commercial Counterfeiting Criminalization Act of 1996, effective June 3, 1997 (D.C. Law 11-271; D.C. Official Code § 22-902(d)), is amended by striking the phrase “3 times” and inserting the word “twice” in its place.

(c) Chapter 41 of Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-4101(a) is amended by striking the phrase “3 times” and inserting the word “twice” in its place.

(2) Section 47-4102(a) is amended by striking the phrase “3 times” and inserting the word “twice” in its place.

Sec. 112. Exemption of enumerated offenses to retain large fines.

(a) Section 821 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-381.09), is amended by adding the following at the end:

“The fine set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(b) Section 11712(e) of An Act To provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998, approved August 5, 1997 (111 Stat. 782; D.C. Official Code § 22-1323), is amended by adding a new paragraph (3) to read as follows:

“(3) The fine set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(c) Section 15 of An Act to regulate the employment of minors within the District of Columbia, approved May 29, 1928 (45 Stat. 998; D.C. Official Code § 32-213), is amended by adding a new subsection (c) to read as follows:

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“(c) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(d) Section 12 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1011), is amended by adding a new subsection (f) to read as follows:

“(f) The fine set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(e) Section 7 of An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 978; D.C. Official Code § 32-1307), is amended by adding a new subsection (d) to read as follows:

“(d) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(f) Section 47-2853.27 of the District of Columbia Official Code is amended by adding a new subsection (c) to read as follows:

“(c) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(g) Section 4(b) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.04(b)), is amended by adding a new paragraph (3) to read as follows:

“(3) The fine set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

Sec. 113. Exemption of enumerated offenses to retain progressive fines.

(a) Section 10 of the Asbestos Licensing and Control Act of 1990, effective May 1, 1990 (D.C. Law 8-116; D.C. Official Code § 8-111.09), is amended by adding the following sentence at the end:

“The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2012, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(b) Section 7(a)-(c) of the Dangerous Dog Amendment Act of 1988, effective October 18, 1988 (D.C. Law 7-176; D.C. Official Code § 8-1906), is amended by adding a new subsection (d) to read as follows:

“(d) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(c) Section 25-785 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows:

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“(e) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(d) Chapter 41 of Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-4103 is amended by adding a new subsection (d) to read as follows:

“(d) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(2) Section 47-4106 is amended by adding a new subsection (f) to read as follows:

“(f) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(e) Section 9 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.04), is amended by adding a new subsection (e) to read as follows:

“(e) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(f) The Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2205.02 *et seq.*), is amended as follows:

(1) Section 3d, as added by the Comprehensive Impaired Driving and Alcohol Breath Testing Program Amendment Act of 2012, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by adding a new subsection (e) to read as follows:

“(e) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(2) Section 3f, as added by the Comprehensive Impaired Driving and Alcohol Breath Testing Program Amendment Act of 2012, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by adding a new subsection (d) to read as follows:

“(d) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(3) Section 3i, as added by the Comprehensive Impaired Driving and Alcohol Breath Testing Program Amendment Act of 2012, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended as follows:

(A) Designate the lead-in language as subsection (a).

(B) Add a new subsection (b) to read as follows:

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“(b) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(4) Section 3k, as added by the Comprehensive Impaired Driving and Alcohol Breath Testing Program Amendment Act of 2012, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by adding a new subsection (d) to read as follows:

“(d) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(5) Section 3m, as added by the Comprehensive Impaired Driving and Alcohol Breath Testing Program Amendment Act of 2012, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by adding a new subsection (d) to read as follows:

“(d) The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(6) Section 3o, as added by the Comprehensive Impaired Driving and Alcohol Breath Testing Program Amendment Act of 2012, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by adding the following sentence at the end:

“The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(g) Section 12 of the District of Columbia Drug Manufacture and Distribution Licensure Act of 1990, effective June 13, 1990 (D.C. Law 8-137; D.C. Official Code § 48-711), is amended by adding the following sentence at the end:

“The fines set forth in this section shall not be limited by section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

TITLE II -- CONFORMING AMENDMENTS TO EXISTING CRIMINAL FINES

SUBTITLE A. CONFORMING AMENDMENTS TO TITLE 22

Sec. 201. An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 213 (D.C. Official Code § 22-1514) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 802b (D.C. Official Code § 22-2107) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “of \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(2) Subsection (b) is amended by striking the phrase “of \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 806(a) (D.C. Official Code § 22-404(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$3,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 806a (D.C. Official Code § 22-404.01) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (c) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 811 (D.C. Official Code § 22-2802) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 811a (D.C. Official Code § 22-2803) is amended as follows:

(1) Subsection (a)(2) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b)(2) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(g) Section 813(b) (D.C. Official Code § 22-2704(b)) is amended by striking the phrase “not more than \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(h) Section 824 (D.C. Official Code § 22-3302) is amended by striking the phrase “not more than \$1,000” wherever it appears and inserting the phrase “not more than the amount set

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forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(i) Section 825a (D.C. Official Code § 22-3305) is amended by striking the phrase "not exceeding \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(j) Section 844 (D.C. Official Code § 22-3307) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(k) Section 848 (D.C. Official Code § 22-303) is amended as follows:

(1) Strike the phrase "not more than \$5,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Strike the phrase "not more than \$1,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(l) Section 849 (D.C. Official Code § 22-3306) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(m) Section 851 (D.C. Official Code § 22-3301) is amended by striking the phrase "not more than \$100" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(n) Section 863 (D.C. Official Code § 22-1701) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(o) Section 863a (D.C. Official Code § 22-1702) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(p) Section 864 (D.C. Official Code § 22-1703) is amended by striking the phrase "not more than \$500" and inserting the phrase "and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(q) Section 866(d) (D.C. Official Code § 22-1705(d)) is amended as follows:

(1) Strike the phrase "not more than \$1,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment

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Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Strike the phrase "not more than \$2,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(r) Section 867 (D.C. Official Code § 22-1706) is amended by striking the phrase "not exceeding \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(s) Section 869 (D.C. Official Code § 22-1708) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(t) Section 869e (D.C. Official Code § 22-1713) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "not more than \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (d) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(u) Section 872(e) (D.C. Official Code § 22-2201(e)) is amended as follows:

(1) Strike the phrase "not more than \$1,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Strike the phrase "nor more than \$5,000" and insert the phrase "and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(v) Section 879 (D.C. Official Code § 22-1502) is amended by striking the phrase "not more than \$500" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(w) Section 880 (D.C. Official Code § 22-3309) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(x) Section 902 (D.C. Official Code § 22-4404) is amended by striking the phrase "not more than \$300" and inserting the phrase "not more than the amount set forth in section 101 of

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the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(y) Section 906 (D.C. Official Code § 22-1803) is amended as follows:

(1) Strike the phrase “not exceeding \$1,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Strike the phrase “not exceeding \$5,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(z) Section 908A(a) (D.C. Official Code § 22-1805a(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$3000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(aa) Section 910 (D.C. Official Code § 22-1807) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 202. The District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 95; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 205 (D.C. Official Code § 22-405) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (c) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 209(a) (D.C. Official Code § 22-2501) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 211(h) (D.C. Official Code § 22-1321(h)) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101

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of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 203. An Act To confer concurrent jurisdiction on the police court of the District of Columbia in certain jurisdictions, approved July 16, 1912 (37 Stat. 192; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 1 (D.C. Official Code § 22-1301 and § 22-2722) is amended as follows:

(1) Strike the phrase "not more than \$1,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Strike the phrase "not more than \$5,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(b) Section 2 (D.C. Official Code § 22-407) is amended by striking the phrase "not more than \$500" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 204. Section 203 of the District of Columbia Court Reform and Criminal Procedure Act of 1970, approved July 29, 1970 (84 Stat. 600; D.C. Official Code § 22-601), is amended by striking the phrase "not more than \$3,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 205. The District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 112 (D.C. Official Code § 22-3212) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (b) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(3) Subsection (c) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(b) Section 113(b) (D.C. Official Code § 22-3213(b)) is amended by striking the phrase "not more than \$300" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(c) Section 114(d) (D.C. Official Code § 22-3214(d)) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(d) Section 114a(d) (D.C. Official Code § 22-3214.01(d)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "not more than \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Paragraph (2) is amended by striking the phrase "not more than \$50,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(e) Section 114b(c) (D.C. Official Code § 22-3214.02(c)) is amended by striking the phrase "not more than \$300" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(f) Section 115(d) (D.C. Official Code § 22-3215(d)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Paragraph (2)(A)(i) is amended by striking the phrase "not more than \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(3) Paragraph (3)(A) is amended by striking the phrase "nor more than \$15,000" and inserting the phrase "and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(4) Paragraph (4) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(g) Section 116 (D.C. Official Code § 22-3216) is amended by striking the phrase "not more than \$300" and inserting the phrase "not more than the amount set forth in section 101 of

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the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(h) Section 118c(a) (D.C. Official Code § 22-3218.04(a)) is amended as follows:

(1) Strike the phrase “not more than \$500” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Strike the phrase “not more than \$1,500” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(i) Section 122 (D.C. Official Code § 22-3222) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(B) Paragraph (2) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “not more than \$3,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(B) Paragraph (2) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(j) Section 123(d) (D.C. Official Code § 22-3223(d)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(k) Section 124(b) (D.C. Official Code § 22-3224(b)) is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101

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of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(l) Section 125d (D.C. Official Code § 22-3225.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “not more than \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(B) Paragraph (2) is amended by striking the phrase “not more than \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Subsection (c) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(m) Section 126j (D.C. Official Code § 22-3226.10) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Paragraph (3) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(n) Section 127c (D.C. Official Code § 22-3227.03) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “\$10,000” and inserting the phrase “the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(o) Section 131(d) (D.C. Official Code § 22-3231(d)) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(p) Section 132(c) (D.C. Official Code § 22-3232(c)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(q) Section 133(b) (D.C. Official Code § 22-3233(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(r) Section 134(b) (D.C. Official Code § 22-3234(b)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(s) Section 142 (D.C. Official Code § 22-3242) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Subsection (c) is amended by striking the phrase “not more than \$2,500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(t) Section 151(b) (D.C. Official Code § 22-3251(b)) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section

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101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(u) Section 152(b) (D.C. Official Code § 22-3252(b)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(v) Section 302(c) (D.C. Official Code § 22-712(c)) is amended by striking the phrase “not more than \$25,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(w) Section 303(c) (D.C. Official Code § 22-713(c)) is amended by striking the phrase “not more than \$2,500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(x) Section 401(b) (D.C. Official Code § 22-2402(b)) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(y) Section 402 (D.C. Official Code § 22-2403) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(z) Section 403(b) (D.C. Official Code § 22-2404(b)) is amended by striking the phrase “not more than \$2,500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(aa) Section 404(b) (D.C. Official Code § 22-2405(b)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(bb) Section 502(b) (D.C. Official Code § 22-722(b)) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(cc) Section 503(b) (D.C. Official Code § 22-723(b)) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 206. The Omnibus Public Safety Amendment Act of 2006, effective April 24, 2007 (D.C. Law 16-306; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 101 (D.C. Official Code § 22-951) is amended as follows:

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(1) Subsection (a)(2) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b)(2) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Subsection (c)(2) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 103(b) (D.C. Official Code § 22-811(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$3,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Paragraphs (3) and (4) are amended by striking the phrase “not more than \$5,000” wherever it appears and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(4) Paragraph (5) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 104(e) (D.C. Official Code § 22-2731(e)) is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 105(f) (D.C. Official Code § 22-3531(f)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(e) Section 106 (D.C. Official Code § 22-851) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsections (c) and (d) are amended by striking the phrase “not more than \$3,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 107(b) (D.C. Official Code § 22-1931(b)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 207. Section 3(b) of the Commercial Counterfeiting Criminalization Act of 1996, effective June 3, 1997 (D.C. Law 11-271; D.C. Official Code § 22-902(b)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Paragraph (2) is amended by striking the phrase “not exceeding \$3,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Paragraph (3) is amended by striking the phrase “not exceeding \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 208. Section 206 of the Seniors Protection Amendment Act of 2000, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-936), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “up to \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (b) is amended by striking the phrase “up to \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Subsection (c) is amended by striking the phrase “up to \$250,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality

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Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 209. Chapter 106 of the Acts of the Legislative Assembly, approved August 23, 1871 (D.C. Official Code § 22-101 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 22-101) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “not exceeding \$250” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (d) is amended by striking the phrase “not exceeding \$25,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 11(a) (D.C. Official Code § 22-1012(a)) is amended by striking the phrase “nor more than \$250” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 210. Section 6a(a) of An act to prevent cruelty to children or animals in the District of Columbia, and for other purposes, approved June 8, 2001 (27 Stat. 60; D.C. Official Code § 22-1006.01(a)), is amended by striking the phrase “not more than \$25,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 211. Section 3(c) of An act for the protection of children in the District of Columbia and for other purposes, approved February 13, 1885 (23 Stat. 302; D.C. Official Code § 22-1101(c)), is amended by striking the phrase “not more than \$10,000” wherever it appears and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 212. Section 4 of An act to enlarge the power of the courts in the District of Columbia in cases involving delinquent children, and for other purposes, approved March 3, 1901 (31 Stat. 1095; D.C. Official Code § 22-1102), is amended by striking the phrase “not more than \$100” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 213. The Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 101(c) (D.C. Official Code § 22-2511(c)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 102(a) (D.C. Official Code § 22-1341(a)) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 103(b) (D.C. Official Code § 22-1211(b)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 504 (D.C. Official Code § 22-3134) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Subsection (c) is amended by striking the phrase “not more than \$25,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 214. An act for the preservation of the public peace and the protection of property within the District of Columbia, approved July 29, 1892 (27 Stat. 322; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 6 (D.C. Official Code § 22-1307) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(b) Section 9 (D.C. Official Code § 22-1312) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 11b(d) (D.C. Official Code § 22-1314.02(d)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 13 (D.C. Official Code § 22-3310) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “\$15,000” and inserting the phrase “a fine of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “\$5,000” and inserting the phrase “a fine of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 15 (D.C. Official Code § 22-3311) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 215. Section 1 of An Act To prevent the giving of false alarms of fires in the District of Columbia, approved June 8, 1906 (34 Stat. 220; D.C. Official Code § 22-1319), is amended as follows:

(a) Subsections (a) and (a-1) are amended by striking the phrase “not exceeding \$1,000” wherever it appears and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (b)(3) is amended by striking the phrase “not to exceed the greater of \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Subsection (c)(3) is amended by striking the phrase “not to exceed the greater of \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Subsection (d)(3) is amended by striking the phrase “not to exceed \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 216. Section 901 of An Act Relating to crime and criminal procedure in the District of Columbia, approved December 27, 1967 (81 Stat. 742; D.C. Official Code § 22-1322), is amended as follows:

(a) Subsections (b) and (c) are amended by striking the phrase “not more than \$1,000” wherever it appears and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (d) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 217. Section 845a of An Act To amend an Act entitled “An Act to establish a code of laws for the District of Columbia,” approved June 30, 1902 (32 Stat. 535; D.C. Official Code § 22-1402), is amended by adding the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” after the phrase “not less than \$1,000”.

Sec. 218. An Act To punish the impersonation of inspectors of the health and other departments of the District of Columbia, approved March 2, 1897 (29 Stat. 619; D.C. Official Code 22-1405), is amended by striking the phrase “nor more than \$100” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 219. The Revised Statutes of the District of Columbia are amended as follows:

(a) Section 433 (D.C. Code § 22-1406) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 1806 (D.C. Code § 22-3318) is amended by striking the phrase “nor more than \$1,000” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 220. Section 702(b) of the Omnibus Anti-Terrorism Act of 2002, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 22-1409(b)), is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 221. An Act Regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia, approved July 1, 1922 (42 Stat. 820; D.C. Official Code § 22-1510), is amended as follows:

(a) Strike the phrase “not more than \$3,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Strike the phrase “not more than \$1,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 222. Section 3 of An Act To prevent fraudulent advertising in the District of Columbia, approved May 29, 1916 (39 Stat. 165; D.C. Official Code § 22-1513), is amended by striking the phrase “not more than \$500” wherever it appears and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 223. Section 1502 of the Omnibus Crime Control and Safe Streets Act of 1968, approved June 19, 1968 (82 Stat. 238; D.C. Official Code § 22-1810), is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 224. Section 107 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1837), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase “not more than \$200,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (b) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 225. Section 5(a) of the Panhandling Control Act of 1993, effective November 17, 1993 (D.C. Law 10-54; D.C. Official Code § 22-2304(a)), is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 226. Section 8(b) of An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 698; D.C. Official Code § 22-2601(b)), is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 227. Section 4 of An Act To prohibit the introduction of contraband into the District of Columbia penal institutions, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-2603.03), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (b) is amended by striking the phrase “not more than \$2,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Subsection (c) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 228. Section 1(b) of An Act For the suppression of prostitution in the District of Columbia, approved August 15, 1935 (49 Stat. 651; D.C. Official Code § 22-2701(b)), is amended as follows:

(a) Paragraph (1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subparagraph (B) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Paragraph (2) is amended by striking the phrase “not more than \$4,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 229. An Act In relation to pandering, to define and prohibit the same and to provide for the Punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22- 2705 *et seq.*), is amended as follows:

(a) Section 1(c) (D.C. Official Code § 22- 2705) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 2(b) (D.C. Official Code § 22-2706(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$15,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 3(b) (D.C. Official Code § 22-2707(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 6 (D.C. Official Code § 22-2710) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 7 (D.C. Official Code § 22-2711) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 8 (D.C. Official Code § 22-2712) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 230. Section 4 of An Act To enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose, and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, approved February 7, 1914 (38 Stat. 281; D.C. Official Code § 22-2716), is amended by striking the phrase “nor more than \$1,000” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 231. Section 3(b) of the Residential Tranquility Act of 2010, effective May 26, 2011 (D.C. Law 18-374; D.C. Official Code § 22-2752(b)), is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 232. The Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3009.04 *et seq.*), is amended as follows:

(a) Section 201(a) (D.C. Official Code § 22-3002(a)) is amended by striking the phrase “in an amount not to exceed \$250,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 202 (D.C. Official Code § 22-3003) is amended by striking the phrase “in an amount not to exceed \$200,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 203 (D.C. Official Code § 22-3004) is amended by striking the phrase “in an amount not to exceed \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 204 (D.C. Official Code § 22-3005) is amended by striking the phrase “in an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 205 (D.C. Official Code § 22-3006) is amended by striking the phrase “in an amount not to exceed \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 207 (D.C. Official Code § 22-3008) is amended by striking the phrase “an amount not to exceed \$250,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(g) Section 208 (D.C. Official Code § 22-3009) is amended by striking the phrase “in an amount not to exceed \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(h) Section 208a (D.C. Official Code § 22-3009.01) is amended by striking the phrase “in an amount not to exceed \$150,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(i) Section 208b (D.C. Official Code § 22-3009.02) is amended by striking the phrase “in an amount not to exceed \$75,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(j) Section 208c (D.C. Official Code § 22-3009.03) is amended by striking the phrase “in an amount not to exceed \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(k) Section 208d (D.C. Official Code § 22-3009.04) is amended by striking the phrase “in an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(l) Section 209 (D.C. Official Code § 22-3010) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “in an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended by striking the phrase “in an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(m) Section 209a (D.C. Official Code § 22-3010.01) is amended by striking the phrase “in an amount not to exceed \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(n) Section 209b (D.C. Official Code § 22-3010.02) is amended by striking the phrase “an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(o) Section 212 (D.C. Official Code § 22-3013) is amended by striking the phrase “in an amount not to exceed \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(p) Section 213 (D.C. Official Code § 22-3014) is amended by striking the phrase “in an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(q) Section 214(b) (D.C. Official Code § 22-3015(b)) is amended by striking the phrase “in an amount not to exceed \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(r) Section 215(b) (D.C. Official Code § 22-3016(b)) is amended by striking the phrase “in an amount not to exceed \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 233. Section 4 of the District of Columbia Protection Against Minors Act of 1982, effective March 9, 1983 (D.C. Law 4-173; D.C. Official Code § 22-3103), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Paragraph (2) is amended by striking the phrase “not more than \$15,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 234. Section 5 of the Anti-Intimidation and Defacing of Public Property Criminal Penalty Act of 1982, effective March 10, 1982 (D.C. Law 4-203; D.C. Official Code § 22-3312.04), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “or more than \$1,000” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (b) is amended by striking the phrase “not to exceed \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 235. Section 2 of An Act To prohibit the use by collecting agencies and private detective agencies of any name, emblem, or insignia which reasonably tends to convey the impression that any such agency is an agency of the government of the District of Columbia, approved October 16, 1962 (76 Stat. 1071; D.C. Official Code § 22-3402), is amended by striking the phrase “of not more than \$300” and inserting the phrase “not more than the amount

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set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 236. Section 16(a) of the Sex Offender Registration Act of 1999, effective July 11, 2000 (D.C. Law 13-137; D.C. Official Code § 22-4015(a)), is amended as follows:

(a) Strike the phrase “not more than \$1,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Strike the phrase “not more than \$25,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 237. Section 5(d) of the Innocence Protection Act of 2001, effective May 17, 2002 (D.C. Law 14-134; D.C. Official Code § 22-4134(d)), is amended by striking the phrase “of \$100,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 238. Section 4(a) of An Act revise and modernize the fish and game laws of the District of Columbia, and for other purposes, approved August 23, 1958 (72 Stat. 815; D.C. Official Code § 22-4331(a)), is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 239. An Act To amend section eight hundred and ninety-five of the Code of Law for the District of Columbia, approved February 3, 1913 (37 Stat. 656; D.C. Official Code § 22-4402(d)), is amended by striking the phrase “not exceeding \$100” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 240. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 3(c) (D.C. Official Code § 22-4503(c)) is amended by striking the phrase “not more than \$15,000” and inserting the phrase “not more than the amount set forth in section

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101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(b) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Paragraph (2) is amended by striking the phrase "not more than \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(c) Section 15 (D.C. Official Code § 22-4515) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

SUBTITLE B. CONFORMING AMENDMENTS TO TITLE 48

Sec. 251. Section 9(c) of An Act Relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898 (30 Stat. 246; D.C. Official Code § 48-109(c)), is amended by striking the phrase "not to exceed \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 252. The District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.02 *et seq.*), is amended as follows:

(a) Section 401 (D.C. Official Code § 48-904.01) is amended as follows:

(1) Subsection (a)(2) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "not more than \$500,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(B) Subparagraph (B) is amended as follows:

(i) Strike the phrase "not more than \$50,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(ii) Strike the phrase "not more than \$1,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

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(C) Subparagraph (C) is amended by striking the phrase “not more than \$25,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(D) Subparagraph (D) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b)(2) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “not more than \$500,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(B) Subparagraph (B) is amended by striking the phrase “not more than \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(C) Subparagraph (C) is amended by striking the phrase “not more than \$25,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(D) Subparagraph (D) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(3) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(B) Paragraph (2) is amended by striking the phrase “not more than \$3,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 402(c) (D.C. Official Code § 48-904.02(c)) is amended by striking the phrase “not more than \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 403(b) (D.C. Official Code § 48-904.03(b)) is amended by striking the phrase “not more than \$50,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(d) Section 407(b) (D.C. Official Code § 48-904.07(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$20,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 410 (D.C. Official Code § 48-904.10) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 411 (D.C. Official Code § 48-904.03a(b)) is amended by striking the phrase “not more than \$500,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 252. Section 14(n) of An Act To regulate the manufacturing, dispensing, selling, and possession of narcotic drugs in the District of Columbia, approved June 20, 1938 (52 Stat. 792; D.C. Official Code § 48-921.02(n)), is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 253. Section 6 of the Anti-Loitering/Drug Free Zone Act of 1996, effective June 3, 1997 (D.C. Law 11-270; D.C. Official Code § 48-1005), is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 254. Section 4 of the Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1103), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “not more than \$100” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subsection (b) is amended as follows:

(1) Strike the phrase “for not more than \$1,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(2) Strike the phrase “not more than \$5,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Subsection (c) is amended by striking the phrase “not more than \$15,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Subsection (e)(4) is amended as follows:

(1) Strike the phrase “not more than \$1,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Strike the phrase “not more than \$5,000” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

SUBTITLE C. CONFORMING AMENDMENTS TO TITLE 50

Sec. 261. Section 2 of the Taxicab Fare Payment Act of 1980, effective February 2, 1981 (D.C. Law 3-117; D.C. Official Code § 50-351), is amended by striking the phrase “of not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 262. Section 12 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371), is amended by striking the phrase “not to exceed \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 263. Section 6(b)(1) of the Uniform Classification and Commercial Driver’s License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-405(b)(1)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase “nor more than \$1000” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Subparagraph (B) is amended by striking the phrase “nor more than \$2000” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Subparagraph (C) is amended by striking the phrase “nor more than \$5000” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 264. Section 8 of An Act To provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia, and for other purposes, approved April 22, 1960 (74 Stat. 73; D.C. Official Code § 50-607), is amended by striking the phrase “not exceeding \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 265. Section 14 of An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes, approved July 2, 1940 (54 Stat. 736; D.C. Official Code 50-1215), is amended by striking the phrase “of not more than \$5,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 266. The Motor Vehicle Safety and Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 122; D.C. Official Code § 50-1301.01 *et seq.*), is amended as follows:

(a) Section 74 (D.C. Official Code § 50-1301.74) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 75 (D.C. Official Code § 50-1301.75) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 267. Section 108(b) of the Department of Motor Vehicles Reform Amendment Act of 2004, effective April 8, 2005 (D.C. Law 15-307; D.C. Official Code § 50-1331.08(b)), is amended by striking the phrase “not more than \$2,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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Sec. 268. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(d) (D.C. Official Code § 50-1401.01(d)) is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 8(i) (D.C. Official Code § 50-1401.02(i)) is amended by striking the phrase “nor more than \$50” and inserting the phrase “and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 13(e) (D.C. Official Code § 50-1403.01(e)) is amended by striking the phrase “not to exceed \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 13b(b) (D.C. Official Code § 50-1403.03(b)) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 269. Section 4(f) of the International Registration Plan Agreement Act of 1997, effective September 5, 1997 (D.C. Law 12-14; D.C. Official Code § 50-1507.03(d)), is amended by striking the phrase “not to exceed \$500” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 270. Section 7e of the District of Columbia Implied Consent Act, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by striking the phrase “\$500 fine” and inserting the phrase “fine not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 271. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *et seq.*) is amended as follows:

(a) Section 6 (D.C. Official Code § 50-2201.03) is amended as follows:

(1) Subsection (d) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (f) is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 9b(c) is amended by striking the phrase “not more than \$250” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 10b (D.C. Official Code § 50-2201.05b(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 10c(d) is amended as follows:

(1) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(ii) Subparagraph (B) is amended by striking the phrase “not more than \$2,500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “not more than \$250” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(ii) Subparagraph (B) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 10d(d) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 272. Section 3g(b) of the Anti-Drunk Driving Act of 1982, signed by the Mayor on October 24, 2012 (D.C. Act 19-489), is amended by striking the phrase "\$500" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 273. Section 2(c) of the Pedestrian Protection Amendment Act of 1987, effective October 9, 1987 (D. C. Law 7-34; D.C. Official Code § 50-2201.28(c)), is amended by striking the phrase "of not more than \$500" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 274. Section 802(a) of An Act To amend an Act of Congress entitled "An Act to establish a code of law for the District of Columbia, approved March 3, 1901, as amended by adding three new sections to be numbered 802(a), 802(b), and 802(c), respectively, approved June 17, 1935 (49 Stat. 385; D.C. Official Code § 50-2203.01), is amended by striking the phrase "of not more than \$5,000" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 275. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*) is amended as follows:

(a) Section 203(a) (D.C. Official Code § 50-2302.03(a)) is amended by striking the phrase "not to exceed \$300" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(b) Section 302(a) (D.C. Official Code § 50-2303.02(a)) is amended by striking the phrase "not to exceed \$300" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 276. The Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code § 50-2421.01 *et seq.*), is amended as follows:

(a) Section 4(e) (D.C. Official Code § 50-2421.04(e)) is amended by striking the phrase "of not more than \$500" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

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(b) Section 9(c) (D.C. Official Code § 50-2421.09(c)) is amended by striking the phrase “of not more than \$500” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 10(d) (D.C. Official Code § 50-2421.10(d)) is amended by striking the phrase “not to exceed \$5,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 277. Section 3 of An Act To authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center, approved June 6, 1940 (54 Stat. 241; D.C. Official Code § 50-2632(c)), is amended by striking the phrase “not to exceed \$25” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

SUBTITLE D. CONFORMING AMENDMENTS TO ENACTED TITLES

Sec. 281. Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-1005 is amended as follows:

(1) Subsection (f) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (g) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 16-1024(b) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Paragraph (2) is amended as follows:

(A) Strike the phrase “not exceeding \$5,000” and insert the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(B) Strike the phrase “not exceeding \$500” and insert the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(c) Section 16-2336 is amended by striking the phrase “not more than \$250” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 16-2348(b) is amended by striking the phrase “not more than \$250” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 16-2364 is amended by striking the phrase “not more than two hundred and fifty dollars (\$250)” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 16-2394 is amended by striking the phrase “not more than \$250” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(g) Section 16-5103 is amended by striking the phrase “of up to \$500” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 282. Section 21-591(3) of the District of Columbia Official Code is amended by striking the phrase “not more than \$5000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 283. Title 23 of the District of Columbia Official Code is amended as follows:

(a) Section 23-542(b) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 23-543(a)(2)(B) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 23-703 is amended by striking the phrase “not exceeding \$5,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 23-1108(b) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(e) Section 23-1110(b)(4) is amended by striking the phrase "not more than the maximum provided for the misdemeanor for which such citation was issued" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(f) Section 23-1111 is amended by striking the phrase "nor more than \$100" and inserting the phrase "and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(g) Section 23-1327(a) is amended as follows:

(1) Strike the phrase "not more than \$5,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Strike the phrase "not more than the maximum provided for such misdemeanor" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(3) Strike the phrase "not more than \$ 1,000" and insert the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(h) Section 23-1329(c) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

Sec. 284. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-434(b) is amended by striking the phrase "not more than \$300" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(b) Section 25-772(d) is amended by striking the phrase "of not more than \$500" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(c) Section 25-831 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "of not more than \$1,000" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal

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Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(2) Subsection (b) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 25-101(d) is amended by striking the phrase “of not more than \$500” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 285. Title 28 of the District of Columbia Official Code is amended as follows:

(a) Section 28-2305(b) is amended by striking the phrase “not more than \$200” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(b) Section 28-3313 is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 28-3817(g) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 28-4505(h) is amended by striking the phrase “not more than \$5,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 28-4506 is amended by striking the phrase “not exceeding \$50,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 28-4607(a) is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 286. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-102 is amended by striking the phrase “not exceeding \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

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(b) Section 47-391.03(i)(1)(B) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(c) Section 47-821(d)(2)(C) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(d) Section 47-828 is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(e) Section 47-850.02(d)(4) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(f) Section 47-863(k)(4) is amended by striking the phrase “not more than \$1,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(g) Section 47-861 is amended by striking the phrase “not to exceed \$10,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(h) Section 47-1805.04(e) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(i) Section 47-2014 is amended by striking the phrase “not more than \$500” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(j) Section 47-2018(d) is amended by striking the phrase “not exceeding \$1,000” and inserting the phrase “of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(k) Section 47-2106(a) is amended by striking the phrase “not more than \$300” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(l) Section 47-2406(f) is amended by striking the phrase “not more than \$10,000” and inserting the phrase “not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(m) Section 47-2408 is amended as follows:

(1) Subsection (c) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (d) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(n) Section 47-2409(e) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(o) Section 47-2421 is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(p) Section 47-2707 is amended by striking the phrase "nor more than \$200" and inserting the phrase "and not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(q) Section 47-2808(c) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(r) Section 47-2839.01(c) is amended by striking the phrase "of not more than \$1,000" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(s) Section 47-2846 is amended by striking the phrase "not more than \$300" wherever it appears and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(t) Section 47-2850(c)(1) is amended by striking the phrase "not exceeding \$1,000" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(u) Section 47-2883.04 is amended by striking the phrase "not exceeding \$300" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(v) Section 47-2884.16(a) is amended by striking the phrase "of not more than \$300" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(w) Section 47-2885.20(a) is amended by striking the phrase "of not more than \$500" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(x) Section 47-2886.14 is amended by striking the phrase "of not more than \$500" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(y) Section 47-2887.14 is amended by striking the phrase "maximum fine of \$10,000" and inserting the phrase "a fine of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(z) Section 47-3409 is amended by striking the phrase "of \$300" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(aa) Section 47-3719(f) is amended by striking the phrase "not to exceed \$1,000" and inserting the phrase "of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(bb) Section 47-4101 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "not more than \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (b) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(cc) Section 47-4102 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "not more than \$10,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (b) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(dd) Section 47-4103 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (b) is amended by striking the phrase "not more than \$3,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(ee) Section 47-4104 is amended by striking the phrase "not more than \$3,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(ff) Section 47-4105 is amended by striking the phrase "not more than \$3,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(gg) Section 47-4107 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(2) Subsection (b) is amended by striking the phrase "not more than \$5,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(hh) Section 47-4405(c) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

(ii) Section 47-4406(f) is amended by striking the phrase "not more than \$1,000" and inserting the phrase "not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)" in its place.

TITLE III -- CONFORMING AMENDMENTS FOR NEW CRIMINAL FINES

Sec. 301. Section 18-112 of the District of Columbia Official Code is amended by adding the following sentence at the end:

"In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality

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Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 302. Section 20-102 of the District of Columbia Official Code is amended by adding a new subsection (c) to read as follows:

“(c) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 303. An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 801 (D.C. Official Code § 22-2104) is amended by adding a new subsection (e) to read as follows:

“(e) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(b) Section 802 (D.C. Official Code § 22-2105) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(c) Section 802a (D.C. Official Code § 22-2106) is amended by adding a new subsection (c) to read as follows:

“(c) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(d) Section 803 (D.C. Official Code § 22-401) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(e) Section 804 (D.C. Official Code § 22-402) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality

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Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(f) Section 805 (D.C. Official Code § 22-403) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(g) Section 807 (D.C. Official Code § 22-406) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(h) Section 810 (D.C. Official Code § 22-2801) is amended by adding the following at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(i) Section 812 (D.C. Official Code § 22-2001) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(j) Section 820 (D.C. Official Code § 22-301) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(k) Section 821 (D.C. Official Code § 22-302) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(l) Section 823 (D.C. Official Code § 22-801) is amended by adding a new subsection (c) to read as follows:

“(c) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality

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Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(m) Section 846 (D.C. Official Code § 22-3319) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(n) Section 859 (D.C. Official Code § 22-1403) is amended by adding a new subsection (a-1) to read as follows:

“(a-1) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(o) Section 860 (D.C. Official Code § 22-1404) is amended by adding the following at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(p) Section 865 (D.C. Official Code § 22-1704) is amended by striking the phrase “5 years” and inserting the phrase “5 years and, in addition, may be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

(q) Section 870 (D.C. Official Code § 22-501) is amended by adding a new subsection (a-1) to read as follows:

“(a-1) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(r) Section 875 (D.C. Official Code § 22-1901) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(s) Section 891 (D.C. Official Code § 22-3303) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality

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Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(t) Section 907a (D.C. Official Code § 22-1804a) is amended by adding a new subsection (e) to read as follows:

“(e) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 304. Section 3(b) of the An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 651; D.C. Official Code § 22-4503(b)), is amended by adding a new paragraph (3) to read as follows:

“(3) In addition to any other penalty provided under this subsection, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 305. Section 209(a) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 95; D.C. Official Code § 22-2501) is amended by striking the phrase “5 years” and inserting the phrase “5 years and, in addition, may be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 306. An Act In relation to pandering, to define and prohibit the same, and to provide for the Punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22- 2705 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Code § 22-2708) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(b) Section 5 (D.C. Code § 22-2709) is amended by adding the following sentence at the end:

“In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

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Sec. 307. The Omnibus Anti-Terrorism Act of 2002, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 22-3151 *et seq.*) is amended as follows:

(a) Section 104 (D.C. Official Code § 22-3154) is amended by adding a new subsection (c) to read as follows:

“(c) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(b) Section 105 (D.C. Official Code § 22-3155) is amended by adding a new subsection (c) to read as follows:

“(c) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

Sec. 308. An Act To define the crime of bribery and to provide for its punishment, approved February 26, 1936 (49 Stat. 1143; D.C. Official Code 22-704) is amended by striking the phrase “5 years” and inserting the phrase “5 years. In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185)” in its place.

Sec. 309. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 22-4504) is amended by adding a new subsection (c) to read as follows:

“(c) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(b) Section 14 (D.C. Official Code § 22-4514) is amended by adding a new subsection (d) to read as follows:

“(d) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”

(c) Section 15A(d) (D.C. Official Code § 22-4515a(d)) is amended by adding a new paragraph (4) to read as follows:

“(4) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine

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Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 310. Section 2 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4502), is amended by adding a new subsection (e-1) to read as follows:

“(e-1) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 311. Title 23 of the District of Columbia Official Code is amended as follows:

(a) Section 23-1328 is amended by adding a new subsection (d) to read as follows:

“(d) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

(b) Section 23-1329 is amended by adding a new subsection (a-1) to read as follows:

“(a-1) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

Sec. 312. Section 3a of An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 697; D.C. Official Code § 24-403.01), is amended by adding a new subsection (g) to read as follows:

“(g) In addition to any other penalty provided under this section, a person may be fined an amount not more than the amount set forth in section 101 of the Criminal Fine Proportionality Emergency Amendment Act of 2013, passed on emergency basis on March 19, 2013 (Enrolled version of Bill 20-185).”.

TITLE IV -- NON-RETROACTIVITY PROVISION

Sec. 401. Applicability of provisions; non-retroactivity.

This act shall apply only to the offenses committed on or after June 1, 2013.

TITLE IV-A -- CONFORMING AMENDMENTS FOR ADMINISTRATIVE
DISPOSITION OF WEAPONS

Sec. 410. Section 706(a) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2507.06(a)), is amended as follows:

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(a) The lead-in language is amended by striking the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214)” and inserting the phrase “not more than \$2,500” in its place.

(b) Paragraph (1) is amended by striking the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214)” and inserting the phrase “not more than \$25,000” in its place.

(c) Paragraph (2) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214)” and inserting the phrase “not more than \$12,500” in its place.

(2) Subparagraph (B) is amended by striking the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214)” and inserting the phrase “not more than \$2,500” in its place.

(d) Paragraph (3) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214)” and inserting the phrase “not more than \$25,000” in its place.

(2) Subparagraph (B) is amended by striking the phrase “not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214)” and inserting the phrase “not more than \$2,500” in its place.

TITLE V -- APPLICABILITY

Sec. 501. Applicability.

(a) Titles I through IV shall apply as of June 1, 2013.

(b) Title IV-A shall:

(1) Apply as of the effective date of the Administrative Disposition of Weapons Offenses Amendment Act of 2012, signed by the Mayor on February 4, 2013 (D.C. Act 19-663; 60 DCR 2623); and

(2) Expire on June 1, 2013.

TITLE VI -- FISCAL IMPACT; EFFECTIVE DATE

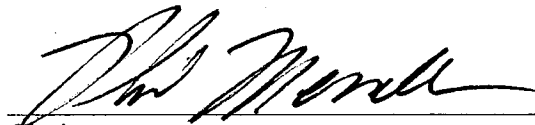
Sec. 601. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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)).

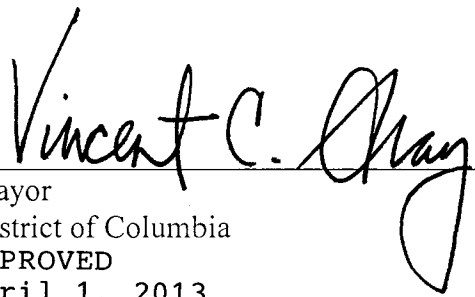
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Sec. 602. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 1, 2013

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AN ACT

D.C. ACT 20-46

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 26, 2013

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to grant the State Board of Education personnel authority and the authority to appoint up to 3 employees; and to amend the State Board of Education Establishment Act of 2007 to grant the State Board of Education personnel authority, and make it responsible for administrating its budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “State Board of Education Personnel Authority Emergency Amendment Act of 2013”.

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

- (a) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended as follows:
- (1) Paragraph (20) is amended by striking the word “and” at the end.
 - (2) Paragraph (21) is amended by striking the period at the end and inserting the phrase “; and” in its place.
 - (3) A new paragraph (22) is added to read as follows:
“(22) For employees of the State Board of Education, the personnel authority is the State Board of Education.”.
- (b) Section 903(a) (D.C. Official Code § 1-609.03(a)) is amended as follows:
- (1) Paragraph (9) is amended by striking the word “and” at the end.
 - (2) Redesignate paragraph (10) as paragraph (11).
 - (3) A new paragraph (10) is added to read as follows:
“(10) The State Board of Education may appoint no more than 3 full-time equivalent employees; and”.
 - (4) The newly designated paragraph (11) is amended by striking the phrase “through (9)” and inserting the phrase “through (10)” in its place.

Sec. 3. Section 403(d) of the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2652(d)), is amended to read as follows:

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“(d)(1) The Board shall, by order, specify its organizational structure, staff, operations, reimbursement of expenses policy, and other matters affecting the Board’s functions.

“(2) The Board shall appoint staff members, who shall serve at the pleasure of the Board, to perform administrative functions and any other functions necessary to execute the mission of the Board.

“(3) Beginning in fiscal year 2013, the Board shall prepare and submit to the Mayor, for inclusion in the annual budget prepared and submitted to the Council pursuant to Part D of Title IV of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.41 *et seq.*) (“Home Rule Act”), annual estimates of the expenditures and appropriations necessary for the operation of the Board for the year. All the estimates shall be forwarded by the Mayor to the Council for, in addition to the Mayor’s recommendations, action by the Council pursuant to sections 446 and 603(c) of the Home Rule Act.

“(4) The Board shall be reflected in the budget and financial system as an agency-level entity.

“(5) All assets, staff, and unexpended appropriations of the Office of the State Superintendent of Education or of any other agency that are associated with the Board shall be transferred to the Board by April 1, 2013.”.

Sec. 4. Fiscal impact statement.

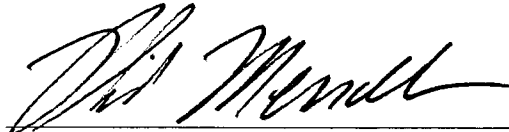
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

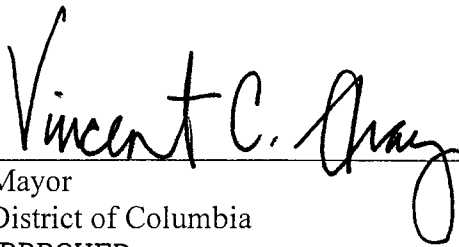
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 27, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-47

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 27, 2013

To approve, on an emergency basis, Modification No. 25 to Contract No. POKV-2006-C-0064 with Xerox State and Local Solutions, Inc. to provide ticket processing and related services and to authorize payment for goods and services received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. POKV-2006-C-0064 Modification Approval and Payment Authorization Emergency Act of 2013".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 25 to Contract No. POKV-2006-C-0064 with Xerox State and Local Solutions, Inc., and authorizes an increase of the contract ceiling by \$1,567,378.00, from \$9,407,690.76 to \$10,975,068.76, for services received under that contract for the period from January 3, 2012 to January 2, 2013.

Sec. 3. Fiscal impact statement.

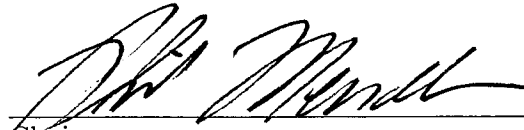
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

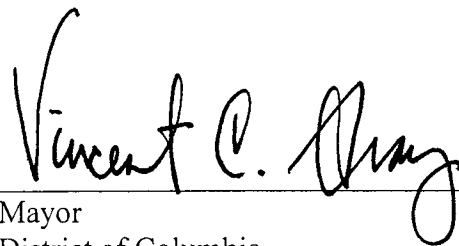
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
March 27, 2013

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-307

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To recognize the Eastern High School Alumni Class of 1962 50th reunion celebration, and to declare September 22, 2012 as “Eastern High School Alumni Class of 1962 50th Reunion Day” in the District of Columbia.

WHEREAS, the members of the Eastern High School Class of 1962 will be celebrating their 50th reunion anniversary with a gala dinner and dance at Washington Navy Yard;

WHEREAS, the members of the Class of 1962 have remained actively involved in the lives of the students of Eastern High School since their graduation 50 years ago;

WHEREAS, the members of the Class of 1962 have served as mentors for current student body members;

WHEREAS, members of the Class of 1962 have provided financial assistance to current students in need of help;

WHEREAS, members of the Class of 1962 have provided scholarship assistance for post-graduate study to graduating seniors;

WHEREAS, members of the Class of 1962 participated in the 2012 Alumni Career Day at Eastern High School and shared information about their diverse careers, community involvement, and travels; and

WHEREAS, members of the Class of 1962 continue to be actively involved in the lives of the members of the current student body and the community at large.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Eastern High School 1962 50th Reunion Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia does hereby declare Saturday, September 22, 2012, as “Eastern High School Alumni Class of 1962 50th Reunion Day” in the

ENROLLED ORIGINAL

District of Columbia and calls upon all residents of this great city to observe this day to highlight the accomplishments and contributions of the members of the outstanding Eastern High School Class of 1962.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-308

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To posthumously recognize the contributions of Georgette Seabrooke Powell to the community, and to declare September 30, 2012, as “Georgette Seabrooke Powell Day” in the District of Columbia.

WHEREAS, Georgette Seabrooke Powell was an American muralist, artist, illustrator, art therapist, and educator, who was born in Charleston, South Carolina, and resided in Washington, D.C., for over 45 years;

WHEREAS, Georgette Seabrooke Powell, a Harlem Renaissance Artist, passed away on December 27, 2011, at 95 years of age;

WHEREAS, in 1935, at the age of 18 years, Georgette Seabrooke Powell was the youngest master artist who received a commission for her mural, “Recreation in Harlem”;

WHEREAS, Georgette Seabrooke Powell’s mural is being restored and unveiled at Harlem Hospital, New York, N.Y.;

WHEREAS, Georgette Seabrooke Powell founded Tomorrow’s World Art Center, Inc., a nonprofit organization, in earlier years known as Operation Heritage, whose slogan was “The Children are the Creators of Tomorrow’s World”;

WHEREAS, every year for 36 years, Tomorrow’s World Art Center, Inc. sponsored Art in the Park, in Washington, D.C., showcasing talented and aspiring artist from the District of Columbia;

WHEREAS, Georgette Seabrooke Powell has received many awards, both locally and abroad, including the Mayor’s Art Award; and

WHEREAS, Georgette Seabrooke Powell is being honored on September 30, 2012 by artists, friends, and family at The Smithsonian’s Anacostia Community Museum.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Georgette Seabrooke Powell Posthumous Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia recognizes and honors the contributions of Georgette Seabrooke Powell, and declares September 30, 2012, as “Georgette Seabrooke Powell Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-309

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To declare the month of October 2012 as “Breast Cancer Awareness Month” in the District of Columbia.

WHEREAS, an estimated 178,000 new cases of breast cancer are diagnosed annually in the United States and the disease is the cause of 40,000 deaths per year;

WHEREAS, breast cancer comprises 22.9% of all cancers in women and approximately 81% of cases occur in those over the age of 50 years;

WHEREAS, National Cancer Institute estimates there were 232,620 new breast cancer diagnoses (230,480 female, 2,140 male) and 39,970 deaths (39,520 female and 450 male) in the United States in 2011;

WHEREAS, approximately 229,060 people in the United States will be diagnosed with invasive breast cancer before the end of 2012, and the American Cancer Society estimates that 39,920 men and women will die from the disease this year;

WHEREAS, there are several types of breast cancer—divided into non-invasive and invasive types—which can be diagnosed at different stages of development and can grow at different rates;

WHEREAS, if cancer is detected at an early stage, it can be treated before it spreads to other parts of the body;

WHEREAS, the exact cause of breast cancer is not fully understood, but many factors increase the likelihood of developing it, including age and family medical history;

WHEREAS, both sexes can get breast cancer but it is more than 100 times more common in women than it is in men;

WHEREAS, the American Cancer Society is a nearly 100-year-old, community-based, voluntary health organization, in both the District of Columbia and nationwide, which is dedicated to eliminating cancer as a major health problem;

ENROLLED ORIGINAL

WHEREAS, the American Cancer Society established Breast Cancer Awareness Month in 1985 to promote mammography as the most effective weapon in the fight against breast cancer;

WHEREAS, the Capital Breast Care Center (“CBCC”), located in the District of Columbia, provides comprehensive, culturally appropriate breast cancer screening services and health education to women in the Washington, D.C. metropolitan area, regardless of their ability to pay;

WHEREAS, the CBCC offers onsite mammograms, ultrasound-guided biopsies, health education, clinical breast examinations, patient navigation services for women with abnormal screens or breast cancer symptoms, and transportation services to and from appointments;

WHEREAS, the CBCC has Spanish-English bilingual staff to ensure that no language barriers exist for those in need of care; and

WHEREAS, the District of Columbia anticipates the day when no woman or man has to treated for this disease.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Breast Cancer Awareness Month Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia honors breast cancer patients, survivors and their families, and declares October 2012 as “Breast Cancer Awareness Month” in the District of Columbia to promote research for a cure.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-310

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To honor and recognize Dr. Dorothy Goodman as the visionary for international education in the District of Columbia and the initiative to establish the Washington International School.

WHEREAS, the genesis for an international school where children from different nations could study together and break down divisions to promote peace first occurred to Dr. Goodman while working in an Austrian refugee camp after World War II;

WHEREAS, her vision took root in January 1966, when Dr. Goodman opened a bilingual nursery school for 4 students in the basement of her Macomb Street home;

WHEREAS, Dr. Goodman, and co-founder Cathya Wing (now Stephenson), modeled the Washington International School after a feasibility study for an international school by a committee from the World Bank, the International Monetary Fund, and the Inter-American Development Bank;

WHEREAS, Dr. Goodman, in preparation for the expansion of the school, and with assistance from Elaine Greenstone, collected and analyzed educational material from around the world, which ultimately resulted in the adoption of the International Baccalaureate diploma at the school in 1975;

WHEREAS, unlike the American educational model, the curriculum of the Washington International School exposes children at the earliest age to both English and another world language and requires students to complete a wide range of subjects within a common curriculum, enabling them to enter universities anywhere in the world;

WHEREAS, the central mission of the school, where Dr. Goodman served as headmistress for 20 years, remains unchanged: “to provide a demanding international education that will challenge students to become responsible and effective world citizens.”; and

WHEREAS, today the Washington International School, located on 2 campuses, enrolls 900 students from over 90 countries, from pre-kindergarten through grade 12.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Dr. Dorothy Goodman Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia recognizes and honors Dr. Goodman for her leadership in promoting international education for students living in the Washington, D.C. metropolitan area.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-311

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To honor and recognize Marc DePaul as an outstanding employee of the Cleveland Park Branch Library of the District of Columbia.

WHEREAS, from its opening in 1953 to the present, the Cleveland Park Branch Library has attracted a dedicated group of staff and volunteers who helped to make this library a vibrant community center for the Cleveland Park neighborhood;

WHEREAS, Mr. DePaul joined the Cleveland Park branch as a paraprofessional covering all 3 service desks;

WHEREAS, Mr. DePaul established a successful Young Adult program and a popular chess club;

WHEREAS, the family of Mr. DePaul, in recognition of his dedication to the library, especially the young users of the library, donated \$4,000 to the Friends of the Cleveland Park Library; and

WHEREAS, Mr. DePaul retired from the District of Columbia Library system on July 2012.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Marc DePaul Recognition Resolution of 2012".

Sec. 2. The Council of the District of Columbia recognizes and honors Marc DePaul for his dedication to public service at the Cleveland Park Branch Library of the District of Columbia Public Library system.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-312

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To recognize and honor the services of Stoddard Baptist Home Foundation, Inc., and to declare October 12, 2012 as “Stoddard Baptist Home Foundation Day” in the District of Columbia.

WHEREAS, Stoddard Baptist Home was founded in 1902 to provide care in a home-like setting for the elderly in the District of Columbia;

WHEREAS, Ms. Maria T. Stoddard bequeathed funds for the construction of a retirement home;

WHEREAS, for 110 years, Stoddard has addressed the spiritual, physical, emotional, and social needs of elderly residents and senior citizens in our community;

WHEREAS, Stoddard has evolved into an organization with 3 entities of care: Stoddard Baptist Home, Stoddard Baptist Global Care at Washington Center for Aging Services, and Presidential Estates at Sycamore Hill;

WHEREAS, Stoddard’s entities now answer the needs of senior citizens from the greater District of Columbia area suffering the effects of Alzheimer’s and dementia; and

WHEREAS, Stoddard Baptist Home and Stoddard Baptist Home Foundation, Inc. are both 501(c)(3) charitable organizations, which advocate for high-quality health care, dignity, and respect for our senior citizens.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Stoddard Baptist Home Foundation Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia recognizes and honors Stoddard Baptist Home Foundation for its compassionate services and longstanding history in the community, and declares October 12, 2012 as “Stoddard Baptist Home Foundation Day” in the District of Columbia.

ENROLLED ORIGINAL

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-313

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To recognize Officer Darrell A. Roberts of the Metropolitan Police Department on his retirement.

WHEREAS, Officer Darrell A. Roberts began his career with the Metropolitan Police Department of the District of Columbia by being appointed on October 17, 1983;

WHEREAS, Officer Darrell A. Roberts was assigned to the Fourth District after graduating from the academy;

WHEREAS, Officer Darrell A. Roberts became an investigator in the Criminal Investigations Division on November 3, 1991;

WHEREAS, Officer Darrell A. Roberts achieved the rank of Detective in the Criminal Investigations Division on February 9, 1992;

WHEREAS, Officer Darrell A. Roberts was made Officer in the Sixth District on July 25, 2005;

WHEREAS, Officer Darrell A. Roberts received a commendation in 2009 from the Acting United States Attorney for the District of Columbia for his work on a case that resulted in the conviction for offenses related to a home invasion, rape, assault, and theft committed by the defendant; and

WHEREAS, Officer Darrell A. Roberts is retiring from the Sixth District of the Metropolitan Police Department after decades of service.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Officer Darrell A. Roberts Recognition Resolution of 2012".

Sec. 2. The Council of the District of Columbia recognizes and thanks Officer Darrell A. Roberts for his decades of service to the Metropolitan Police Department and to the citizens of the District of Columbia, and congratulates him on his retirement.

ENROLLED ORIGINAL

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-314

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To commemorate the 30th anniversary of the Concerned Black Men, Inc., Washington, D.C. Chapter.

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter was founded in 1982 by men motivated by cultural pride and love for youth;

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter was established as a nonprofit organization of male volunteers seeking to be positive male role models committed to improving the future and lives of at-risk youth in the Washington, D.C. metropolitan area;

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter operates according to their motto, "Caring for Our Youth";

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter uses an Afro-centric perspective to enrich youth lives through positive educational, cultural, and social activities, programs, and events, and provide them with wisdom and understanding on how to become positive, successful, and contributing adults.

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter is dedicated to improving and advancing the lives of children in our community by shaping values and promoting successes;

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter and its members endeavor to exemplify cultural awareness, economic independence, and emotional, intellectual, physical, and spiritual strength, and instill these qualities in youth;

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter has historically and consistently worked closely with area school systems, community organizations, and local social service agencies that share a commitment to a prosperous future for upcoming generations;

ENROLLED ORIGINAL

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter is part of a national organization with chapters in 30 U.S. cities;

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter sponsors enrichment and development activities such as the Power Up – Read Program aimed at encouraging students to read and stamp out illiteracy through a series of thematic sessions; the Just Say Yes! Program whereby youth attend workshops and field trips to promote positive self-esteem, cultural awareness, physical fitness, and entrepreneurship, including activities such as basketball, discussions, movies, bowling, and sessions on achieving academic goals, physical fitness, nutrition and diet, art, poetry, music, and history; an annual Dr. Martin Luther King, Jr. Oratory Contest; an annual History Bee; and visits to embassies, organizations involved in international affairs, museums, and ethnic restaurants in Washington, D.C., and elsewhere to learn about other cultures and world affairs;

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter honored over 300 participants at their Youth Recognition Awards Banquet to recognize the academic and civic achievements of area youth.

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter awards college scholarships and Student of the Year Awards to encourage the youth of the community to achieve higher level of excellence and success through education; and

WHEREAS, the Concerned Black Men, Inc., Washington, D.C. Chapter hosted a 30th Anniversary and Scholarship Gala on Saturday, October 13, 2012 to raise funds for scholarships and sustain existing programs and activities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Concerned Black Men, Inc., Washington, D.C. Chapter 30th Anniversary Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia commemorates and congratulates the Concerned Black Men, Inc., Washington, D.C. Chapter for 30 years of dedicated and valuable investment in our youth, their futures, and our community.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-315

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To honor and congratulate Rhonda K. Blackshear, Esq., for her years of exemplary work as a legal professional and on the occasion of her retirement from the District of Columbia Department of Insurance, Securities and Banking.

WHEREAS, Rhonda K. Blackshear, Esq. was born in Greenville, North Carolina, and raised in Shaker Heights, Ohio, as a member of the first black family to own a house in Shaker Heights;

WHEREAS, Rhonda K. Blackshear, Esq. is the mother of 3 daughters;

WHEREAS, Rhonda K. Blackshear, Esq. earned her undergraduate degree from Fisk University and her Juris Doctor from Loyola University School of Law;

WHEREAS, Rhonda K. Blackshear, Esq. achieved additional professional credentials in the Executive Training Program at Arthur Anderson & Co. and the National Association of Insurance Commissioners Education Program;

WHEREAS, Rhonda K. Blackshear, Esq. was appointed and served as Registrar under 2 Arizona governors, managing and directing the state agency with responsibility for regulating contractor licensees;

WHEREAS, Rhonda K. Blackshear, Esq. was the second black woman in the history of the state of Arizona to be appointed to an executive agency;

WHEREAS, Rhonda K. Blackshear, Esq. was featured in Today’s Arizona Women’s Success Magazine as one of the “Ten Outstanding Women of 1990”;

WHEREAS, Rhonda K. Blackshear, Esq. furthered her legal practice in the Arizona Attorney General’s Office as Assistant Attorney General covering organized crime and racketeering in both the Environmental Crimes Unit and the Prison Gang Unit, and also as Chief Counsel, managing the Licensing and Enforcement Unit in the Civil Division;

ENROLLED ORIGINAL

WHEREAS, Rhonda K. Blackshear, Esq. prosecuted and won the first case in the state of Arizona that resulted in conviction and a jail sentence for the illegal disposal of hazardous waste materials;

WHEREAS, Rhonda K. Blackshear, Esq. persevered under threats against her life in leading the unit that prosecuted members of prison gangs, including the Aryan Brotherhood and the Mexican Mafia;

WHEREAS, Rhonda K. Blackshear, Esq. continued her public service career as the Deputy Public Defender in the Maricopa County Public Defender’s Office;

WHEREAS, Rhonda K. Blackshear, Esq. began her work as a legal professional in the District of Columbia as a general practitioner, handling a wide variety of work and cases in the District of Columbia Superior Court;

WHEREAS, Rhonda K. Blackshear, Esq. shared her subject matter expertise throughout her career, presenting and conducting seminars on a variety of subject matters, including, environmental health, preparing for court, and insurance fraud;

WHEREAS, Rhonda K. Blackshear, Esq. has been formally recognized by multiple employers for her stellar on the job performance and accomplishments;

WHEREAS, Rhonda K. Blackshear, Esq. is and has been a member of several professional organizations, including the District of Columbia Bar, D.C. Bar Health Section, D.C. Bar Administrative Law Section, American Bar Association Prison and Jail Problems Section Committee, Arizona State Bar Association Environment and National Resources Section, and the Board of Directors of Arizona Women’s Education and Employment, Inc.; and

WHEREAS, Rhonda K. Blackshear, Esq. has served as an attorney for over 19 years for the District of Columbia Department of Insurance, Securities and Banking, working as Supervisory Attorney Advisor, Assistant Attorney General, Deputy General Counsel and General Counsel in the Office of the Attorney General.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Rhonda K. Blackshear, Esq. Retirement Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia celebrates Rhonda K. Blackshear, Esq., on the occasion of her retirement, and recognizes her for her many years of service and dedication to the government of the District of Columbia.

ENROLLED ORIGINAL

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

19-316

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2012

To recognize Dr. Michael Plater, a native Washingtonian and President of Strayer University.

WHEREAS, Dr. Michael Plater is a native of Ward 7 and grew up in a single-parent household at 5020 Call Place, S.E., and also in the East Gate neighborhood of Ward 7;

WHEREAS, Dr. Michael Plater is a husband and father of 2 children;

WHEREAS, Dr. Michael Plater has exhibited a biding, lifelong commitment to education and its transformative abilities, in both his personal experiences and professional pursuits;

WHEREAS, Dr. Michael Plater attended public schools in the District of Columbia through 8th grade before matriculating at Phillips Exeter Academy on scholarship;

WHEREAS, Dr. Michael Plater pursued higher education, earning a bachelor's degree in economics from Harvard College, a Masters of Business Administration from the Wharton School of Business at the University of Pennsylvania, and a Ph.D. in American Studies from the College of William & Mary;

WHEREAS, Dr. Michael Plater began his career in the private sector before lending his skills and talents to education and administration;

WHEREAS, Dr. Michael Plater served in posts at institutions of higher learning, including his time as the dean of the College of Arts and Sciences at North Carolina A&T State University and associate dean of Brown University's Graduate School;

WHEREAS, Dr. Michael Plater joined Strayer University in 2010 as provost and chief academic officer; and

WHEREAS, Dr. Michael Plater became the 14th president of Strayer University in May 2012, in the 120th year of the university.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Dr. Michael Plater Recognition Resolution of 2012”.

Sec. 2. The Council of the District of Columbia congratulates Dr. Michael Plater on being named president of Strayer University, and recognizes him for his demonstrated academic and professional achievements and proven commitment to education.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

**COUNCIL OF THE DISTRICT OF COLUMBIA
NOTICE OF INTENT TO ACT ON NEW LEGISLATION**

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at www.dccouncil.us.

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COUNCIL OF THE DISTRICT OF COLUMBIA

PROPOSED LEGISLATION

BILLS

- B20-203 DC Business Improvement District Amendment Act of 2013

Intro. 03-28-13 by Councilmember Evans and referred to the Committee on Business, Consumer, and Regulatory Affairs with comments from the Committee on Finance and Revenue

- B20-212 Life and Health Insurance Guaranty Association Consumer Protection Amendment Act of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

- B20-215 Ruby Whitfield Way Designation Act of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

- B20-216 Uniform Deployed Parents Visitation and Custody Act of 2013

Intro. 04-08-13 by Councilmember Wells and referred to the Committee on Judiciary and Public Safety

BILLS con't

B20-217 Uniform Premarital and Marital Agreement Act of 2013

Intro. 04-08-13 by Councilmember Wells and referred to the Committee on Judiciary and Public Safety

B20-218 Uniform Asset Freezing Orders Act of 2013

Intro. 04-08-13 by Councilmember Wells and referred to the Committee on Judiciary and Public Safety

B20-219 Uniform Partition of Heirs Property Act of 2013

Intro. 04-08-13 by Councilmember Wells and referred to the Committee on Judiciary and Public Safety

B20-221 Uniform Electronic Legal Material Act of 2013

Intro. 04-08-13 by Councilmember Wells and referred to the Committee on Judiciary and Public Safety

PROPOSED RESOLUTIONS

PR20-182 Office of Employee Appeals Vera Abbot Confirmation Resolution of 2012

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

PR20-183 District of Columbia Water and Sewer Authority Board of Directors Mr. Roderic L. Woodson Confirmation Resolution of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR20-184 District of Columbia Water and Sewer Authority Board of Directors Ms. Ellen O. Boardman Confirmation Resolution of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PROPOSED RESOLUTIONS con't

PR20-185 District of Columbia Water and Sewer Authority Board of Directors Mr. James Bunn
Confirmation Resolution of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the
Committee on Transportation and the Environment

PR20-186 District of Columbia Water and Sewer Authority Board of Directors Mr. Keith Anderson
Confirmation Resolution of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the
Committee on Transportation and the Environment

PR20-187 Child Fatality Review Committee Laura E. House Confirmation Resolution of 2013

Intro. 04-08-13 by Chairman Mendelson at the request of the Mayor and referred to the
Committee on Judiciary and Public Safety

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING**

on

Bill 20-71, the Boards and Commissions Reform Act of 2013

on

**Wednesday, June 5, 2013
1:00 p.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of the Whole on a Bill 20-71, the Boards and Commissions Reform Act of 2013. The public hearing will be held at 1:00 p.m. on Wednesday, June 5, 2013 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of Bill 20-71 is to abolish or merge certain boards and commissions that the Executive has deemed no longer necessary for the functioning of the District Government. However, the legislation does affect policy decisions established in the law with regard to some of the affected boards and commissions at the time they were created.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Renee Johnson, Legislative Assistant, at rjohnson@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, June 4, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on June 4, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-71 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://dclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, June 19, 2013.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING**

on

Bill 20-125, Social Impact Financing Amendment Act of 2013

on

**Thursday, June 6, 2013
11:00 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on Bill 20-125, the "Social Impact Financing Amendment Act of 2013." The public hearing will be held Thursday, June 6, 2013, at 11:00 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of Bill 20-125 is to amend the Procurement Practices Reform Act of 2010 to establish that Social Impact Bond contract agreements may be used by the District of Columbia government to procure specific social or human care services. Copies of the legislation can be obtained through the Legislative Services Division of the Secretary's Office or on <http://dcclims1.dccouncil.us/lims>.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at ecash@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, June 4, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on June 4, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Thursday, June 20, 2013.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING**

on

**Bill 20-126, Closing of Public Streets and Alleys and Elimination of Building Restriction Lines
in and Abutting Squares 5641, N-5641, and S.O. 07-2117, Act of 2013**

on

**Tuesday, May 28, 2013
11:00 a.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on Bill 20-126, the "Closing of Public Streets and Alleys and Elimination of Building Restriction Lines in and Abutting Squares 5641, N-5641, and S.O. 07-2117, Act of 2013." The public hearing will be held Tuesday, May 28, 2013, at 11:00 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of Bill 20-126 is to approve the closing of a portion of Akron Place, S.E. abutting squares 5641 and N-5641 and the removal of the building restriction lines along Akron Place, S.E. and the south side of Austin Streets, S.E. in squares 5641 and N-5641 in Ward 7. Approval of Bill 20-126 is related to the development of Skyland Town Center.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Crispus Gordon III, Legislative Assistant, at cgordon@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Friday, May 24, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on May 24, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-126 can be obtained through the Legislative Services Division of the Secretary of the Council or on <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Tuesday, June 11, 2013.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs
Notice of Public Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite G-6 Washington, DC 20004

Revised

**COUNCILMEMBER VINCENT B. ORANGE, SR., CHAIR
COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY
AFFAIRS
ANNOUNCES A PUBLIC HEARING**

ON

**B20-145, THE “PRIVATE CONTRACTOR AND SUBCONTRACTOR
PROMPT PAYMENT ACT OF 2013”**

**FRIDAY, MAY 10, 2013, 9:30 A.M
JOHN A. WILSON BUILDING, ROOM 412
1350 PENNSYLVANIA AVENUE, N.W.
Washington, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public hearing by the Committee on Business, Consumer, and Regulatory Affairs on B20-145, the “Private Contractor and Subcontractor Prompt Payment Act of 2013”. The public hearing is scheduled for April 30, 2013 at 9:30 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave., N.W., Washington, DC 20004. *This notice is being revised in order to provide timely notification to the public of a change in the hearing date from April 30, 2013 to Friday, May 10, 2013.* The revision was necessitated by move in the Committee of the Whole’s regular meeting date from April 23, 2013 to April 30.

B20-145, the “Private Contractor and Subcontractor Prompt Payment Act of 2013”, proposes to establish private contractor and subcontractor prompt payment laws, time requirements for owners and contractors to pay contractors and subcontractors when the contract does not provide for specific dates and times of payment, and other requirements. The bill also provides civil penalties for failure to meet the prompt payment requirements. Further, it requires the Mayor to select an agency director to monitor and enforce the provisions of the Act and who will be responsible for developing a plan for payment terms based on established industry standards.

Individuals and representatives of organizations who wish to testify at the public roundtable are asked to contact Faye Caldwell of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us and provide their name(s),

address, telephone number, email address and organizational affiliation, if any, by close of business Friday, May 3, 2013. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of 12 O'clock noon Friday, May 24, 2013. Copies of written statements should be submitted to the Committee on Business, Consumer, and Regulatory Affairs, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING**

on

**Bill 20-200, the "Fiscal Year 2013 Revised Budget Request Emergency
Adjustment Act of 2013"**

on

**Friday, May 3, 2013
10:00 a.m., Council Chamber, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of the Whole on Bill 20-200, the Fiscal Year 2013 Revised Budget Request Emergency Adjustment Act of 2013. The public hearing will be held on Friday, May 3, 2013, at 10:00 a.m. in the Council Chamber, Room 500, of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW. **Because of the subject of the legislation, which is the budget, this hearing will coincide with a previously noticed hearing on Bills 20-198 and 20-199, the Fiscal Year 2014 Budget Request Act of 2013 and the Fiscal Year 2014 Budget Support Act of 2013.**

The stated purpose of Bill 20-200 is to adjust, on an emergency basis, certain allocations requested in the Fiscal Year 2013 Budget Request Act pursuant to the Omnibus Appropriations Act, 2009. This legislation seeks to appropriate additional funds certified by the Chief Financial Officer for Fiscal Year 2013. Bill 20-200, and the accompanying emergency declaration (PR 20-173) and temporary legislation (Bill 20-201), were transmitted to the Council by the Executive on Thursday, March 28, 2013.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at ecash@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Wednesday, May 1, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on May 1, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to three minutes. A copy of Bill 20-200 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, May 6, 2013.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON EDUCATION
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Suite 119, Washington, DC 20004

**COUNCILMEMBER DAVID A. CATANIA
CHAIRMAN, COMMITTEE ON EDUCATION
ANNOUNCES A PUBLIC HEARING**

on

PR20-0174 the Public Education Master Facilities Plan Approval Resolution of 2013

on

**Thursday, May 2nd, 2013 at 3 p.m.
Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David A. Catania, Chairman of the Committee on Education, announces the scheduling of a Public Hearing by the Committee on Education on PR20-0174, the Public Education Master Facilities Plan Approval Resolution of 2013. The public hearing will take place on Thursday, May 2, 2013 at 3 p.m. in room 412 of the John A. Wilson Building.

The purpose of the hearing is to provide the public and government witnesses an opportunity to testify on the resolution that would approve the 2013 Public Education Master Facilities Plan for the District of Columbia.

Those who wish to testify are asked to contact Mr. Jamaal Jordan with the Committee on Education at (202) 724-8061 or via email at JJordan@dccouncil.us and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business on Monday, April 29, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Education, Council of the District of Columbia, Suite 119 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs
Notice of Public Roundtable**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite G-6 Washington, DC 20004

Revised

**COUNCILMEMBER VINCENT B. ORANGE, SR.
COMMITTEE ON BUSINESS, CONSUMER,
AND REGULATORY AFFAIRS
ANNOUNCES A PUBLIC ROUNDTABLE**

ON

**PR20-125, THE “VENDING BUSINESS LICENSE REGULATION
RESOLUTION OF 2013”**

**FRIDAY, MAY 10, 2013, 11:00 A.M.
JOHN A. WILSON BUILDING, ROOM 412
1350 PENNSYLVANIA AVENUE, N.W.
Washington, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public roundtable by the Committee on Business, Consumer, and Regulatory Affairs for the purposes of receiving testimony on Proposed Resolution 20-125, the “Vending Business License Regulation Resolution”. The public roundtable is scheduled for April 30, 2013 at 11:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave., N.W., Washington, DC 20004. *This notice is being revised in order to provide timely notification to the public of a change in the roundtable date from April 30, 2013 to Friday, May 10, 2013.* The revision was necessitated by move in the Committee of the Whole’s regular meeting date from April 23, 2013 to April 30.

The purpose of the public roundtable is to receive comments from interested parties on PR20-125, the “Vending Business License Regulation Resolution”, which would establish new regulations for vending business licenses, license fee for market manager business licenses, and a fines schedule for violations of the vending business license regulations.

Individuals and representatives of organizations who wish to testify at the public roundtable are asked to contact Faye Caldwell of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address and organizational affiliation, if any, by close of business Friday, May 3, 2013. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5

minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Friday, May 24, 2013. Copies of written statements should be submitted to the Committee on Business, Consumer, and Regulatory Affairs, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE**

on

PR 20-147, District of Columbia Commission on Judicial Disabilities and Tenure Jennifer L. Eaton Appointment Resolution of 2013

on

**Monday, April 15, 2013
2:00 p.m., Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces the scheduling of a public roundtable of the Committee of the Whole on PR 20-147, the District of Columbia Commission on Judicial Disabilities and Tenure Jennifer L. Eaton Appointment Resolution of 2013. The roundtable will be held at 2:00 p.m. on Monday, April 15, 2013 in Hearing Room 412 of the John A. Wilson Building.

The stated purpose of PR 20-147 is to confirm the appointment of Dr. Jennifer L. Eaton to the Commission on Judicial Disabilities and Tenure. The purpose of this roundtable is to receive testimony from government and public witnesses as to the fitness of the nominee for the Commission.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Renee Johnson, Legislative Assistant, at rjohnson@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Friday, April 12, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on April 12, 2013, the testimony will be distributed to Councilmembers before the roundtable. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-147 can be obtained through the Legislative Services Division of the Secretary of the Council's office or on <http://dclims1.dccouncil.us/lims>.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, April 29, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

ABBREVIATED NOTICE OF INTENT TO CONSIDER LEGISLATION

The Council of the District of Columbia's Committee on Education hereby gives notice of its intention to take action on the following measure:

1. PR20-0174 the Public Education Master Facilities Plan Approval Resolution of 2013

COUNCIL OF THE DISTRICT OF COLUMBIA**CONSIDERATION OF TEMPORARY LEGISLATION**

B20-11, “Department of Health Grant Making Authority Temporary Amendment Act of 2013”, **B20-195**, “Health Benefit Exchange Authority Establishment Temporary Amendment Act of 2013”, **B20-207**, “Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Temporary Amendment Act of 2013” and **B20-223**, “Certified Business Enterprise Compliance Temporary Act of 2013” were adopted on first reading on April 9, 2013. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on May 7, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA EXCEPTED SERVICE APPOINTMENTS AS OF MARCH 31, 2013

NOTICE OF EXCEPTED SERVICE EMPLOYEES

D.C. Code § 1-609.03(c) requires that a list of all new appointees to Excepted Service positions established under the provisions of § 1-609.03(a) be published in the D.C. Register. In accordance with the foregoing, the following information is hereby published for the following positions.

COUNCIL OF THE DISTRICT OF COLUMBIA			
NAME	POSITION TITLE	GRADE	TYPE OF APPOINTMENT
Benton, Brittany N.	Administrative Aide	2	Excepted Service - Reg Appt
Jones, Candice D.	Legislative Counsel	7	Excepted Service - Reg Appt
Royster, Charnisa R.	Administrative Clerk	1	Excepted Service - Reg Appt

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s)

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Room 5, Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10.
Telephone: 724-8050

Reprog. 20-37: Request to reprogram \$1,350,000 of Fiscal Year 2013 Local funds budget authority within the Office of the State Superintendent of Education (OSSE) was filed in the Office of the Secretary on April 8, 2013. This reprogramming ensures that OSSE is able to properly fund the activities and initiatives of the FY 2013 Raising Expectations for Education Outcomes Act of 2012.

RECEIVED: 14 day review begins April 9, 2013

Reprog. 20-38: Request to reprogram \$375,000 of Fiscal Year 2013 Local funds budget authority from Non-Public Tuition (NPT) to the Metropolitan Washington Council of Governments (MWCOG) was filed in the Office of the Secretary on April 8, 2013. This reprogramming will support the federal grant match for the New Freedom program administered by the U.S. Department of Transportation's Federal Transit Administration. The reprogramming will further support the rollDC Wheelchair Accessible Taxicab Pilot and will provide 10 additional wheelchair accessible taxicabs, maintenance of all 30 vehicles in the rollDC fleet, operating costs, driver incentives, and driver training.

RECEIVED: 14 day review begins April 9, 2013

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, APRIL 17, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson
Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Protest Hearing (Status) **9:30 AM**
Case # 13-PRO-00007;District Pub Group, LLC, t/a Fainting Goat, 1330 U Street NW, License #91244, Retailer CT, ANC 1B

New Application
Show Cause Hearing **10:00 AM**
Case # 12-AUD-00047; Taj Mahal Enterprises, Ltd, t/a Fiesta Restaurant and Lounge, 1327 Connecticut Ave NW, License #882, Retailer CR, ANC 2B

Failed to File Quarterly Statements (3rd Quarter 2012)
Show Cause Hearing **11:00 AM**
Case # 12-CMP-00587; SAS Convenience, Inc., t/a Shop Express, 3900 Benning Road NE, License #74500, Retailer B, ANC 7F

Sold Go-Cups

BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM

Show Cause Hearing **1:30 PM**
Case # 12-CMP-00345; Eatonville Inc., t/a Eatonville, 2121 14th Street NW License #78882, Retailer CR, ANC 1B

Failed to Make a Copy of Settlement Agreement Immediately Accessible, Failed to Post ABC Window Lettering in a Conspicuous Place
Show Cause Hearing **2:30 PM**

Case # 12-CMP-00579; Lusk's Corporation, t/a Eddie's Carryout, 1251 Bladensburg Road NE, License #75795, Retailer B, ANC 5D
Failed to Post ABC Window Lettering in a Conspicuous Place, Failed to Post Pregnancy Sign, Failed to Post Current Legal Drinking Age Notice

Show Cause Hearing **2:30 PM**
Case # 12-CMP-00458; Ruby Tuesday, Inc., t/a Ruby Tuesday #5320 3365 14th Street NW, License #75456, Retailer CR, ANC 1A
No ABC Manager on Duty

Board's Calendar

Page -2- April 17, 2013

Show Cause Hearing

3:30 PM

Case # 12-251-00212; 1010 V, LLC, t/a Josephine, 1010 Vermont Ave NW

License #76906, Retailer CT, ANC 2F

Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

Show Cause Hearing

3:30 PM

Case # 12-AUD-00046; Café Japone Limited Partnership, t/a Café Japone

2032 P Street NW, License #10581, Retailer CR, ANC 2B

Failed to File Quarterly Statements (2nd Quarter 2012)

Show Cause Hearing

4:30 PM

Case # 12-CMP-00538; Arias, Inc., t/a My Brother's Place, 237 2nd Street NW

License #71593, Retailer CR, ANC 6C

Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales, Failed to Make a Copy of Settlement Agreement Immediately Accessible

Show Cause Hearing

4:30 PM

Case # 12-CMP-00472; Kartik, Incorporated, t/a New York Liquors, 1447

Maryland Ave NE, License #76234, Retailer A, ANC 6A

Sold Go-Cups

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 12, 2013
Petition Date: May 28, 2013
Hearing Date: June 10, 2013

License No.: ABRA-086384
Licensee: Highland Restaurant Group, LLC
Trade Name: Acre 21
License Class: Retailer’s Class “C” Restaurant
Address: 1400 Irving Street, NW
Contact: Rosemarie Salguero, Agent 202-589-1834

WARD 1 ANC 1A SMD 1A03

Notice is hereby given that this applicant has applied for a substantial change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Request to Change License Class from “CR” Restaurant to “CT” Tavern

CURRENT HOURS OF OPERATION/ALCOHOL SALES/SERVICE/CONSUMPTION FOR PREMISE AND SUMMER GARDEN

Sunday 10:00 am – 2:00 am; Monday through Thursday 11:00 pm – 2:00 am; Friday and Saturday 11:00 am – 3:00 am.

CURRENT HOURS OF ENTERTAINMENT

Sunday through Thursday 6:00 pm – 2:00 am; Friday and Saturday 6:00 pm – 3:00 am.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 12, 2013
Petition Date: May 28, 2013
Roll Call Hearing Date: June 10, 2013
Protest Hearing Date: July 31, 2013

License No.: ABRA-91894
Licensee: FT Cassaluca DC LLC
Trade Name: Casa Luca
License Class: Retailer's Class "C" Restaurant
Address: 1099 New York Avenue, NW
Contact: Stephen J. O'Brien, 202-625-7700

WARD 2 ANC 2C SMD 2C01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for _____ on July 31, 2013.

NATURE OF OPERATION

New Italian restaurant featuring traditional and updated cooking from the Marache region of Italy. Live entertainment and dancing for brunch and special events only. Inside seating capacity is 132, total load is 168. Sidewalk Café with seating for 40 patrons.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR INSIDE PREMISES

Sunday through Saturday 8am - 2am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR THE SIDEWALK CAFÉ

Sunday through Saturday 11:30am - 12am

HOURS OF ENTERTAINMENT

Sunday through Saturday 6pm - 2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 12, 2013
Petition Date: May 28, 2013
Roll Call Hearing Date: June 10, 2013
Protest Hearing Date: July 31, 2013

License No.: ABRA-091887
Licensee: Gebtri Inc.
Trade Name: Cedar Hill Bar & Grill
License Class: Retailer's Class "C" Restaurant
Address: 2200 Martin Luther King Jr. Ave. SE
Contact: David Jonathan Taylor, Owner 202-669-1132

WARD 8 ANC 8A SMD 8A06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for July 31, 2013 at 1:30 pm.

NATURE OF OPERATION

This is a request for a Grill w/Tavern style menu. Recorded music and television provided with live entertainment periodically.

PROPOSED HOURS OF OPERATION/ SALES/SERVICE/CONSUMPTION FOR PREMISES:

Sunday through Thursday 11:00 am – 2:00 am; Friday and Saturday 11:00 am – 3:00 am.

PROPOSED ENTERTAINMENT HOURS:

Sunday 10:00 am – 10:00 pm; Monday through Thursday 4:00 pm – 11:00pm, Friday 4:00 pm – 1:00am and Saturday 10:00 am – 1:00 am.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 12, 2013
Petition Date: May 28, 2013
Hearing Date: June 10, 2013

License No.: ABRA-082443
Licensee: DKDC, LLC
Trade Name: Cork Market and Tasting Room
License Class: Retailer’s Class “B” Grocery
Address: 1805 A 14th Street, NW
Contact: Erin Sharkey, Agent esharkey@theveritaslawfirm.com

WARD 1 ANC 1B SMD 1B12

Notice is hereby given that this applicant has applied for a substantial change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Request to Change License Class from “B” to “A”

**CURRENT HOURS OF OPERATION AND ALCOHOL
SALES/SERVICE/CONSUMPTION**

Monday through Sunday 9:00am – 10:00pm.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-076435 Applicant: Old Glory-DC LLC
 License Class/Type: C Restaurant Trade Name: Old Glory
 ANC: 2E Premise Address: 3139 M ST NW

Endorsements: Cover Charge, Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11 am - 2 am	11 am -1:30 am	11 am - 2 am	11 am - 1:30 am	-
MON:	11:30 am - 2 am	11:30 am - 1:30 am	11:30 am - 2 am	11:30 am - 1:30 am	-
TUE:	11:30 am - 2 am	11:30 am - 1:30 am	11:30 am - 2 am	11:30 am - 1:30 am	-
WED:	11:30 am - 2 am	11:30 am - 1:30 am	11:30 am - 2 am	11:30 am - 1:30 am	-
THU:	11:30 am - 2 am	11:30 am - 1:30 am	11:30 am - 2 am	11:30 am - 1:30 am	10 pm - 1:30 am
FRI:	11:30 am - 3 am	11:30 am - 2:30 am	11:30 am - 3 am	11:30 am - 2:30 am	10 pm - 2:30 am
SAT:	11:30 am - 3 am	11:30 am - 2:30 am	11:30 am - 3 am	11:30 am - 2:30 am	10 pm - 2:30 am

License Number: ABRA-076750 Applicant: LPK, Inc.
 License Class/Type: C Restaurant Trade Name: Asian Spice
 ANC: 2C Premise Address: 717 - 719 H ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10:30 am - 2 am	10:30 am -2 am	11 am - 11 pm	11 am - 11 pm	-
MON:	10:30 am - 2 am	10:30 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
TUE:	10:30 am - 2 am	10:30 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
WED:	10:30 am - 2 am	10:30 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
THU:	10:30 am - 2 am	10:30 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
FRI:	10:30 am - 3 am	10:30 am - 3 am	11 am - 11 pm	11 am - 11 pm	-
SAT:	10:30 am - 3 am	10:30 am - 3 am	11 am - 11 pm	11 am - 11 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-077416

Applicant: Spirit Cruises LLC

License Class/Type: C Marine Vessel

Trade Name: Spirit of Washington

ANC: 6D

Premise Address: 600 WATER ST SW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8:30 am - 2:30 am	10:00 am -2:00 am	-
MON:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
TUE:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
WED:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
THU:	8:30 am - 2:30 am	8:30 am - 2:00 am	-
FRI:	8:30 am - 3 am	8:30 am - 3 am	-
SAT:	8:30 am - 3 am	8:30 am - 3 am	-

License Number: ABRA-072512

Applicant: Sweet Mango Cafe Corporation

License Class/Type: C Restaurant

Trade Name: Sweet Mango Cafe

ANC: 4C

Premise Address: 3701 NEW HAMPSHIRE AVE NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	10 am - 12 am	11 am -12 am	11 am - 12 am	11 am - 12 am	-
MON:	10 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
TUE:	10 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
WED:	10 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
THU:	10 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
FRI:	10 am - 2 am	11 am - 2 am	11 am - 1 am	11 am - 1 am	-
SAT:	10 am - 2 am	11 am - 2 am	11 am - 1 am	11 am - 1 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-021020
License Class/Type: C Restaurant
ANC: 2E

Applicant: Crepizza, Inc.
Trade Name: Neyla
Premise Address: 3206 N ST NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	8 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-
MON:	8 am - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	-
TUE:	8 am - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	-
WED:	8 am - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	-
THU:	8 am - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	-
FRI:	8 am - 3 am	8 am - 3 am	11 am - 12 am	11 am - 12 am	-
SAT:	8 am - 3 am	8 am - 3 am	11 am - 12 am	11 am - 12 am	-

License Number: ABRA-000637
License Class/Type: C Club
ANC: 2A

Applicant: The Arts Club of Washington
Trade Name: The Arts Club of Washington
Premise Address: 2017 I ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 12 am	10 am - 12 am	-
MON:	10 am - 12 am	10 am - 12 am	-
TUE:	10 am - 12 am	10 am - 12 am	-
WED:	10 am - 12 am	10 am - 12 am	-
THU:	10 am - 12 am	10 am - 12 am	-
FRI:	10 am - 12 am	10 am - 12 am	-
SAT:	10 am - 12 am	10 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-080839 Applicant: Neighborhood Restaurant Group VII, LLC
License Class/Type: C Restaurant Trade Name: Birch & Barley/Churchkey
ANC: 2F Premise Address: 1337 14TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 1 am	10 am - 1 am	11 am - 10:30 pm	11 am - 10:30pm	9 pm - 1 am
MON:	10 am - 1 am	10 am - 1 am	11 am - 10:30 pm	11 am - 10:30 pm	9 pm - 1 am
TUE:	10 am - 1 am	10 am - 1 am	11 am - 10:30 pm	11 am - 10:30 pm	9 pm - 1 am
WED:	10 am - 1 am	10 am - 1 am	11 am - 10:30 pm	11 am - 10:30 pm	9 pm - 1 am
THU:	10 am - 1 am	10 am - 1 am	11 am - 10:30 pm	11 am - 10:30 pm	9 pm - 1 am
FRI:	10 am - 2 am	10 am - 2 am	11 am - 10:30 pm	11 am - 10:30 pm	9 pm - 2 am
SAT:	10 am - 2 am	10 am - 2 am	11 am - 10:30 pm	11 am - 10:30 pm	9 pm - 2 am

License Number: ABRA-081018 Applicant: Restaurant Associates of New York, LLC
License Class/Type: C Restaurant Trade Name: TBD #5
ANC: 2A Premise Address: 2121 PENNSYLVANIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	closed - closed	closed -closed	-
MON:	7:30 am - 7 pm	8 am - 7 pm	-
TUE:	7:30 am - 7 pm	8 am - 7 pm	-
WED:	7:30 am - 7 pm	8 am - 7 pm	-
THU:	7:30 am - 7 pm	8 am - 7 pm	-
FRI:	7:30 am - 7 pm	8 am - 7 pm	-
SAT:	closed - closed	closed - closed	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-081024
License Class/Type: C Restaurant
ANC: 2A

Applicant: Restaurant Associates of New York, LLC
Trade Name: TBD #1
Premise Address: 1818 H ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	closed - closed	closed -closed	-
MON:	7: 30 am - 7 pm	8 am - 7 pm	-
TUE:	7: 30 am - 7 pm	8 am - 7 pm	-
WED:	7: 30 am - 7 pm	8 am - 7 pm	-
THU:	7: 30 am - 7 pm	8 am - 7 pm	-
FRI:	7: 30 am - 7 pm	8 am - 7 pm	-
SAT:	closed - closed	closed - closed	-

License Number: ABRA-081026
License Class/Type: C Restaurant
ANC: 2B

Applicant: Restaurant Associates of New York, LLC
Trade Name: TBD #2
Premise Address: 1850 I ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	closed - closed	closed -closed	-
MON:	7:30 am - 7 pm	8 am - 7 pm	-
TUE:	7:30 am - 7 pm	8 am - 7 pm	-
WED:	7:30 am - 7 pm	8 am - 7 pm	-
THU:	7:30 am - 7 pm	8 am - 7 pm	-
FRI:	7:30 am - 7 pm	8 am - 7 pm	-
SAT:	closed - closed	closed - closed	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-081027
License Class/Type: C Restaurant
ANC: 2A

Applicant: Restaurant Associates of New York, LLC
Trade Name: TBD #3
Premise Address: 701 18TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	closed - closed	closed -closed	-
MON:	7:30 am - 7 pm	8 am - 7 pm	-
TUE:	7:30 am - 7 pm	8 am - 7 pm	-
WED:	7:30 am - 7 pm	8 am - 7 pm	-
THU:	7:30 am - 7 pm	8 am - 7 pm	-
FRI:	7:30 am - 7 pm	8 am - 7 pm	-
SAT:	closed - closed	closed - closed	-

License Number: ABRA-081773
License Class/Type: C Multipurpose
ANC: 2C

Applicant: Event Network, Inc.
Trade Name: Ford's Theatre Gift Shop
Premise Address: 514 10TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8 am - 2 am	10 am -2 am	-
MON:	8 am - 2 am	8 am - 2 am	-
TUE:	8 am - 2 am	8 am - 2 am	-
WED:	8 am - 2 am	8 am - 2 am	-
THU:	8 am - 2 am	8 am - 2 am	-
FRI:	8 am - 2 am	8 am - 2 am	-
SAT:	8 am - 2 am	8 am - 2 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-082360 Applicant: Kellari Washington, LLC
 License Class/Type: C Restaurant Trade Name: Kellari
 ANC: 2B Premise Address: 1700 K ST NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
MON:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
TUE:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
WED:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
THU:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
FRI:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	-
SAT:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	-

License Number: ABRA-084571 Applicant: MI VECINDAD RESTAURANT, LLC
 License Class/Type: C Restaurant Trade Name: IL CAPO DI CAPITOL HILL
 ANC: 6B Premise Address: 1129 PENNSYLVANIA AVE SE

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 1 am	10 an - 1 am	11 am - 12 am	11 am - 12 am	-
MON:	10 am - 1 am	10 an - 1 am	11 am - 12 am	11 am - 12 am	-
TUE:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
WED:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
THU:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
FRI:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
SAT:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-085225 Applicant: Red Line DC, LLC
License Class/Type: C Restaurant Trade Name: Red Line
ANC: 2C Premise Address: 707 G ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 2 am
MON:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 2 am
TUE:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 2 am
WED:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 2 am
THU:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 2 am
FRI:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 3 am
SAT:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	10 pm - 3 am

License Number: ABRA-085989 Applicant: Hello Hospitality IV, LLC
License Class/Type: C Restaurant Trade Name: St. Arnold's on Jefferson
ANC: 2B Premise Address: 1827 JEFFERSON PL NW 4

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	-
MON:	11am - 2 am	11am - 2 am	-
TUE:	11am - 2 am	11am - 2 am	-
WED:	11am - 2 am	11am - 2 am	-
THU:	11am - 2 am	11am - 2 am	-
FRI:	11am - 3 am	11am - 3 am	-
SAT:	11am - 3 am	11am - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-086034
License Class/Type: C Restaurant
ANC: 2E

Applicant: 3150 M Restaurant Group, LLC
Trade Name: Serendipity 3
Premise Address: 3148 - 3150 M ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	-
MON:	11:30 - 2 am	11:30 - 2 am	-
TUE:	11:30 - 2 am	11:30 - 2 am	-
WED:	11:30 - 2 am	11:30 - 2 am	-
THU:	11:30 - 2 am	11:30 - 2 am	-
FRI:	11:30 - 3 am	11:30 - 3 am	-
SAT:	11 am - 3 am	11 am - 3 am	-

License Number: ABRA-086193
License Class/Type: C Restaurant
ANC: 2B

Applicant: The Cajun Experience DC, LLC
Trade Name: The Cajun Experience DC
Premise Address: 1825 18TH ST NW

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	8 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	6 pm - 11 pm
MON:	8 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	6 pm - 11 pm
TUE:	8 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	6 pm - 11 pm
WED:	8 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	6 pm - 11 pm
THU:	8 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	6 pm - 11 pm
FRI:	8 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	6 pm - 12 am
SAT:	8 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	6 pm - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-086226
License Class/Type: C Restaurant
ANC: 3C

Applicant: PANDA BEAR, LLC.
Trade Name: HOT AND JUICY CRAWFISH
Premise Address: 2651 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	6am - 2am	10am -2am	6 am - 2am	10am - 2am	-
MON:	6am - 2am	8am - 2am	6am - 2am	8am - 2am	-
TUE:	6am - 2am	8am - 2am	6am - 2am	8am - 2am	-
WED:	6am - 2am	8am - 2am	6am - 2am	8am - 2am	-
THU:	6am - 2am	8am - 2am	6am - 2am	8am - 2am	-
FRI:	6am - 3am	8am - 3am	6am - 3am	8am - 3am	-
SAT:	6am - 3am	8am - 3am	6am - 3am	8am - 3am	-

License Number: ABRA-088296
License Class/Type: C Restaurant
ANC: 2C

Applicant: Daikaya, LLC
Trade Name: Daikaya
Premise Address: 705 6TH ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am -2 am	6 pm - 2 am
MON:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
TUE:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
WED:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
THU:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
FRI:	11 am - 3 am	11 am - 3 am	6 pm - 3 am
SAT:	11 am - 3 am	11 am - 3 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-088303
License Class/Type: C Restaurant
ANC: 1C

Applicant: Good Times LLC
Trade Name: DUPLEX DINER
Premise Address: 2004 18th ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30am - 2am	11:30am -2am	11:30am - 2am	11:30AM - 2am	-
MON:	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	-
TUE:	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	-
WED:	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	-
THU:	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	-
FRI:	5pm - 4am	5pm - 3am	5pm - 3am	5pm - 3am	-
SAT:	11:30am - 4am	11:30am - 3am	11:30am - 3am	11:30am - 3am	-

License Number: ABRA-088441
License Class/Type: C Restaurant
ANC: 3C

Applicant: Hello Hospitality, LLC
Trade Name: St. Arnold's Mussel Bar
Premise Address: 3433 CONNECTICUT AVE NW

Endorsements: Dancing, Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	8 am - 2 am	8 am -2 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 2 am
MON:	8 am - 2 am	8 am - 2 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 2 am
TUE:	8 am - 2 am	8 am - 2 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 2 am
WED:	8 am - 2 am	8 am - 2 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 2 am
THU:	8 am - 2 am	8 am - 2 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 2 am
FRI:	8 am - 3 am	8 am - 3 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 3 am
SAT:	8 am - 3 am	8 am - 3 am	11 am - 1:30 am	11 am - 1:30 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-089601
License Class/Type: C Multipurpose
ANC: 1B

Applicant: DRS Creative, LLC
Trade Name: VeraCruz
Premise Address: 2106 - 2108 Vermont AVE NW, 2ND FLR

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	12 pm - 2 am	12 pm - 2 am	12pm - 2am
MON:	11 am - 2 am	11 am - 2 am	12pm - 2am
TUE:	11 am - 2 am	11 am - 2 am	12pm - 2am
WED:	11 am - 2 am	11 am - 2 am	12pm - 2am
THU:	11 am - 2 am	11 am - 2 am	12pm - 2am
FRI:	11 am - 3 am	11 am - 3 am	11 am - 3am
SAT:	11 am - 3 am	11 am - 3 am	11am - 3am

License Number: ABRA-090128
License Class/Type: C Restaurant
ANC: 2B

Applicant: ATA Ccorporation
Trade Name: HERITAGE INDIA/CAFE LUNA
Premise Address: 1633 P ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 11 pm	10 am - 11 pm	6pm - 11pm
MON:	10am - 11 pm	10 am - 11 pm	6pm - 11pm
TUE:	10 am - 11 pm	10 am - 11 pm	6pm - 11pm
WED:	10 am - 11 pm	10 am - 11 pm	6pm - 11pm
THU:	10 am - 11 pm	10 am - 11 pm	6pm - 11pm
FRI:	10 am - 11 pm	10 am - 11 pm	6pm - 11pm
SAT:	10 am - 11 pm	10 am - 11 pm	6pm - 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-090192
License Class/Type: C Restaurant
ANC: 1B

Applicant: Cause Operations LLC
Trade Name: Cause DC
Premise Address: 1926 9th ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 1:30 am	11 am -1:30 am	8 pm - 1:30 am
MON:	11 am - 1:30 am	11 am - 1:30 am	8 pm - 1:30 am
TUE:	11 am - 1:30 am	11 am - 1:30 am	8 pm - 1:30 am
WED:	11 am - 1:30 am	11 am - 1:30 am	8 pm - 1:30 am
THU:	11 am - 1:30 am	11 am - 1:30 am	8 pm - 1:30 am
FRI:	11 am - 2:30 am	11 am - 2:30 am	8 pm - 2:30 am
SAT:	11 am - 2:30 am	11 am - 2:30 am	8 pm - 2:30 am

License Number: ABRA-090431
License Class/Type: C Restaurant
ANC: 6C

Applicant: SK VENTURES, LLC
Trade Name: THAAJA INDIAN FOOD BAR
Premise Address: 1335 2ND ST NE

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11am - 2am	11am -2am	6pm - 2 am
MON:	11am - 2am	11am - 2am	6pm - 2am
TUE:	11am - 2am	11am - 2am	6pm - 2am
WED:	11am - 2am	11am - 2am	6pm - 2sm
THU:	11am - 2am	11am - 2am	6pm - 2am
FRI:	11am - 3am	11am - 3am	6pm - 3 am
SAT:	11am - 3am	11am - 3am	6pm - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-091165 Applicant: TORO TORO DC, LLC
License Class/Type: C Restaurant Trade Name: TORO TORO
ANC: 2C Premise Address: 1300 I ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	7 am - 4 am	8 am -2 am	7 am - 2 am	8 am - 2 am	6pm - 2 am
MON:	7 am - 4 am	8 am - 2 am	7 am - 2 am	8 am - 2 am	6 pm - 2 am
TUE:	7 am - 4 am	8 am - 2 am	7 am - 2 am	8 am - 2 am	6 pm - 2 am
WED:	7 am - 4 am	8 am - 2 am	7 am - 2 am	8 am - 2 am	6 pm - 2 am
THU:	7 am - 4 am	8 am - 2 am	7 am - 2 am	8 am - 2 am	6 pm - 2am
FRI:	7 am - 4 am	8 am - 3 am	7 am - 3 am	8 am - 3 am	6 pm - 3 am
SAT:	7 am - 4 am	8 am - 3 am	7 am - 3 am	8 am - 3 am	6 pm - 3 am

License Number: ABRA-091237 Applicant: Christine Inc.
License Class/Type: C Restaurant Trade Name: Mothership
ANC: 1A Premise Address: 3301 GEORGIA AVE NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	10 am - 10 pm	10 am -10 pm	10 am - 9 pm	10 am - 9 pm	-
MON:	8 am - 11 pm	4 pm - 11 pm	4 pm - 10 pm	4 pm - 10 pm	-
TUE:	8 am - 11 pm	4 pm - 11 pm	4 pm - 10 pm	4 pm - 10 pm	-
WED:	8 am - 11 pm	4 pm - 11 pm	4 pm - 10 pm	4 pm - 10 pm	-
THU:	8 am - 11 pm	4 pm - 11 pm	4 pm - 10 pm	4 pm - 10 pm	-
FRI:	8 am - 1 am	4 pm - 1 am	4 pm - 10 pm	4 pm - 10 pm	-
SAT:	10 am - 1 am	10 am - 1 am	10 am - 10 pm	10 am - 10 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-089161 Applicant: Kangaroo Boxing, LLC
 License Class/Type: C Restaurant Trade Name: Kangaroo Boxing Club
 ANC: 1A Premise Address: 3410 11TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 2 am	10 am - 2 am	11 am - 2 am	11 am - 2 am	-
MON:	10 am - 2 am	10 am - 2 am	11 am - 2 am	11 am - 2 am	-
TUE:	10 am - 2 am	10 am - 2 am	11 am - 2 am	11 am - 2 am	-
WED:	10 am - 2 am	10 am - 2 am	11 am - 2 am	11 am - 2 am	-
THU:	10 am - 2 am	10 am - 2 am	11 am - 2 am	11 am - 2 am	-
FRI:	10 am - 3 am	10 am - 3 am	11 am - 3 am	11 am - 3 am	8 pm - 1 am
SAT:	10 am - 3 am	10 am - 3 am	11 am - 3 am	11 am - 3 am	8 pm - 1 am

License Number: ABRA-073443 Applicant: Kovaler, LLC
 License Class/Type: C Restaurant Trade Name: Veranda
 ANC: 2F Premise Address: 1100 P ST NW

Endorsements: Sidewalk Cafe, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Summer Garden Operation	Hours of Entertainment
SUN:	11 am - 12 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
MON:	11 am - 12 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
TUE:	11 am - 12 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
WED:	11 am - 12 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
THU:	11 am - 12 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
FRI:	11 am - 1:30 am	11 am - 1:30 am	11 am - 10:30 pm	11 am - 10:30 pm	-
SAT:	11 am - 1:30 am	11 am - 1:30 am	11 am - 10:30 pm	11 am - 10:30 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-084847 Applicant: 1819 14th Ventures LLC
License Class/Type: C Restaurant Trade Name: EL CENTRO D.F.
ANC: 1B Premise Address: 1819 14TH ST NW

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	10 am - 2 am	10 am - 2 am	10 am - 2 am	10 am - 2 am	6 pm - 2 am
MON:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	6 pm - 2 am
TUE:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	6 pm - 2 am
WED:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	6 pm - 2 am
THU:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	6 pm - 2 am
FRI:	8 am - 3 am	8 am - 3 am	8 am - 3 am	8 am - 3 am	6 pm - 3 am
SAT:	8 am - 3 am	8 am - 3 am	8 am - 3 am	8 am - 3 am	6 pm - 3 am

License Number: ABRA-088646 Applicant: Howard Theatre Entertainment LLC
License Class/Type: C Multipurpose Trade Name: Howard Theatre
ANC: 1B Premise Address: 620 T ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10am - 2am	10am - 2am	6pm - 2am
MON:	11am - 2am	11am - 2am	6pm - 2am
TUE:	11am - 2am	11am - 2am	6pm - 2am
WED:	11am - 2am	11am - 2am	6pm - 2am
THU:	11am - 2am	11am - 2am	6pm - 2am
FRI:	11am - 3am	11am - 3am	6pm - 3am
SAT:	10am - 3am	10am - 3am	6pm - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-088273
License Class/Type: C Restaurant
ANC: 1B

Applicant: Burger 1931 LLC
Trade Name: Black & Orange
Premise Address: 1931 14TH ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am -12 am	11 am - 11 pm	11 am - 11 pm	-
MON:	11 am - 2 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
TUE:	11 am - 2 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
WED:	11 am - 2 am	11 am - 12 am	11 am - 10:30 pm	11 am - 10:30 pm	-
THU:	11 am - 5 am	11 am - 2 am	11 am - 10:30 pm	11 am - 10:30 pm	-
FRI:	11 am - 5 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-
SAT:	11 am - 5 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-

License Number: ABRA-085654
License Class/Type: C Hotel
ANC: 2C

Applicant: Sunstone K9 Lessee, Inc.
Trade Name: Renaissance Hotel
Premise Address: 999 9TH ST NW

Endorsements: Cover Charge, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	24 hr - 24 hr	10 am -2 am	6 pm - 1:30 am
MON:	24 hr - 24 hr	8 am - 2 am	6 pm - 1:30 am
TUE:	24 hr - 24 hr	8 am - 2 am	6 pm - 1:30 am
WED:	24 hr - 24 hr	8 am - 2 am	6 pm - 1:30 am
THU:	24 hr - 24 hr	8 am - 2 am	6 pm - 1:30 am
FRI:	24 hr - 24 hr	8 am - 3 am	6 pm - 1:30 am
SAT:	24 hr - 24 hr	8 am - 3 am	6 pm - 1:30 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-071220
License Class/Type: C Restaurant
ANC: 1B

Applicant: 14th & V, Inc.
Trade Name: Busboys & Poets
Premise Address: 1390 V ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 2 am	10 am - 2 am	6 pm - 2 am
MON:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
TUE:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
WED:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
THU:	7 am - 2 am	8 am - 2 am	6 pm - 2 am
FRI:	7 am - 4 am	8 am - 3 am	6 pm - 3 am
SAT:	7 am - 4 am	8 am - 3 am	6 pm - 3 am

License Number: ABRA-024599
License Class/Type: C Restaurant
ANC: 1B

Applicant: LCRL, Inc.
Trade Name: Islander Caribbean Restaurant & Lounge (The)
Premise Address: 1201 U ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	6 am - 3 am	10 am - 2 am	10 am - 3 am	10 am - 2 am	6 pm - 12 am
MON:	6 am - 3 am	8 am - 2 am	10 am - 3 am	10 am - 2 am	6 pm - 2 am
TUE:	6 am - 3 am	8 am - 2 am	10 am - 3 am	10 am - 2 am	6 pm - 2 am
WED:	6 am - 3 am	8 am - 2 am	10 am - 3 am	10 am - 2 am	6 pm - 2 am
THU:	6 am - 3 am	8 am - 2 am	10 am - 3 am	10 am - 2 am	6 pm - 2 am
FRI:	6 am - 3 am	8 am - 3 am	10 am - 3 am	10 am - 3 am	6 pm - 2 am
SAT:	6 am - 3 am	8 am - 3 am	10 am - 3 am	10 am - 3 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-060448
License Class/Type: C Restaurant
ANC: 1C

Applicant: Soussi Inc.
Trade Name: Soussi
Premise Address: 2228 18TH ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	5 pm - 2 am	5 pm -1:30 am	5 pm - 12 am	5 pm - 12 am	-
MON:	5 pm - 2 am	5 pm - 1:30 am	5 pm - 12 am	5 pm - 12 am	-
TUE:	5 pm - 2 am	5 pm - 1:30 am	5 pm - 12 am	5 pm - 12 am	-
WED:	5 pm - 2 am	5 pm - 1:30 am	5 pm - 12 am	5 pm - 12 am	-
THU:	5 pm - 2 am	5 pm - 1:30 am	5 pm - 12 am	5 pm - 12 am	-
FRI:	5 pm - 3 am	5 pm - 2:30 am	5 pm - 1:30 am	5 pm - 1:30 am	-
SAT:	5 pm - 3 am	5 pm - 2:30 am	5 pm - 1:30 am	5 pm - 1:30 am	-

License Number: ABRA-076754
License Class/Type: C Restaurant
ANC: 1C

Applicant: Notta Tav Urne, LLC
Trade Name: Pi
Premise Address: 2309 18TH ST NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11:30 am - 12 am	11:30 am -12 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-
MON:	11:30 am - 12:30 am	11:30 am - 12:30 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-
TUE:	11:30 am - 12:30 am	11:30 am - 12:30 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-
WED:	11:30 am - 1 am	11:30 am - 1 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-
THU:	11:30 am - 2 am	11:30 am - 2 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-
FRI:	11:30 am - 3 am	11:30 am - 3 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-
SAT:	11:30 am - 3 am	11:30 am - 3 am	11 :30 am - 11 pm	11 :30 am - 11 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-086876
License Class/Type: C Restaurant
ANC: 1C

Applicant: Sami Restaurant, LLC
Trade Name: Bistro 18
Premise Address: 2420 18TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8 am - 2 am	11 am -1:30 am	-
MON:	11 am - 2 am	11 am - 1:30 am	-
TUE:	11 am - 2 am	11 am - 1:30 am	-
WED:	11 am - 2 am	11 am - 1:30 am	-
THU:	11 am - 2 am	11 am - 1:30 am	-
FRI:	11 am - 2 am	11 am - 1:30 am	-
SAT:	11 am - 2 am	11 am - 1:30 am	-

License Number: ABRA-087902
License Class/Type: C Restaurant
ANC: 1C

Applicant: Tanger Corporation
Trade Name: Tangier Lounge
Premise Address: 2305 18TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am -2 am	-
MON:	11 am - 2 am	11 am - 2 am	-
TUE:	11 am - 2 am	11 am - 2 am	-
WED:	11 am - 2 am	11 am - 2 am	-
THU:	11 am - 2 am	11 am - 2 am	-
FRI:	11 am - 3 am	11 am - 3 am	-
SAT:	11 am - 3 am	11 am - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-060003 Applicant: Solloso, Inc.
License Class/Type: C Restaurant Trade Name: El Rincon
ANC: 1C Premise Address: 1826 COLUMBIA RD NW

Endorsements: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 2 am	10 am - 2 am	7 pm - 10 pm
MON:	10 am - 2 am	10 am - 2 am	7 pm - 10 pm
TUE:	10 am - 2 am	10 am - 2 am	7 pm - 10 pm
WED:	10 am - 2 am	10 am - 2 am	7 pm - 10 pm
THU:	10 am - 2 am	10 am - 2 am	7 pm - 11 pm
FRI:	10 am - 3 am	10 am - 3 am	10 pm - 2 am
SAT:	10 am - 3 am	10 am - 3 am	10 pm - 2 am

License Number: ABRA-075403 Applicant: Nispero, LLC
License Class/Type: C Restaurant Trade Name: El Nuevo Migueleno
ANC: 1C Premise Address: 1721 COLUMBIA RD NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
MON:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
TUE:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
WED:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
THU:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
FRI:	11 am - 3 am	11 am - 3 am	11 am - 1 am	11 am - 1 am	6 pm - 2 am
SAT:	11 am - 3 am	11 am - 3 am	11 am - 1 am	11 am - 1 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-024834 Applicant: Columbia Station, Inc.
License Class/Type: C Restaurant Trade Name: Columbia Station
ANC: 1C07 Premise Address: 2325 18TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	9:30 pm - 1 am
MON:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	9:30 pm - 1 am
TUE:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	9:30 pm - 1 am
WED:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	9:30 pm - 1 am
THU:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	9:30 pm - 1 am
FRI:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	9:30 pm - 2 am
SAT:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	9:30 pm - 2 am

License Number: ABRA-025781 Applicant: Tryst Incorporated
License Class/Type: C Restaurant Trade Name: Tryst
ANC: 1C07 Premise Address: 2459 18TH ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	6:30 am - 2 am	10 am - 1:40 am	-
MON:	6:30 am - 2 am	10 am - 1:40 am	6 pm - 11 pm
TUE:	6:30 am - 2 am	10 am - 1:40 am	6 pm - 11 pm
WED:	6:30 am - 2 am	10 am - 1:40 am	6 pm - 11 pm
THU:	6:30 am - 2 am	10 am - 1:40 am	6 pm - 11 pm
FRI:	6:30 am - 3 am	10 am - 2:40 am	-
SAT:	6:30 am - 3 am	10 am - 2:40 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-017452
License Class/Type: C Restaurant
ANC: 1C07

Applicant: Mirob Inc.
Trade Name: Pasta Mia
Premise Address: 1790 COLUMBIA RD NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	closed -	closed -	-
MON:	closed -	closed -	-
TUE:	6 pm - 12:30 am	6 pm - 12:30 am	-
WED:	6 pm - 12:30 am	6 pm - 12:30 am	-
THU:	6 pm - 12:30 am	6 pm - 12:30 am	-
FRI:	5:30 am - 1 am	5:30 am - 1 am	-
SAT:	5:30 am - 1 am	6 pm - 1 am	-

License Number: ABRA-090797
License Class/Type: C Restaurant
ANC: 1D

Applicant: Radius Pizza, LLC
Trade Name: Radius
Premise Address: 3155 MOUNT PLEASANT ST NW 101

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 10 pm	11 am -10 pm	-
MON:	11 am - 10 pm	11 am - 10 pm	-
TUE:	11 am - 10 pm	11 am - 10 pm	-
WED:	11 am - 10 pm	11 am - 10 pm	-
THU:	11 am - 10 pm	11 am - 10 pm	-
FRI:	11 am - 12 am	11 am - 12 am	-
SAT:	11 am - 12 am	11 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-026051
License Class/Type: C Restaurant
ANC: 6C

Applicant: La Loma Inc.
Trade Name: La Loma
Premise Address: 316 MASSACHUSETTS AVE NE A

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	12 pm - 10 pm	12 pm -10 pm	12 pm - 10 pm	12 pm - 10 pm	-
MON:	11 am - 11 pm	11 am - 11 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
TUE:	11 am - 11 pm	11 am - 11 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
WED:	11 am - 11 pm	11 am - 11 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
THU:	11 am - 11 pm	11 am - 11 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
FRI:	11 am - 11 pm	11 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
SAT:	11 am - 11 pm	11 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-

License Number: ABRA-010135
License Class/Type: C Club
ANC: 2A

Applicant: Diplomatic & Consular Officers Retired, Inc.
Trade Name: Diplomatic & Consular Officers Retired
Premise Address: 1801 F ST NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	12 pm - 9 pm	12 pm -9 pm	12 pm - 9 pm	12 pm - 9 pm	-
MON:	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	-
TUE:	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	-
WED:	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	-
THU:	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	-
FRI:	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	-
SAT:	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	12 pm - 9 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-075081
License Class/Type: C Restaurant
ANC: 2A

Applicant: Washington Hospitality Partner, LLC
Trade Name: Sports Club
Premise Address: 1170 22ND ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 12 am	10 am -12 am	6 pm - 12 am
MON:	5 am - 12 am	8 am - 12 am	6 pm - 12 am
TUE:	5 am - 12 am	8 am - 12 am	6 pm - 12 am
WED:	5 am - 12 am	8 am - 12 am	6 pm - 12 am
THU:	5 am - 12 am	8 am - 12 am	6 pm - 12 am
FRI:	5 am - 1 am	8 am - 1 am	6 pm - 1 am
SAT:	7 am - 1 am	8 am - 1 am	6 pm - 1 am

License Number: ABRA-078960
License Class/Type: C Hotel
ANC: 2A

Applicant: HLT DC Owner LLC
Trade Name: Embassy Suites Downtown
Premise Address: 1250 22ND ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 1 am	11 am -11 pm	6 pm - 12 am
MON:	11 am - 1 am	11 am - 11 pm	6 pm - 12 am
TUE:	11 am - 1 am	11 am - 11 pm	6 pm - 12 am
WED:	11 am - 1 am	11 am - 11 pm	6 pm - 12 am
THU:	11 am - 1 am	11 am - 11 pm	6 pm - 12 am
FRI:	11 am - 2 am	11 am - 11 pm	6 pm - 12 am
SAT:	11 am - 2 am	11 am - 11 pm	6 pm - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-001015
License Class/Type: C Restaurant
ANC: 2A

Applicant: Louie and Associates Inc.
Trade Name: Magic Gourd Restaurant
Premise Address: 528 23RD ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	4:30 pm - 10 pm	4:30 pm -10 pm	4:30 pm - 10 pm	4:30 pm - 10 pm	-
MON:	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	-
TUE:	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	-
WED:	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	-
THU:	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	-
FRI:	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	11:30 am - 10 pm	-
SAT:	4:30 pm - 10 pm	4:30 pm - 10 pm	4:30 pm - 10 pm	4:30 pm - 10 pm	-

License Number: ABRA-001008
License Class/Type: C Club
ANC: 2A

Applicant: American Foreign Service
Trade Name: Foreign Service Club
Premise Address: 2101 E ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	-
MON:	11 am - 12 am	11 am - 12 am	-
TUE:	11 am - 12 am	11 am - 12 am	-
WED:	11 am - 12 am	11 am - 12 am	-
THU:	11 am - 12 am	11 am - 12 am	-
FRI:	11 am - 12 am	11 am - 12 am	-
SAT:	11 am - 12 am	11 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-083378
License Class/Type: C Restaurant
ANC: 2B

Applicant: Burger 1300 Connecticut Avenue, LLC.
Trade Name: BLACK AND ORANGE
Premise Address: 1300 CONNECTICUT AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	9 am - 9 am	9 am - 1 am	-
MON:	9 am - 9 am	9 am - 1 am	-
TUE:	9 am - 9 am	9 am - 1 am	-
WED:	9 am - 9 am	9 am - 1 am	-
THU:	9 am - 9 am	9 am - 1 am	-
FRI:	9 am - 9 am	9 am - 1 am	-
SAT:	9 am - 9 am	9 am - 1 am	-

License Number: ABRA-016192
License Class/Type: C Restaurant
ANC: 2B

Applicant: Paradise, Inc.
Trade Name: Pizzeria Paradiso
Premise Address: 2000 MASSACHUSETTS AVE NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-
MON:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-
TUE:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-
WED:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-
THU:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-
FRI:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-
SAT:	11 am - 1 am	11 am - 1 am	11 am - 1 am	11 am - 1 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-071913 Applicant: Leeds The Way, LLC(Sidewalk Cafe-1624-Only
 License Class/Type: C Restaurant Trade Name: Hank's Oyster Bar
 ANC: 2B Premise Address: 1622 Q ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
MON:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
TUE:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
WED:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
THU:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	-
FRI:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	-
SAT:	11 am - 3 am	11 am - 3 am	11 am - 3 am	11 am - 3 am	-

License Number: ABRA-060754 Applicant: Cafe Europa
 License Class/Type: C Restaurant Trade Name: Panache
 ANC: 2B Premise Address: 1725 DESALES ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 1:30 am	11 am - 1:30 am			11 am - 1 am
MON:	10 am - 1:30 am	11 am - 1:30 am	11 am - 10:30 pm	11 am - 10:30 pm	N/A -
TUE:	10 am - 1:30 am	11 am - 1:30 am	11 am - 10:30 pm	11 am - 10:30 pm	N/A -
WED:	10 am - 1:30 am	11 am - 1:30 am	11 am - 10:30 pm	11 am - 10:30 pm	N/A -
THU:	10 am - 1:30 am	11 am - 1:30 am	11 am - 10:30 pm	11 am - 10:30 pm	N/A -
FRI:	10 am - 2:30 am	11 am - 2:30 am	11 am - 11 pm	11 am - 11 pm	11 pm - 2 am
SAT:	10 am - 2:30 am	11 am - 2:30 am	11 am - 11 pm	11 am - 11 pm	11 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-088831 Applicant: Roadside Deli Projects, LLC
 License Class/Type: C Restaurant Trade Name: DGS Delicatessen
 ANC: 2B Premise Address: 1317 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	8 am - 12 am	8 am -12 am	8 am - 10:30 pm	8 am - 10:30 pm	-
MON:	8 am - 12 am	8 am - 12 am	8 am - 10:30 pm	8 am - 10:30 pm	-
TUE:	8 am - 12 am	8 am - 12 am	8 am - 10:30 pm	8 am - 10:30 pm	-
WED:	8 am - 12 am	8 am - 12 am	8 am - 10:30 pm	8 am - 10:30 pm	-
THU:	8 am - 12 am	8 am - 12 am	8 am - 10:30 pm	8 am - 10:30 pm	-
FRI:	8 am - 1 am	8 am - 1 am	9 am - 10:30 pm	9 am - 10:30 pm	-
SAT:	8 am - 1 am	8 am - 1 am	9 am - 10:30 pm	9 am - 10:30 pm	-

License Number: ABRA-089846 Applicant: EC Restaurants (DC-19th) Corp.
 License Class/Type: C Restaurant Trade Name: Elephant & Castle Pub Restaurant
 ANC: 2B Premise Address: 900 19TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	6:30 - 2 am	8 am -2 am	11 am - 12 am	11 am - 12 am	6 pm - 12 am
MON:	6:30 - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
TUE:	6:30 am - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
WED:	6:30 am - 2 am	8 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
THU:	6:30 am - 2 am	8 am - 2 ma	11 am - 12 am	11 am - 12 am	6 pm - 2 am
FRI:	6:30 am - 3 am	8 am - 3 am	11 am - 12 am	11 am - 12 am	6 pm - 3 am
SAT:	6:30 am - 3 am	8 am - 3 am	11 am - 12 am	11 am - 12 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-090634
License Class/Type: C Restaurant
ANC: 2B

Applicant: NEIGHBORHOOD RESTAURANT GROUP XVII,
Trade Name: GBD FRIED CHICKEN & DOUGHNUTS
Premise Address: 1323 CONNECTICUT AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7am - 2am	8am -2am	-
MON:	7am - 2am	8am - 2am	-
TUE:	7am - 2am	8am - 2am	-
WED:	7am - 2am	8am - 2am	-
THU:	7am - 2am	8am - 2am	-
FRI:	7am - 3am	8am - 3am	-
SAT:	7am - 3am	8am - 3am	-

License Number: ABRA-010132
License Class/Type: C Restaurant
ANC: 2B04

Applicant: El Tropical, Inc.
Trade Name: La Frontera Cantina
Premise Address: 1633 17TH ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 11 pm	11:30 am -11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
MON:	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
TUE:	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
WED:	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
THU:	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
FRI:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 12 am	11:30 am - 12 am	-
SAT:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 12 am	11:30 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-012545 Applicant: I Ricchi Inc.
License Class/Type: C Restaurant Trade Name: I Ricchi
ANC: 2B Premise Address: 1220 19TH ST NW B

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	closed -	closed -closed			-
MON:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
TUE:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
WED:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
THU:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
FRI:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
SAT:	5 pm - 11 pm	5 pm - 11 pm	5 pm - 11 pm	5 pm - 11 pm	-

License Number: ABRA-014073 Applicant: Kusam International, Inc.
License Class/Type: C Restaurant Trade Name: BALLETO DINING LOUNGE
ANC: 2B Premise Address: 1050 17TH ST NW B

Endorsements: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11:30 am - 12 am	11:30 am -12 am	6 pm - 12 am
MON:	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
TUE:	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
WED:	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
THU:	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
FRI:	11:30 am - 3 am	11:30 am - 3 am	6 pm - 3 am
SAT:	4 pm - 3 am	4 pm - 3 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-075274 Applicant: BLT STEAK DC, LLC
License Class/Type: C Restaurant Trade Name: BLT Steak
ANC: 2B05 Premise Address: 1625 I ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	12 pm - 10 pm	12 pm -10 pm	12 pm - 10 pm	12 pm - 10 pm	-
MON:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	-
TUE:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	-
WED:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	-
THU:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am	-
FRI:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 12 am	11:30 am - 12 am	-
SAT:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 12 am	11:30 am - 12 am	-

License Number: ABRA-013218 Applicant: La Taberna Del Alabardero Inc
License Class/Type: C Restaurant Trade Name: Taberna Del Alabardero
ANC: 2B06 Premise Address: 1776 I ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 2 am	11:30 am -2 am			6:30 pm - 2 am
MON:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10:30 pm	11:30 am - 10:30 pm	6:30 pm - 2 am
TUE:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10:30 pm	11:30 am - 10:30 pm	6:30 pm - 2 am
WED:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10:30 pm	11:30 am - 10:30 pm	6:30 pm - 2 am
THU:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10:30 pm	11:30 am - 10:30 pm	6:30 pm - 2 am
FRI:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 11 pm	11:30 am - 11 pm	6:30 pm - 3 am
SAT:	11:30 am - 3 am	11:30 am - 3 am	5:30 pm - 11 pm	5:30 pm - 11 pm	6:30 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-060438
License Class/Type: C Restaurant
ANC: 2C

Applicant: Mezze and More, LLC
Trade Name: Zaytinya
Premise Address: 701 9TH ST NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	-
MON:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	-
TUE:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	-
WED:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	-
THU:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	-
FRI:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	-
SAT:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	-

License Number: ABRA-080135
License Class/Type: C Restaurant
ANC: 1B

Applicant: Feker Sound, Inc.
Trade Name: Little Ethiopia Restaurant
Premise Address: 1924 9TH ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 2 am	11 am - 2 am	8 pm - 1:30 am
MON:	10 am - 2 am	11 am - 2 am	8 pm - 1:30 am
TUE:	10 am - 2 am	11 am - 2 am	8 pm - 1:30 am
WED:	10 am - 2 am	11 am - 2 am	8 pm - 1:30 am
THU:	10 am - 2 am	11 am - 2 am	8 pm - 1:30 am
FRI:	10 am - 3 am	11 am - 3 am	8 pm - 2:30 am
SAT:	10 am - 3 am	11 am - 3 am	8 pm - 2:30 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-060591 Applicant: Washington 009, LLC
License Class/Type: C Restaurant Trade Name: Mc Faddens
ANC: 2A Premise Address: 2401 PENNSYLVANIA AVE NW A

Endorsements: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	8 pm - 12 am
MON:	11 am - 12 am	11 am - 12 am	8 pm - 12 am
TUE:	11 am - 2 am	11 am - 2 am	8 pm - 2 am
WED:	11 am - 12 am	11 am - 12 am	8 pm - 12 am
THU:	11 am - 2 am	11 am - 2 am	8 pm - 2 am
FRI:	11 am - 2 am	11 am - 2 am	8 pm - 2 am
SAT:	11 am - 2 am	11 am - 2 am	8 pm - 2 am

License Number: ABRA-060206 Applicant: Capital Grille Holdings, Inc.
License Class/Type: C Restaurant Trade Name: Capital Grille
ANC: 2C Premise Address: 601 PENNSYLVANIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	4 pm - 2 am	4 pm -2 am	-
MON:	11:30 am - 2 am	11:30 am - 2 am	-
TUE:	11:30 am - 2 am	11:30 am - 2 am	-
WED:	11:30 am - 2 am	11:30 am - 2 am	-
THU:	11:30 am - 2 am	11:30 am - 2 am	-
FRI:	11:30 am - 3 am	11:30 am - 3 am	-
SAT:	4 pm - 3 am	4 pm - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-078003
License Class/Type: C Restaurant
ANC: 2F

Applicant: Corduroy, LLC
Trade Name: Corduroy
Premise Address: 1122 9TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	-
MON:	11 am - 2 am	11 am - 2 am	-
TUE:	11 am - 2 am	11 am - 2 am	-
WED:	11 am - 2 am	11 am - 2 am	-
THU:	11 am - 2 am	11 am - 2 am	-
FRI:	11 am - 3 am	11 am - 3 am	-
SAT:	11 am - 3 am	11 am - 3 am	-

License Number: ABRA-071293
License Class/Type: C Restaurant
ANC: 2C

Applicant: Solin Inc.
Trade Name: Kanlaya Thai Cuisine
Premise Address: 740 6TH ST NW A

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 10 pm	11:30 am - 10 pm	-
MON:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10 pm	11:30 am - 10 pm	-
TUE:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10 pm	11:30 am - 10 pm	-
WED:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10 pm	11:30 am - 10 pm	-
THU:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10 pm	11:30 am - 10 pm	-
FRI:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
SAT:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-026517
 License Class/Type: C Hotel
 ANC: 2C

Applicant: 900 F Street Associates, LLC
 Trade Name: Courtyard By Marriott
 Premise Address: 900 F ST NW A

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 2 am	10 am - 2 am	-
MON:	6:30 am - 2 am	8 am - 2 am	-
TUE:	6:30 am - 2 am	8 am - 2 am	-
WED:	6:30 am - 2 am	8 am - 2 am	-
THU:	6:30 am - 2 am	8 am - 2 am	-
FRI:	6:30 am - 3 am	8 am - 3 am	-
SAT:	7 am - 3 am	8 am - 3 am	-

License Number: ABRA-019105
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: Tapas Y Mas Inc.
 Trade Name: Jaleo
 Premise Address: 480 7TH ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11:30 am - 1:30 am	11:30 am - 1:30 am	-
MON:	11 am - 2 am	11 am - 2 am	10:30 am - 11:30 pm	10:30 am - 11:30 pm	-
TUE:	11 am - 2 am	11 am - 2 am	10:30 am - 11:30 pm	10:30 am - 11:30 pm	-
WED:	11 am - 2 am	11 am - 2 am	10:30 am - 11:30 pm	10:30 am - 11:30 pm	-
THU:	11 am - 2 am	11 am - 2 am	10:30 am - 11:30 pm	10:30 am - 11:30 pm	-
FRI:	11 am - 3 am	11 am - 3 am	10:30 am - 11:30 pm	10:30 am - 11:30 pm	-
SAT:	11 am - 3 am	11 am - 3 am	11:30 am - 11:30 pm	11:30 am - 11:30 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-080952
License Class/Type: C Restaurant
ANC: 2D

Applicant: A & A Restaurant Group Inc
Trade Name: Russia House
Premise Address: 1800 CONNECTICUT AVE NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	6 pm - 11 pm
MON:	11 am - 2 am	11 am - 2 am	6 pm - 11 pm
TUE:	11 am - 2 am	11 am - 2 am	6 pm - 11 pm
WED:	11 am - 2 am	11 am - 2 am	6 pm - 11 pm
THU:	11 am - 2 am	11 am - 2 am	6 pm - 11 pm
FRI:	11 am - 3 am	11 am - 3 am	6 pm - 11 pm
SAT:	11 am - 3 am	11 am - 3 am	6 pm - 11 pm

License Number: ABRA-071453
License Class/Type: C Restaurant
ANC: 2E

Applicant: Ark Potomac Corp
Trade Name: Sequoia Grill
Premise Address: 3000 K ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Summer Garden Operation	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
MON:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
TUE:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
WED:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
THU:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
FRI:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
SAT:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-073795
License Class/Type: C Restaurant
ANC: 2C

Applicant: RS of Washington D.C., LLC
Trade Name: Zengo
Premise Address: 781 7TH ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
MON:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
TUE:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
WED:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
THU:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
FRI:	10 am - 3 am	10 am - 3 am	6 pm - 3 am
SAT:	10 am - 3 am	10 am - 3 am	6 pm - 3 am

License Number: ABRA-000779
License Class/Type: C Club
ANC: 2E

Applicant: The Historic Georgetown Club, Inc.
Trade Name: Georgetown Club at Suter Tavern
Premise Address: 1530 WISCONSIN AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11:30 am - 1:30 am	11:30 am - 1:30 am	-
MON:	11:30 am - 1:30 am	11:30 am - 1:30 am	-
TUE:	11:30 am - 1:30 am	11:30 am - 1:30 am	-
WED:	11:30 am - 1:30 am	11:30 am - 1:30 am	-
THU:	11:30 am - 1:30 am	11:30 am - 1:30 am	-
FRI:	11:30 am - 1:30 am	11:30 am - 1:30 am	-
SAT:	11:30 am - 1:30 am	11:30 am - 1:30 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-084987 Applicant: RHBB, LLC
License Class/Type: C Restaurant Trade Name: Puro Cafe
ANC: 2E Premise Address: 1529 WISCONSIN AVE NW

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	8 am - 10 pm	10 am -10 pm	8 am - 10 pm	10 am - 10 pm	6 pm - 10 pm
MON:	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	6 pm - 10 pm
TUE:	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	6 pm - 10 pm
WED:	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	6 pm - 10 pm
THU:	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	8 am - 10 pm	6 pm - 10 pm
FRI:	8 am - 12 am	8 am - 12 am	8 am - 12 am	8 am - 12 am	6 pm - 12 am
SAT:	8 am - 12 am	8 am - 12 am	8 am - 12 am	8 am - 12 am	6 pm - 12 am

License Number: ABRA-085343 Applicant: Midtown Cafe, LLC
License Class/Type: C Restaurant Trade Name: Bookhill Bistro
ANC: 2E Premise Address: 1639 WISCONSIN AVE NW

Endorsements: Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	8 am - 11 pm	10 am -11 pm	11 am - 10 pm	11 am - 10 pm	6 pm - 11 pm
MON:	8 am - 11 pm	10 am - 11 pm	11 am - 10 pm	11 am - 10 pm	6 pm - 11 pm
TUE:	8 am - 11 pm	10 am - 11 pm	11 am - 10 pm	11 am - 10 pm	6 pm - 11 pm
WED:	8 am - 11 pm	10 am - 11 pm	11 am - 10 pm	11 am - 10 pm	6 pm - 11 pm
THU:	8 am - 11 pm	10 am - 11 pm	11 am - 10 pm	11 am - 10 pm	6 pm - 11 pm
FRI:	8 am - 12 am	10 am - 12 am	11 am - 10 pm	11 am - 10 pm	6 pm - 12 am
SAT:	8 am - 12 am	10 am - 12 am	11 am - 10 pm	11 am - 10 pm	6 pm - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-090419
License Class/Type: C Restaurant
ANC: 2E

Applicant: Grill Kabob of Georgetown, Inc.
Trade Name: Red Fire Grill Kabob & Lounge
Premise Address: 3299 M ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 11 pm	11 am -11 pm	-
MON:	11 am - 11 pm	11 am - 11 pm	-
TUE:	11 am - 11 pm	11 am - 11 pm	-
WED:	11 am - 11 pm	11 am - 11 pm	-
THU:	11 am - 11 pm	11 am - 11 pm	-
FRI:	11 am - 11 pm	11 am - 11 pm	-
SAT:	11 am - 11 pm	11 am - 11 pm	-

License Number: ABRA-014125
License Class/Type: C Restaurant
ANC: 2E

Applicant: ROTINI, INC.
Trade Name: Ristorante Piccolo
Premise Address: 1068 31ST ST NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11:30 am - 12 am	11:30 am -12 am	-
MON:	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
TUE:	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
WED:	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
THU:	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
FRI:	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
SAT:	11:30 am - 12 am	11:30 am - 12 am	6 pm - 11 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-089845
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: EC Restaurant (DC Penn Ave) Corp.
 Trade Name: Elephant & Castle Pub Restaurant
 Premise Address: 1201 PENNSYLVANIA AVE NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	6:30 am - 2 am	8 am -2 am	10 am - 12 am	10 am - 12 am	-
MON:	6:30 am - 2 am	8 am - 2 am	8 am - 12 am	8 am - 12 am	-
TUE:	6:30 am - 2 am	8 am - 2 am	8 am - 12 am	8 am - 12 am	-
WED:	6:30 am - 2 am	8 am - 2 am	8 am - 12 am	8 am - 12 am	-
THU:	6:30 am - 2 am	6:30 am - 2 am	8 am - 12 am	8 am - 12 am	-
FRI:	6:30 am - 3 am	6:30 am - 3 am	8 am - 12 am	8 am - 12 am	-
SAT:	6:30 am - 3 am	6:30 - 3 am	8 am - 12 am	8 am - 12 am	-

License Number: ABRA-089190
 License Class/Type: C Restaurant
 ANC: 2F

Applicant: Gordon Restaurant Group LLC
 Trade Name: DRAFTING TABLE
 Premise Address: 1529 14TH ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	8 am - 1 am	8 am -1 am	9 am - 11 pm	9 am - 11 pm	-
MON:	8 am - 1 am	8 am - 1 am	11 am - 11 pm	11 am - 11 pm	-
TUE:	8 am - 1 am	8 am - 1 am	11 am - 11 pm	11 am - 11 pm	-
WED:	8 am - 1 am	8 am - 1 am	11 am - 11 pm	11 am - 11 pm	-
THU:	8 am - 1 am	8 am - 1 am	11 am - 11 pm	11 am - 11 pm	-
FRI:	8 am - 2 am	8 am - 2 am	11 am - 11 pm	11 am - 11 pm	-
SAT:	8 am - 2 am	8 am - 2 am	9 am - 11 pm	9 am - 11 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-075613 Applicant: Stoney's, L L C
License Class/Type: C Restaurant Trade Name: Stoney's
ANC: 2F Premise Address: 1433 P ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am
MON:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am
TUE:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am
WED:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am
THU:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am
FRI:	11 am - 3 am	11 am - 3 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am
SAT:	11 am - 3 am	11 am - 3 am	11 am - 11 pm	11 am - 11 pm	6pm - 12am

License Number: ABRA-071819 Applicant: JBG/1201 K Hotel, LLC
License Class/Type: C Hotel Trade Name: Four Points Hotel Washington DC Downtown
ANC: 2F Premise Address: 1201 K ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	24 Hours -	10 am - 2 am	-
MON:	24 Hours -	8 am - 2 am	-
TUE:	24 Hours -	8 am - 2 am	-
WED:	24 Hours -	8 am - 2 am	-
THU:	24 Hours -	8 am - 2 am	-
FRI:	24 Hours -	8 am - 3 am	-
SAT:	24 Hours -	8 am - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-006862
 License Class/Type: C Multipurpose
 ANC: 2C

Applicant: Theatre Refreshment Company of New York, In
 Trade Name: National Theatre
 Premise Address: 1321 PENNSYLVANIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	12 pm - 11 pm	12 pm -11 pm	-
MON:	1 pm - 11 pm	1 pm - 11 pm	-
TUE:	1 pm - 11 pm	1 pm - 11 pm	-
WED:	1 pm - 11 pm	1 pm - 11 pm	-
THU:	1 pm - 11 pm	1 pm - 11 pm	-
FRI:	12 pm - 12 am	12 pm - 12 am	-
SAT:	12 pm - 12 am	12 pm - 12 am	-

License Number: ABRA-000705
 License Class/Type: C Restaurant
 ANC: 2F

Applicant: Post Pub Inc.
 Trade Name: Post Pub
 Premise Address: 1422 L ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 12 am	10 am -12 am	11 am - 12 am	11 am - 12 am	-
MON:	10 am - 2 am	10 am - 2 am	11 am - 12 am	11 am - 12 am	-
TUE:	10 am - 2 am	10 am - 2 am	11 am - 12 am	11 am - 12 am	-
WED:	10 am - 2 am	10 am - 2 am	11 am - 12 am	11 am - 12 am	-
THU:	10 am - 2 am	10 am - 2 am	11 am - 12 am	11 am - 12 am	-
FRI:	10 am - 3 am	10 am - 3 am	11 am - 12 am	11 am - 12 am	-
SAT:	10 am - 3 am	10 am - 3 am	11 am - 8 pm	11 am - 8 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-088837
License Class/Type: C Restaurant
ANC: 3B

Applicant: Mayfair & Pine , LLC
Trade Name: Mayfair & Pine
Premise Address: 2218 WISCONSIN AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 1 am	10 am - 1 am	-
MON:	10 am - 1 am	10 am - 1 am	-
TUE:	10 am - 1 am	10 am - 1 am	-
WED:	10 am - 1 am	10 am - 1 am	-
THU:	10 am - 1 am	10 am - 1 am	-
FRI:	10 am - 2 am	10 am - 2 am	-
SAT:	10 am - 2 am	10 am - 2 am	-

License Number: ABRA-089768
License Class/Type: C Restaurant
ANC: 3B

Applicant: Wine Investment Group LLC
Trade Name: Slate Wine Bar & Bistro
Premise Address: 2404 WISCONSIN AVE NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11am - 2am	11am - 2am	6:30pm - 2am
MON:	11am - 2am	11am - 2am	6:30pm - 2am
TUE:	11am - 2am	11am - 2am	6:30am - 2am
WED:	11am - 2am	11am - 2am	6:30 - 2am
THU:	11am - 2am	11am - 2am	6:30pm - 2am
FRI:	11am - thru Sat	11am - 3am	6:30pm - 3am
SAT:	24 Hrs. -	11am - 3am	6:30pm - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-009380 Applicant: Murphy's of DC, Inc.
 License Class/Type: C Restaurant Trade Name: Murphy's of DC
 ANC: 3C Premise Address: 2605 24TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	8 am - 2 am	10 am - 2 am	8 am - 2 am	10 am - 2 am	N/A -
MON:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	N/A -
TUE:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 pm - 12 am
WED:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 pm - 12 am
THU:	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 am - 2 am	8 pm - 12 am
FRI:	8 am - 3 am	8 am - 3 am	8 am - 3 am	8 am - 3 am	9 pm - 1 am
SAT:	8 am - 3 am	8 am - 3 am	8 am - 3 am	8 am - 3 am	9 pm - 1 am

License Number: ABRA-072156 Applicant: Phoenix Park Hotel Operating, LLC & Dubliner
 License Class/Type: C Hotel Trade Name: Phoenix Park & Phoenix Park Hotel
 ANC: 6C Premise Address: 520 NORTH CAPITOL ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	24 hours -	8 am - 2 am	-
MON:	24 hours -	11 am - 2 am	-
TUE:	24 hours -	11 am - 2 am	-
WED:	24 hours -	11 am - 2 am	-
THU:	24 hours -	11 am - 2 am	-
FRI:	24 hours -	11 am - 3 am	-
SAT:	24 hours -	11 am - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-060483
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: AAK Investment, Inc.
 Trade Name: Pasta Italiana
 Premise Address: 2623 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 10:30 pm	11 am -10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-
MON:	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-
TUE:	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-
WED:	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-
THU:	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-
FRI:	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	-
SAT:	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	11 am - 11 pm	-

License Number: ABRA-087273
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: Panini LLC
 Trade Name: Lillie's Restaurant
 Premise Address: 2915 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	11 am - 11 pm	11 am - 11 pm	-
MON:	11 am - 1 am	11 am - 1 am	11 am - 10 pm	11 am - 10 pm	-
TUE:	11 am - 1 am	11 am - 1 am	11 am - 10 pm	11 am - 10 pm	-
WED:	11 am - 1 am	11 am - 1 am	11 am - 10 pm	11 am - 10 pm	-
THU:	11 am - 1 am	11 am - 1 am	11 am - 10 pm	11 am - 10 pm	-
FRI:	11 am - 1 am	11 am - 1 am	11 am - 11 pm	11 am - 11 pm	-
SAT:	11 am - 1:30 am	11 am - 1:30 am	11 am - 11 pm	11 am - 11 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-086355
License Class/Type: C Restaurant
ANC: 3C

Applicant: Les Deux Garçons, LLC
Trade Name: Bistrot Le Zinc
Premise Address: 3712 - 3714 MACOMB ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 11 pm	11:30 am - 11 pm	-
MON:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 10 pm	11:30 am - 10 pm	-
TUE:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 10 pm	11:30 am - 10 pm	-
WED:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 10 pm	11:30 am - 10 pm	-
THU:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 10 pm	11:30 am - 10 pm	-
FRI:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11 pm	11:30 am - 11 pm	-
SAT:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 11 pm	11:30 am - 11 pm	-

License Number: ABRA-041370
License Class/Type: C Restaurant
ANC: 3C04

Applicant: Firehook Bakers Cleveland Park, Inc.
Trade Name: Firehook Bakery
Premise Address: 3411 CONNECTICUT AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8 am - 10 pm	10 am - 10 pm	-
MON:	7 am - 10 pm	8 am - 10 pm	-
TUE:	7 am - 10 pm	8 am - 10 pm	-
WED:	7 am - 10 pm	8 am - 10 pm	-
THU:	7 am - 10 pm	8 am - 10 pm	-
FRI:	7 am - 12:30 am	8 am - 12:30 am	-
SAT:	7 am - 12:30 am	8 am - 12:30 am	-

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-014760
License Class/Type: C Restaurant
ANC: 3E

Applicant: The Cheesecake Factory RestaurantsInc.
Trade Name: The Cheesecake Factory
Premise Address: 5345 WISCONSIN AVE NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	11 am - 12 am	11 am - 12 am	-
MON:	11 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
TUE:	11 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
WED:	11 am - 12 am	11 am - 12 am	11 am - 12 am	11 am - 12 am	-
THU:	11 am - 2 am	11 am - 2 am	11 am - 1 am	11 am - 1 am	-
FRI:	11 am - 2 am	11 am - 2 am	11 am - 1 am	11 am - 1 am	-
SAT:	11 am - 2 am	11 am - 2 am	11 am - 1 am	11 am - 1 am	-

License Number: ABRA-085467
License Class/Type: C Restaurant
ANC: 3F

Applicant: Terasol Gallery & Cafe
Trade Name: Terasol
Premise Address: 5010 CONNECTICUT AVE NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 12 am	11 am -12 am	6 pm - 12 am
MON:	7 am - 12 am	11 am - 12 am	6 pm - 12 am
TUE:	7 am - 12 am	11 am - 12 am	6 pm - 12 am
WED:	7 am - 12 am	11 am - 12 am	6 pm - 12 am
THU:	7 am - 12 am	11 am - 12 am	6 pm - 12 am
FRI:	7 am - 12 am	11 am - 12 am	6 pm - 12 am
SAT:	7 am - 12 am	11 am - 12 am	6 pm - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-016332 Applicant: Guapo's Restaurant, Inc.
License Class/Type: C Restaurant Trade Name: Guapo's Restaurant
ANC: 3E Premise Address: 4515 - 4517 WISCONSIN AVE NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	11 am - 11 pm	11 am - 11 pm	6 pm - 11 pm
MON:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
TUE:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
WED:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
THU:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 11 pm
FRI:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 12 am	11:30 am - 12 am	6 pm - 12 am
SAT:	11:30 am - 1 am	11:30 am - 1 am	11:30 am - 12 am	11:30 am - 12 am	6 pm - 12 am

License Number: ABRA-073292 Applicant: Wardman Hotel LLC
License Class/Type: C Hotel Trade Name: Washington D C Marriott Wardman Park Hotel
ANC: 3C Premise Address: 2660 WOODLEY RD NW

Endorsements: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	24 hours -	11 am -2 am	6 pm - 2 am
MON:	24 hours -	11 am - 2 am	6 pm - 2 am
TUE:	24 hours -	11 am - 2 am	6 pm - 2 am
WED:	24 hours -	11 am - 2 am	6 pm - 2 am
THU:	24 hours -	11 am - 2 am	6 pm - 2 am
FRI:	24 hours -	11 am - 2 am	6 pm - 2 am
SAT:	24 hours -	11 am - 2 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-091373
License Class/Type: C Restaurant
ANC: 4C

Applicant: Fetlework Wolde
Trade Name: Ethiopia Restaurant & Market
Premise Address: 4630 14TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 2 am	10 am - 2 am	-
MON:	7 am - 2 am	8 am - 2 am	-
TUE:	7 am - 2 am	8 am - 2 am	-
WED:	7 am - 2 am	8 am - 2 am	-
THU:	7 am - 2 am	8 am - 2 am	-
FRI:	7 am - 3 am	8 am - 3 am	-
SAT:	7 am - 3 am	8 am - 3 am	-

License Number: ABRA-076672
License Class/Type: C Restaurant
ANC: 4D01

Applicant: El Pulgarcito of America, LLC
Trade Name: El Pulgarcito of America, LLC
Premise Address: 5313 GEORGIA AVE NW

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 3 am	10 am - 2 am	6 pm - 2 am
MON:	6 am - 2 am	9 am - 2 am	6 pm - 2 am
TUE:	6 am - 2 am	9 am - 2 am	6 pm - 2 am
WED:	6 am - 2 am	9 am - 2 am	6 pm - 2 am
THU:	6 am - 3 am	9 am - 2 am	6 pm - 2 am
FRI:	6 am - 3 am	9 am - 3 am	6 pm - 2 am
SAT:	6 am - 3 am	9 am - 3 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-017426
License Class/Type: C Club
ANC: 4D04

Applicant: Trinidad And Tobago Association Of Washing
Trade Name: T & T Associates
Premise Address: 5123 GEORGIA AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 2 am	11 am - 2 am	-
MON:	10 am - 2 am	11 am - 2 am	-
TUE:	8 am - 2 am	11 am - 2 am	-
WED:	8 am - 2 am	11 am - 2 am	-
THU:	8 am - 2 am	11 am - 2 am	-
FRI:	8 am - 4 am	11 am - 3 am	-
SAT:	8 am - 4 am	11 am - 3 am	-

License Number: ABRA-090174
License Class/Type: C Restaurant
ANC: 5E

Applicant: YADA GROUP INC
Trade Name: Aroi Thai Cuisine
Premise Address: 1832 1ST ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11am - 10pm	11am -10pm	-
MON:	11am - 10pm	11am - 10pm	-
TUE:	11am - 10pm	11am - 10pm	-
WED:	11am - 10pm	11am - 10pm	-
THU:	11am - 10pm	11am - 10pm	-
FRI:	11am - 10:30pm	11am - 10:30pm	-
SAT:	11am - 10:30pm	11am - 10:30pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-085100
License Class/Type: C Restaurant
ANC: 6B

Applicant: Bullfeathers, LLC
Trade Name: Bullfeathers
Premise Address: 410 1ST ST SE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 11 pm	11 am -11 pm	-
MON:	11 am - 11 pm	11 am - 11 pm	-
TUE:	11 am - 11 pm	11 am - 11 pm	-
WED:	11 am - 11 pm	11 am - 11 pm	-
THU:	11 am - 11 pm	11 am - 11 pm	-
FRI:	11 am - 2 am	11 am - 2 am	-
SAT:	11 am - 2 am	11 am - 2 am	-

License Number: ABRA-001792
License Class/Type: C Multipurpose
ANC: 6B

Applicant: Trustees of Amherst College
Trade Name: Folger Theatre Group
Premise Address: 201 EAST CAPITOL ST SE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	6 pm - 9 pm	6 pm -9 pm	-
MON:	10 am - 9 pm	6 pm - 9 pm	-
TUE:	10 am - 9 pm	6 pm - 9 pm	-
WED:	10 am - 9 pm	6 pm - 9 pm	-
THU:	10 am - 9 pm	6 pm - 9 pm	-
FRI:	10 am - 9 pm	6 pm - 9 pm	-
SAT:	10 am - 9 pm	6 pm - 9 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-016129
 License Class/Type: C Restaurant
 ANC: 6B01

Applicant: Talay Thai Inc.
 Trade Name: Talay Thai Restaurant
 Premise Address: 406 1ST ST SE

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	4:30 pm - 10 pm	4:30 pm -10 pm	4:30 pm - 10 pm	4:30 pm - 10 pm	-
MON:	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	-
TUE:	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	-
WED:	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	-
THU:	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	11 am - 10 pm	-
FRI:	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-
SAT:	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	11 am - 10:30 pm	-

License Number: ABRA-060614
 License Class/Type: C Restaurant
 ANC: 6B02

Applicant: La Plaza Inc.
 Trade Name: La Plaza Mexican Restaurant
 Premise Address: 629 PENNSYLVANIA AVE SE

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10am - 2am	10 am -2 am	10 am - 12 am	10 am - 12 am	-
MON:	10 am - 2 am	10 am - 2 am	10 am - 12 am	10 am - 12 am	-
TUE:	110 am - 2 am	10 am - 2 am	10 am - 12 am	10 am - 12 am	-
WED:	10 am - 2 am	10 am - 2 am	10 am - 12 am	10 am - 12 am	-
THU:	10 am - 2 am	110 am - 2 am	10 am - 12 am	10 am - 12 am	-
FRI:	10 am - 3 am	10 am - 3 am	10 am - 12 am	10 am - 12 am	-
SAT:	10 am - 3 am	10 am - 3 am	10 am - 12 am	10 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-016357
License Class/Type: C Restaurant
ANC: 6B

Applicant: La Lomita, Inc.
Trade Name: La Lomita Restaurant
Premise Address: 1330 PENNSYLVANIA AVE SE

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 10 pm	11:30 am -10 pm	11:30 am - 10 pm	11:30 am - 10 pm	-
MON:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
TUE:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
WED:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
THU:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
FRI:	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-
SAT:	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	11:30 am - 11 pm	-

License Number: ABRA-026658
License Class/Type: C Restaurant
ANC: 6C

Applicant: Ark Southwest D.C. Corp
Trade Name: Thunder Grill
Premise Address: 50 MASSACHUSETTS AVE NE P

Endorsements: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11:30 am - 12 am	11:30 am -12 am	11:30 am - 12 am
MON:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am
TUE:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am
WED:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am
THU:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am
FRI:	11:30 am - 12 am	11:30 am - 12 am	11: 30 am - 12 am
SAT:	11:30 am - 12 am	11:30 am - 12 am	11:30 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-075944 Applicant: Oyamel DC, LLC
License Class/Type: C Restaurant Trade Name: Oyamel
ANC: 2C Premise Address: 401 7TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
MON:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
TUE:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
WED:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
THU:	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	11:30 am - 2 am	6 pm - 2 am
FRI:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	6 pm - 3 am
SAT:	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	11:30 am - 3 am	6 pm - 3 am

License Number: ABRA-076102 Applicant: Austin Grill, LLC
License Class/Type: C Restaurant Trade Name: Austin Grill
ANC: 2C Premise Address: 750 E ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 11 pm	11 am - 11 pm	11 am - 9:30pm	11 am - 9:30pm	-
MON:	11 am - 11 pm	11 am - 11 pm	11 am - 10 pm	11 am - 10 pm	-
TUE:	11 am - 11 pm	11 am - 11 pm	11 am - 10 pm	11 am - 10 pm	-
WED:	11 am - 11 pm	11 am - 11 pm	11 am - 10 pm	11 am - 10 pm	-
THU:	11 am - 11 pm	11 am - 11 pm	11 am - 10 pm	11 am - 10 pm	-
FRI:	11 am - 1 am	11 am - 1 am	11 am - 12 am	11 am - 12 am	-
SAT:	11 am - 1 am	11 am - 1 am	11 am - 12 am	11 am - 12 am	-

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-060161
License Class/Type: C Club
ANC: 2C

Applicant: Fraternal Order of Police
Trade Name: Fraternal Order Of Police
Premise Address: 711 4TH ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 2 am	10 am - 2 am	-
MON:	7 am - 2 am	8 am - 2 am	-
TUE:	7 am - 2 am	8 am - 2 am	-
WED:	7 am - 2 am	8 am - 2 am	-
THU:	7 am - 2 am	8 am - 2 am	-
FRI:	7 am - 2 am	8 am - 2 am	-
SAT:	7 am - 2 am	8 am - 2 am	-

License Number: ABRA-077418
License Class/Type: C Marine Vesse
ANC: 6D

Applicant: Spirit Cruises LLC
Trade Name: The Capital Elite
Premise Address: 600 WATER ST SW B

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8:30 am - 2:30 am	10:00 am - 2:00 am	6 pm - 2 am
MON:	8:30 am - 2:30 am	8:30 am - 2:00 am	6 pm - 2 am
TUE:	8:30 am - 2:30 am	8:30 am - 2:00 am	6 pm - 2 am
WED:	8:30 am - 2:30 am	8:30 am - 2:00 am	6 pm - 2 am
THU:	8:30 am - 2:30 am	8:30 am - 2:00 am	6 pm - 2 am
FRI:	8:30 am - 3:00 am	8:30 am - 3:00 am	6 pm - 2 am
SAT:	8:30 am - 3:00 am	8:30 am - 3:00 am	6 pm - 2 am

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RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-086508
License Class/Type: C Restaurant
ANC: 2F

Applicant: Rogue 24, LLC
Trade Name: Rogue 24
Premise Address: 922 - 924 N ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	5 pm - 1 am	5 pm -1 am	-
MON:	5 pm - 1 am	5 pm - 1 am	-
TUE:	5 pm - 1 am	5 pm - 1 am	-
WED:	5 pm - 1 am	5 pm - 1 am	-
THU:	5 pm - 1 am	5 pm - 1 am	-
FRI:	5 pm - 1 am	5 pm - 1 am	-
SAT:	5 pm - 1 am	5 pm - 1 am	-

License Number: ABRA-076156
License Class/Type: C Hotel
ANC: 6D

Applicant: Potomac Creek Associates LLC
Trade Name: L'Enfant Plaza Hotel
Premise Address: 480 L"ENFANT PLZ SW

Endorsements: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	24 hours -	11 am -1 am	6 pm - 3 am
MON:	24 hours -	11 am - 1 am	6 pm - 3 am
TUE:	24 hours -	11 am - 1 am	6 pm - 3 am
WED:	24 hours -	11 am - 1 am	6 pm - 3 am
THU:	24 hours -	11 am - 1 am	6 pm - 3 am
FRI:	24 hours -	11 am - 1 am	6 pm - 3 am
SAT:	24 hours -	11 am - 1 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-000514
License Class/Type: C Restaurant
ANC: 7B

Applicant: KYW, Inc.
Trade Name: Wah Sing Restaurant
Premise Address: 2521 PENNSYLVANIA AVE SE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	-
MON:	11 am - 12 am	11 am - 12 am	-
TUE:	11 am - 12 am	11 am - 12 am	-
WED:	11 am - 12 am	11 am - 12 am	-
THU:	11 am - 12 am	11 am - 12 am	-
FRI:	11 am - 1 am	11 am - 1 am	-
SAT:	11 am - 1 am	11 am - 1 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-080603
 License Class/Type: D Restaurant
 ANC: 2B

Applicant: Helene & Company
 Trade Name: Soho Tea & Coffee
 Premise Address: 2150 P ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	7:30 am - 2 am	11 am - 2 am	7:30 am - 12 am	11 am - 12 am	-
MON:	7:30 am - 2 am	11 am - 2 am	7:30 am - 12 am	11 am - 12 am	-
TUE:	7:30 am - 2 am	11 am - 2 am	7:30 am - 12 am	11 am - 12 am	-
WED:	7:30 am - 2 am	11 am - 2 am	7:30 am - 12 am	11 am - 12 am	-
THU:	7:30 am - 4 am	8 am - 2 am	7:30 am - 12 am	11 am - 12 am	-
FRI:	7:30 am - 4 am	8 am - 2 am	7:30 am - 12 am	11 am - 12 am	-
SAT:	7:30 am - 4 am	8 am - 2 am	7:30 am - 12 am	11 am - 12 am	-

License Number: ABRA-083573
 License Class/Type: D Restaurant
 ANC: 1C

Applicant: Locolat, LLC
 Trade Name: Locolat LLC
 Premise Address: 1781 Florida AVE NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	9 am - 12 am	10 am - 12 am	9 am - 12 am	10 am - 12 am	-
MON:	Closed - Closed	Closed - Closed	Closed - Closed	Closed - Closed	Closed - Closed
TUE:	9 am - 12 am	11 am - 12 am	10 am - 11 pm	11 am - 11 pm	-
WED:	9 am - 12 am	11 am - 12 am	10 am - 11 pm	11 am - 11 pm	-
THU:	9 am - 12 am	11 am - 12 am	10 am - 11 pm	11 am - 11 pm	-
FRI:	9 am - 2 am	10 am - 1 am	9 am - 11 pm	11 am - 11 pm	9 pm - 1am
SAT:	9 am - 2 am	10 am - 1 am	9 am - 12 am	10 am - 12 am	9 pm - 1 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-088557
License Class/Type: D Restaurant
ANC: 3F

Applicant: Sushi Para Company
Trade Name: Sushi Sai
Premise Address: 4221 A CONNECTICUT AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8 am - 12 am	8 am -12 am	-
MON:	8 am - 12 am	8 am - 12 am	-
TUE:	8 am - 12 am	8 am - 12 am	-
WED:	8 am - 12 am	8 am - 12 am	-
THU:	8 am - 12 am	8 am - 12 am	-
FRI:	8 am - 12 am	8 am - 12 am	-
SAT:	8 am - 12 am	8 am - 12 am	-

License Number: ABRA-090078
License Class/Type: D Restaurant
ANC: 2B

Applicant: GLEN'S GARDEN MARKET LLC
Trade Name: Glen's Garden Market
Premise Address: 2001 S ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8 am - 10 pm	8 am -10 pm	-
MON:	8 am - 10 pm	8 am - 10 pm	-
TUE:	8 am - 10 pm	8 am - 10 pm	-
WED:	8 am - 10 pm	8 am - 10 pm	-
THU:	8 am - 10 pm	8 am - 10 pm	-
FRI:	8 am - 10 pm	8 am - 10 pm	-
SAT:	8 am - 10 pm	8 am - 10 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
 PETITION DATE: 5/28/2013
 HEARING DATE: 6/10/2013

License Number: ABRA-086070 Applicant: Shake Shack 18th Street NW Washington DC
 License Class/Type: D Restaurant Trade Name: Shake Shack
 ANC: 2B Premise Address: 1216 18TH ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
MON:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
TUE:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
WED:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
THU:	10 am - 1 am	10 am - 1 am	11 am - 12 am	11 am - 12 am	-
FRI:	10 am - 2 am	10 am - 2 am	11 am - 12 am	11 am - 12 am	-
SAT:	10 am - 2 am	10 am - 2 am	11 am - 12 am	11 am - 12 am	-

License Number: ABRA-090757 Applicant: District Taco, LLC
 License Class/Type: D Restaurant Trade Name: District Taco
 ANC: 2C Premise Address: 1309 F ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	7 am - 10 pm	11 am - 10 pm	-
MON:	7 am - 10 pm	11 am - 10 pm	-
TUE:	7 am - 10 pm	11 am - 10 pm	-
WED:	7 am - 10 pm	11 am - 10 pm	-
THU:	7 am - 10 pm	11 am - 10 pm	-
FRI:	7 am - 10 pm	11 am - 10 pm	-
SAT:	7 am - 10 pm	11 am - 10 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-060319
License Class/Type: D Restaurant
ANC: 3D

Applicant: Palisades Pizzeria Inc.
Trade Name: Palisades Pizzeria
Premise Address: 4885 MACARTHUR BLVD NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 9 pm	12 pm - 9 pm	-
MON:	9 am - 9 pm	12 pm - 9 pm	-
TUE:	9 am - 9 pm	12 pm - 9 pm	-
WED:	9 am - 9 pm	12 pm - 9 pm	-
THU:	9 am - 9 pm	12 pm - 11 pm	-
FRI:	9 am - 11 pm	12 pm - 11pm	-
SAT:	9 am - 11 pm	12 pm - 9 pm	-

License Number: ABRA-071077
License Class/Type: D Restaurant
ANC: 3D

Applicant: Bon Appetit Management Company
Trade Name: Bon Appetit Mgt. Co.
Premise Address: 4400 MASSACHUSETTS AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 12 am	11 am -12 am	-
MON:	7 am - 11 pm	3 pm - 11 pm	-
TUE:	7 am - 11 pm	3 pm - 11 pm	-
WED:	7 am - 11 pm	3 pm - 11 pm	-
THU:	7 am - 11 pm	3 pm - 11 pm	-
FRI:	7 am - 11 pm	3 pm - 11 pm	-
SAT:	10 am - 12 am	11 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/12/2013
PETITION DATE: 5/28/2013
HEARING DATE: 6/10/2013

License Number: ABRA-013080
License Class/Type: D Restaurant
ANC: 6C

Applicant: Asma Inc.
Trade Name: Vittorio's Pizzeria/Gelato Bar
Premise Address: 50 MASSACHUSETTS AVE NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 10 pm	10 am -10 pm	-
MON:	10 am - 10 pm	10 am - 10 pm	-
TUE:	10 am - 10 pm	10 am - 10 pm	-
WED:	10 am - 10 pm	10 am - 10 pm	-
THU:	10 am - 10 pm	10 am - 10 pm	-
FRI:	10 am - 10 pm	10 am - 10 pm	-
SAT:	10 am - 10 pm	10 am - 10 pm	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 12, 2013
Petition Date: May 28, 2013
Roll Call Hearing Date: June 10, 2013
Protest Hearing Date: July 31, 2013

License No.: ABRA-091620
Licensee: Flying Fish DC, LLC
Trade Name: Flying Fish Coffee and Tea
License Class: Retailer's Class "C" Restaurant
Address: 3064 Mount Pleasant St., NW
Contact: Michael Visser: 202-299-0141/617-710-9963

WARD 1 ANC 1D SMD 1D05

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 31, 2013 at 1:30 pm.

NATURE OF OPERATION

Coffee shop with pastries, sandwiches, vegetarian plates, snacks and sweets. Total Load: 16, Seats Inside: 14, with Entertainment Endorsement.

HOURS OF OPERATION

Sunday: 8:00 am - 9:00 pm; Monday through Thursday: 7:00 am - 9:00 pm; Friday: 7:00 am - 10:00 pm; Saturday: 8:00 am - 10:00 pm.

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday: 10:00 am - 9:00 pm; Monday through Thursday: 11:00 am - 9:00 p.m.; Friday: 11:00 am - 10:00 pm; Saturday: 10:00 am - 10:00 pm.

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday: 6:00 pm - 8:30 pm; Friday and Saturday: 6:00 pm - 9:30 pm.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

4/12/2013

Notice is hereby given that:

License Number: ABRA-060796

License Class/Type: C Hotel

Applicant: Compass Group USA, Inc.

Trade Name: Gallaudet University Conference Center

ANC: 5D

Has applied for the renewal of an alcoholic beverages license at the premises:

800 FLORIDA AVE NE, Washington, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/28/2013

HEARING WILL BE HELD ON

6/10/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24 hours -	12 pm -2 am	6 pm - 2 am
Monday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Tuesday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Wednesday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Thursday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Friday:	24 hours -	12 pm - 3 am	6 pm - 3 am
Saturday:	24 hours -	12 pm - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

RESCIND

3/29/2013

Notice is hereby given that:

License Number: ABRA-060796

License Class/Type: C Hotel

Applicant: Compass Group USA, Inc.

Trade Name: Gallaudet University Conference Center

ANC: 5D

Has applied for the renewal of an alcoholic beverages license at the premises:

800 FLORIDA AVE NE, Washington, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/13/2013

HEARING WILL BE HELD ON

5/28/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24 hours -	12 pm -2 am	6 pm - 2 am
Monday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Tuesday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Wednesday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Thursday:	24 hours -	12 pm - 2 am	6 pm - 2 am
Friday:	24 hours -	12 pm - 3 am	6 pm - 3 am
Saturday:	24 hours -	12 pm - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

Correction

4/05/2013

Notice is hereby given that:

License Number: ABRA-060326

License Class/Type: C Restaurant

Applicant: Big River Breweries, LTD

Trade Name: Gordon Biersch Brewery Restaurant

ANC: 2C

Has applied for the renewal of an alcoholic beverages license at the premises:

900 F ST NW B, Washington, DC 20004

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/20/2013

HEARING WILL BE HELD ON

6/03/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Brewpub, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	-
Monday:	11 am - 2 am	11 am - 2 am	-
Tuesday:	11 am - 2 am	11 am - 2 am	-
Wednesday:	11 am - 2 am	11 am - 2 am	-
Thursday:	11 am - 2 am	11 am - 2 am	-
Friday:	11 am - 2 am	11 am - 2 am	-
Saturday:	11 am - 2 am	11 am - 2 am	-

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	11 am - 12 am	11 am - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

RESCIND

4/05/2013

Notice is hereby given that:

License Number: ABRA-060326

License Class/Type: C Restaurant

Applicant: Big River Breweries, LTD

Trade Name: Gordon Biersch Brewery Restaurant

ANC: 2C

Has applied for the renewal of an alcoholic beverages license at the premises:

600 F ST NW B, Washington, DC 20004

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/20/2013

HEARING WILL BE HELD ON

6/03/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Brewpub, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	11 am - 2 am	-
Monday:	11 am - 2 am	11 am - 2 am	-
Tuesday:	11 am - 2 am	11 am - 2 am	-
Wednesday:	11 am - 2 am	11 am - 2 am	-
Thursday:	11 am - 2 am	11 am - 2 am	-
Friday:	11 am - 2 am	11 am - 2 am	-
Saturday:	11 am - 2 am	11 am - 2 am	-

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	11 am - 12 am	11 am - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

4/12/2013

Notice is hereby given that:

License Number: ABRA-083338

License Class/Type: D Multipurpose

Applicant: Hillwood Museum & Gardens Foundation

Trade Name: Hillwood Museum & Gardens Foundation

ANC: 3F

Has applied for the renewal of an alcoholic beverages license at the premises:

4155 LINNEAN AVE NW, WASHINGTON, DC 20008

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/28/2013

HEARING WILL BE HELD ON

6/10/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 10 pm	12 pm -10 pm	-
Monday:	Closed - Closed	Closed - Closed	-
Tuesday:	9 am - 10 pm	9 am - 10 pm	-
Wednesday:	9 am - 10 pm	9 am - 10 pm	-
Thursday:	9 am - 10 pm	9 am - 10 pm	-
Friday:	9 am - 10 pm	9 am - 10 pm	-
Saturday:	9 am - 10 pm	9 am - 10 pm	-

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	9 am - 10 pm	12 pm - 10 pm
Monday:	Closed - Closed	Closed - Closed
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

RESCIND

3/29/2013

Notice is hereby given that:

License Number: ABRA-083338

License Class/Type: D Multipurpose

Applicant: Hillwood Museum & Gardens Foundation

Trade Name: Hillwood Museum & Gardens Foundation

ANC: 3F

Has applied for the renewal of an alcoholic beverages license at the premises:

4155 LINNEAN AVE NW, WASHINGTON, DC 20008

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/13/2013

HEARING WILL BE HELD ON

5/28/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 10 pm	12 pm -10 pm	-
Monday:	Closed - Closed	Closed - Closed	-
Tuesday:	9 am - 10 pm	9 am - 10 pm	-
Wednesday:	9 am - 10 pm	9 am - 10 pm	-
Thursday:	9 am - 10 pm	9 am - 10 pm	-
Friday:	9 am - 10 pm	9 am - 10 pm	-
Saturday:	9 am - 10 pm	9 am - 10 pm	-

Days	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	9 am - 10 pm	12 pm - 10 pm
Monday:	Closed - Closed	Closed - Closed
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 12, 2013
Petition Date: May 28, 2013
Hearing Date: June 10, 2013

License No.: ABRA-0060592
Licensee: Hooters of Washington D. C., LLC
Trade Name: Hooters of Washington, DC
License Class: Retailer's Class "C" Restaurant
Address: 825-29 7th Street NW
Contact: Kevin Spence - General Manager 202-962-0965

WARD 2 ANC 2C SMD 2C01

Notice is hereby given that this applicant has applied for a substantial change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Request for License Change of Hours to close at a later time; Class "C" Restaurant

CURRENT HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION FOR PREMISES:

Sunday 11 am -11 pm; Monday through Thursday 11 am - 12 am; Friday and Saturday 11 am - 1 am

CURRENT HOURS OF ENTERTAINMENT:

Sunday 6 pm - 11 pm; Monday through Thursday 6 pm - 12 am; Friday and Saturday 6 pm - 1 am

PROPOSED HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION FOR PREMISES:

Sunday through Saturday 11 am - 2 am

PROPOSED HOURS OF ENTERTAINMENT:

Sunday through Saturday 6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

RESCIND

Posting Date: April 5, 2013
Petition Date: May 20, 2013
Hearing Date: June 3, 2013

License No.: ABRA-072781
Licensee: Bee Hive, LLC
Trade Name: Sticky Rice
License Class: Retailer’s Class “C” Restaurant
Address: 1224 H Street, NE
Contact: Jason Martin (202) 397-7655

WARD 6 ANC 6A SMD 6A01

Notice is hereby given for a request to amend the Settlement Agreement for the establishment with regard to hours of operation to allow for later operation on days authorized by the District of Columbia. This amendment was agreed to by and between the parties to the Settlement Agreement and approved by the Alcoholic Beverage Control Board. Objectors are entitled to be heard before the granting of such amendment on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The amendment provides as follows:

The following language should be added after the hours stated in the existing agreement:

Provided, however, (1) on days designated by the DC ABC Board as “Extended Hours for ABC Establishments” Applicant may serve alcoholic beverages and provide entertainment for one additional hour (that is, one hour later in the morning); (2) in the event the Council of the District of Columbia or the DC ABC Board grant licensees in general extended operating hours Applicant may avail itself of such extended hours; and (3) on January 1 of each year Applicant may serve alcoholic beverages and provide entertainment until 4am.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

4/12/2013

Notice is hereby given that:

License Number: ABRA-000319

License Class/Type: C Club

Applicant: Woman's National Democratic Club

Trade Name: Woman's National Democratic Club

ANC: 2B07

Has applied for the renewal of an alcoholic beverages license at the premises:

1526 NEW HAMPSHIRE AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/28/2013

HEARING WILL BE HELD ON

6/10/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 1 am	10 am - 1 am	-
Monday:	8 am - 1 am	8 am - 1 am	-
Tuesday:	8 am - 1 am	8 am - 1 am	-
Wednesday:	8 am - 1 am	8 am - 1 am	-
Thursday:	8 am - 1 am	8 am - 1 am	-
Friday:	8 am - 1 am	8 am - 1 am	-
Saturday:	8 am - 1 am	8 am - 1 am	-

FOR FURTHER INFORMATION CALL (202) 442-4423

005573

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

RESCIND

03/29/2013

Notice is hereby given that:

License Number: ABRA-000319

License Class/Type: C Club

Applicant: Woman's National Democratic Club

Trade Name: Woman's National Democratic Club

ANC: 2B07

Has applied for the renewal of an alcoholic beverages license at the premises:

1526 NEW HAMPSHIRE AVE NW, Washington, DC 20036

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/13/2013

HEARING WILL BE HELD ON

5/28/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	8 am - 1 am	10 am - 1 am	-
Monday:	8 am - 1 am	8 am - 1 am	-
Tuesday:	8 am - 1 am	8 am - 1 am	-
Wednesday:	8 am - 1 am	8 am - 1 am	-
Thursday:	8 am - 1 am	8 am - 1 am	-
Friday:	8 am - 1 am	8 am - 1 am	-
Saturday:	8 am - 1 am	8 am - 1 am	-

FOR FURTHER INFORMATION CALL (202) 442-4423

DC HEALTH BENEFIT EXCHANGE AUTHORITY
NOTICE OF PUBLIC MEETING

Executive Board of the DC Health Benefit Exchange Authority

The Executive Board of the Health Benefit Exchange Authority, pursuant to the requirements of Section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-0094), hereby announces a public meeting of the Executive Board. The meeting will be held at 441 4th Street NW, Suite 820N on Monday, **April 8, 2013**, at 11:00 am. The call in number is 1-877-668-4493, Access code: 649 846 014.

The Executive Board meeting is open to the public.

If you have any questions, please contact Bonnie Norton at (202) 727-4063.

DC HEALTH BENEFIT EXCHANGE AUTHORITY
NOTICE OF PUBLIC MEETING

Executive Board of the Health Benefit Exchange Authority

The Executive Board of the Health Benefit Exchange Authority, pursuant to the requirements of Section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-0094), hereby announces a public meeting of the Executive Board. The meeting will be held at 441 4th Street NW, Suite 820N on Monday, **April 18, 2013**, at 11:00 am. The call in number is 1-877-668-4493, Access code: 645 419 907.

The Executive Board meeting is open to the public.

If you have any questions, please contact Debra Curtis at (202) 741-0899.

HISTORIC PRESERVATION REVIEW BOARD**NOTICE OF PUBLIC HEARING**

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

**Case No. 13-04: Grace Evangelical Lutheran Church
4300 16th Street, NW
Square 2646, Lot 807**

**Case No. 13-07: District of Columbia War Memorial
West Potomac Park, north side of Independence Avenue SW between
17th Street and West Basin Drive
U.S. Reservation 332**

The hearing will take place at **9:00 a.m. on Thursday, May 23, 2013**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10A DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4th Street, SW, Suite E650, Washington, DC 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

The Board's hearing is open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the address above.

For each property, a copy of the historic landmark application is currently on file and available for inspection by the public at the Historic Preservation Office. A copy of the staff report and recommendation will be available at the office five days prior to the hearing. The office also provides information on the D.C. Inventory of Historic Sites, the National Register of Historic Places, and Federal tax provisions affecting historic property.

If the Historic Preservation Review Board designates the property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

Consideration in Planning for Federal, Federally Licensed, and Federally Assisted Projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Qualification for Federal Grants for Historic Preservation When Funds Are Available: The National Historic Preservation Act of 1966, as amended, authorizes the Secretary of the Interior to grant matching funds to the States (and the District or Columbia) for, among other things, the preservation and protection of properties listed in the National Register.

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing must submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, and objects to the listing. Each owner or partial owner of private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, a property will not be listed. However, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of the property, the notarized objection must be submitted to the above address by the date of the Review Board meeting.

For further information, contact Tim Dennee, Landmarks Coordinator, at 202-442-8847.

**DISTRICT OF COLUMBIA TAXICAB COMMISSION
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

NOTICE OF PUBLIC HEARING

Amendments to Chapters 4, 6, and 8 of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations.

**APRIL 17, 2013
10:00 A.M.**

The DC Taxicab Commission (DCTC) has scheduled a Public Hearing at 10:00 am on Wednesday, April 17, 2013 at the Reeves Center, 2000 14th Street, NW, in the Second Floor Community Room regarding proposed rulemaking amendments for the Modern Taximeter Systems.

Those interested in testifying should register by calling 202-645-6018, Extension 4 by Monday, April 15, 2013 at 4:00 pm. Participants should submit their remarks in writing prior to the hearing. Please note the office will be closed in observance of Emancipation Day on Tuesday, April 16, 2013. Written copies of remarks should also be submitted to the Commission Secretary at the hearing. Comments are limited to the specific subject matter of this Public Hearing.

The proposed rulemaking being considered for republishing amends Title 31 DCMR Chapters 4, 6, and 8 and were placed in the D.C. Register, Volume 60, No. 15, beginning on page 005173 on April 5, 2013.

Copies of the proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. (202) 645-6018. The proposed rulemaking will also be available on the DCTC website at www.dctaxi.dc.gov.

The public hearing will take place at the following time and location:

WEDNESDAY, APRIL 17, 2013, 10:00 am

Reeves Center, 2000 14th Street, NW, Second Floor Community Room

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, JUNE 18, 2013
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

1:00 P.M. AFTERNOON HEARING SESSION

A.M.

WARD FIVE

18570 **Application of 1875 North Capitol Street NE LLC**, pursuant to 11
ANC-5E DCMR § 3103.2, for a variance from the minimum lot area requirements
under subsection 401.3, to convert a flat into a three unit apartment house
in the R-4 District at premises 1845 North Capitol Street, N.E. (Square
3510, Lot 22). 18563

WARD SIX

18571 **Application of Jaime Flood**, pursuant to 11 DCMR § § 3104.2 and
ANC-6A 3103.2, for a variance from the alley setback requirements under
subsection 2300.2, and a special exception under section 223, to allow the
construction of a carport at the rear of a row dwelling, not meeting the lot
occupancy (section 403), and nonconforming structure (subsection
2001.3) provisions in the R-4 District at premises 803 9th Street, N.E.
(Square 933, Lot 14).

WARD ONE

18568 **Appeal of Shaw Dupont Citizens Alliance**, pursuant to 11 DCMR §§
ANC-1B 3100 and 3101, from a decision by the Department of Consumer and
Regulatory Affairs in its interpretation of Sections 1901.6, and 1900.1,
allowing a drinking establishment in the ARTS/C-3-A District at premises
1346 T Street, N.W. (Square 238, Lot 88).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

BZA PUBLIC HEARING NOTICE

JUNE 18, 2013

PAGE NO. 2

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below

or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**LLOYD J. JORDAN, CHAIRMAN, NICOLE C. SORG, VICE CHAIRPERSON,
S. KATHRYN ALLEN, JEFFREY L. HINKLE AND A MEMBER OF THE
ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT,
CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN,
DIRECTOR, OFFICE OF ZONING.**

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF FINAL RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in D.C. Code § 1-1001.05(a)(14), hereby gives notice of final rulemaking action to adopt amendments to the District of Columbia Municipal Regulations (DCMR) at 3 DCMR Chapter 10, “Initiative and Referendum”; 3 DCMR Chapter 11, “Recall of Elected Officials”; 3 DCMR Chapter 13, “Filling Vacant Seats on Advisory Neighborhood Commissions”; 3 DCMR Chapter 14, “Candidates: Political Party Primaries for Presidential Preference and Convention Delegates”; 3 DCMR Chapter 15, “Candidates: Electors of President and Vice-President”; 3 DCMR Chapter 16, “Candidates: Delegate to the U.S. House of Representatives, Mayor, Chairman, Members of the Council of the District of Columbia, U.S. Senator, U.S. Representative, Members of the State Board of Education, and Advisory Neighborhood Commissioners”; and 3 DCMR Chapter 17, “Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons.”

These amendments place the Board’s regulations into conformity with the Board of Elections Petition Circulation Requirements Emergency Amendment Act of 2012 (D.C. Act 19-0587; 60 DCR 977 (February 1, 2013)).

A Notice of Emergency and Proposed Rulemaking with respect to these amendments was published in the *D.C. Register* on February 8, 2013 at 60 DCR 001591. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed.

The Board took final rulemaking action with respect to these amendments on April 3, 2013, and the amendments will become effective upon publication of this notice in the *D.C. Register*.

Subsection 1003.6 of Chapter 10 (Initiative and Referendum) of Title 3 of the District of Columbia Municipal Regulations (DCMR) is amended to read as follows:

- 1003.6 The back page of each petition sheet shall bear an affidavit, to be signed by the person circulating the sheet and made under penalties of perjury, which contains the following information:
- (a) The printed name of the circulator;
 - (b) The residence address of the circulator, including the street number;
 - (c) A statement that the circulator of the petition sheet was in the presence of each signatory when the petition was signed;

- (d) A statement that, according to the best information available to the circulator, each signature is the signature of the person whose name it purports to be;
- (e) A statement that the circulator of the initiative or referendum petition sheet meets the petition circulator requirements set forth in § 1005.1;
- (f) The dates between which the signatures to the petition were obtained;
- (g) A statement that the proposer of the initiative or referendum informed the circulator of the petition sheet of the law set forth in D.C. Official Code § 1-1001.14 (2011 Repl.);
- (h) A statement that the circulator has not tendered any form of compensation to anyone as consideration for his or her signature;
- (i) A statement that the circulator has not made any false statements to the Board of Elections regarding the initiative or referendum;
- (j) A statement that the circulator has not made any false statements regarding the initiative or referendum to anyone who signed the petition.

Section 1005 (Circulation of Petitions) of Chapter 10 (Initiative and Referendum) of Title 3 of DCMR is amended as follows:

1005 CIRCULATION OF PETITIONS

1005.1 In order to circulate petitions pursuant to this chapter, a person shall:

- (a) Be at least 18 years of age, and;
- (b) Either be a resident of the District of Columbia or, if not a resident of the District of Columbia, have registered as a non-resident petition circulator prior to circulating a petition in accordance with Section §§ 1005.2 and 1005.3.

1005.2 Each petition circulator who is not a resident of the District of Columbia shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:

- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;

- (b) Provides his or her name, residential address, telephone number, and email address;
- (c) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the applicable petition circulation process, and that he or she will adhere to such rules and regulations;
- (d) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1005.3 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form. Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1005.4 The proposer shall advise all circulators of the petition that pursuant to D.C. Official Code § 1-1001.14 (2011 Repl.), it is unlawful to:

- (a) Tender any form of compensation to a qualified registered elector as consideration for his or her signature upon any initiative or referendum petition; or
- (b) Make any false statement to the Board concerning any initiative or referendum petition or the signatures affixed thereto.

1005.5 The proposer of an initiative measure has one hundred and eighty (180) calendar days beginning on the first (1st) calendar day immediately following the date upon which the proponent formally adopts the petition sheet and the Board certifies that the petition sheet is in compliance with D.C. Official Code § 1-1001.16(g) (2011 Repl.; 2012 Supp.), to secure the proper number of valid signatures needed to qualify the measure for the ballot and file the initiative

petition with the Board; provided, however, that the petition shall be filed with the Board no later than 5:00 p.m. on the one hundred eightieth (180th) calendar day.

1005.6 The proposer of a referendum measure shall secure the proper number of signatures needed to qualify the measure for the ballot and file the referendum petition with the Board no later than 5:00 p.m. on the last business day before the act, or any part of the act, which is the subject of the referendum has become law in accordance with the provisions of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. No. 93-198 87 Stat. 774 (1973) (the "Home Rule Act")).

1005.7 The proposer of an initiative or referendum measure shall not circulate the petition for signatures until the Board certifies that the petition sheet is in compliance with the requirements of § 1003.

Subsection 1006.3 of Chapter 10 (Initiative and Referendum) of Title 3 of DCMR is amended as follows:

1006.3 The Board shall refuse to accept for filing any initiative or referendum petition or individual petition sheets on any of the following grounds:

- (a) The petition sheet(s) is (are) not in the form certified by the Board in accordance with the provisions of this chapter;
- (b) The period for circulation and submission for filing has expired;
- (c) The petition on its face does not contain the signatures of registered voters equal in number to five percent (5%) of the registered qualified electors of the District of Columbia or the total signatures submitted did not include five percent (5%) of the registered qualified electors in each of five (5) or more of the eight (8) election wards;
- (d) The circulator's affidavits prescribed in § 1003.6 do not appear on the petition sheets; or
- (e) The petition sheet(s) were circulated by persons who did not meet the requirements set forth in § 1005.1.

Subsection 1007.4 of Chapter 10 (Initiative and Referendum) of Title 3 of DCMR is amended as follows:

1007.4 The Board shall exclude from the random sample universe a signature if:

- (a) The signer's voter registration was designated "inactive" on the voter roll pursuant to D.C. Official Code § 1-1001.07(j)(2) (2011 Repl.), at the time the petition was signed;
- (b) The signer, according to the Board's records, was not registered to vote at the address listed on the petition at the time the petition was signed;
- (c) The signer is not a "duly registered voter";
- (d) The signature is not dated;
- (e) The petition does not include the printed or typed current address of the signer;
- (f) The petition does not include the printed or typed name of the signer and, in the judgment of the Board, the signature is illegible; or
- (g) The circulator of the petition sheet did not meet the petition circulator requirements set forth in § 1005.1 at the time the petition was signed.

Subsection 1009.10 of Chapter 10 (Initiative and Referendum) of Title 3 of DCMR is amended as follows:

1009.10 A signature shall not be counted as valid in any of the following circumstances:

- (a) The signer's voter registration was designated "inactive" on the voter roll pursuant to D.C. Official Code § 1-1001.07 (j)(2) (2011 Repl.) at the time the petition was signed;
- (b) The signer, according to the Board's records, was not registered to vote at the address listed on the petition at the time the petition was signed;
- (c) The signer is not a "duly registered voter;"
- (d) The signature is not dated;
- (e) The petition does not include the printed or typed address of the signer;
- (f) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification;

- (g) The signer was also the circulator of the same petition sheet where the signature appears; or
- (h) The circulator of the petition sheet did not meet the petition circulator requirements set forth in § 1005.1 at the time the petition was signed.

Subsection 1011.3 of Chapter 10 (Initiative and Referendum) of Title 3 of DCMR is amended to read as follows:

1011.3 A qualified elector may also challenge the validity of an initiative or referendum petition by citing the exact provision(s) in the Board's regulations upon which the challenge is based. For example, if the ground upon which a signature is challenged is that the signature is not dated, such challenge shall be expressed as follows: "3 DCMR § 1009.10(d)".

Subsection 1101.3 of Chapter 11 (Recall of Elected Officials) of Title 3 of DCMR is amended to read as follows:

1101.3 The back page of each petition sheet shall bear an affidavit, to be signed by the person circulating the sheet and made under penalties of perjury, which contains the following information:

- (a) The printed name of the circulator;
- (b) The residence address of the circulator, including the street number;
- (c) A statement that the circulator of the petition sheet was in the presence of each signatory when the petition was signed;
- (d) A statement that, according to the best information available to the circulator, each signature is the signature of the person whose name it purports to be;
- (e) A statement that the circulator of the recall petition sheet(s) meets the petition circulator requirements set forth in § 1103.1;
- (f) The dates between which the signatures to the petition were obtained;
- (g) A statement that the proposer of the recall informed the circulator of the petition sheet of the law set forth in D.C. Official Code § 1-1001.14 (2011 Repl.);

- (h) A statement that the circulator has not tendered any form of compensation to anyone as consideration for his or her signature;
- (i) A statement that the circulator has not made any false statements to the Board of Elections regarding the recall;
- (j) A statement that the circulator has not made any false statements regarding the recall to anyone who signed the petition.

Section 1103 (Circulation of Petitions) of Chapter 11 (Recall of Elected Officials) of Title 3 of DCMR is amended to read as follows:

1103 CIRCULATION OF PETITIONS

1103.1 In order to circulate petitions pursuant to this chapter, a person shall:

- (a) Be at least 18 years of age, and;
- (b) Either be a resident of the electoral jurisdiction of the elected official sought to be recalled or, if not a resident of the electoral jurisdiction of the elected official sought to be recalled, have registered as a non-resident petition circulator prior to circulating a petition in accordance with §§ 1103.2 and 1103.3.

1103.2 Each petition circulator who is not a resident of the electoral jurisdiction of the elected official sought to be recalled shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:

- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;
- (b) Provides his or her name, residential address, telephone number, and email address;
- (c) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the applicable petition circulation process, and that he or she will adhere to such rules and regulations;
- (d) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1103.3 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form.

Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1103.4 The proposer shall advise all circulators of the petition that pursuant to D.C. Official Code § 1-1001.14 (2011 Repl.), it is unlawful to do the following:

- (a) Tender any form of compensation to a qualified registered elector as consideration for his or her signature upon any recall petition; or
- (b) Make any false statement to the Board concerning any recall petition or the signatures affixed thereto.

1103.5 The proposer of a recall petition for all elected officers, other than member of an Advisory Neighborhood Commission, shall have one hundred and eighty (180) calendar days to secure the proper number of signatures and file the petition with the Board.

1103.6 The proposer of a recall petition for a member of an Advisory Neighborhood Commission shall have sixty (60) calendar days to secure the proper number of signatures and file the petition with the Board.

1103.7 The circulation period for a recall petition shall begin on the date upon which the proposer of the recall formally adopts the original petition sheet as his or her own pursuant to § 1101.4.

Subsection 1104.2 of Chapter 11 (Recall of Elected Officials) of Title 3 of DCMR is amended to read as follows:

1104.2 The Board shall refuse to accept for filing a recall petition or individual petition sheets on any of the following grounds:

- (a) Except in the case of a recall petition for an Advisory Neighborhood Commissioner, the financial disclosure statement of the proposer has not been filed pursuant to §§ 204 and 206 of the

District of Columbia Campaign Finance and Conflict of Interest Act;

- (b) The petition sheet(s) is (are) not in the form certified by the Board in accordance with § 1101;
- (c) The restrictions on initiating the recall process established in D.C. Code § 1-1001.17(c) (2011 Repl.; 2012 Supp.), and referred to in § 1100 were not observed;
- (d) The circulation and submission period has expired;
- (e) The petition on its face does not contain a sufficient number of signatures to qualify for ballot access;
- (f) The circulator's affidavits prescribed in § 1101.3 do not appear on the petition sheets; or
- (g) The petition sheets were circulated by persons who did not meet the petition circulator requirements set forth in § 1103.1.

Subsection 1106.12 of Chapter 11 (Recall of Elected Officials) of Title 3 of DCMR is amended to read as follows:

1106.12 A signature shall not be counted as valid in any of the following circumstances:

- (a) The signer's voter registration was designated "inactive" on the voter roll pursuant to D.C. Official Code § 1-1001.07(j)(2) (2011 Repl.), at the time the petition was signed;
- (b) The signer, according to the Board's records, was not registered to vote at the address listed on the petition at the time the petition was signed;
- (c) The signer is not a "duly registered voter;"
- (d) The signature is not dated;
- (e) If the petition is to recall an official elected from a ward, Advisory Neighborhood Commission, Single-Member District or school district, the signer was not a "duly registered voter" in the ward or Advisory Neighborhood Commission, Single-Member District or school district at the time the petition was signed;
- (f) The petition does not include the printed or typed address of the signer;

- (g) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification;
- (h) The signer was also the circulator of the same petition sheet where the signature appears; or
- (i) The circulator of the petition sheet did not meet the petition circulator requirements set forth in §1103.1 at the time the petition was signed or the affidavit of the circulator on the petition sheet is not completed.

Subsection 1108.3 of Chapter 11 (Recall of Elected Officials) of Title 3 of DCMR is amended to read as follows:

1108.3 A qualified elector may also challenge the validity of a recall petition by citing the exact provision(s) in the Board's regulations upon which the challenge is based. For example, if the ground upon which a signature is challenged is that the signature is not dated, such challenge shall be expressed as follows: "3 DCMR § 1106.12(d)".

Section 1300 (General Provisions) of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

- 1300.1 For the purposes of this chapter, a vacancy is deemed to exist in the office of a member of an Advisory Neighborhood Commissioner when any of the following occurs and upon the publication of the notice of vacancy in the D.C. Register:
- (a) Resignation of the incumbent;
 - (b) Failure of the incumbent to actually reside in the Single-Member District from which the member is elected and the procedures outlined in § 1304 have been followed;
 - (c) The assumption by the incumbent of another elected public office as defined by D.C. Official Code § 1-309.05(a)(2) (2006 Repl.);
 - (d) Death of the incumbent;
 - (e) Declaration of vacancy by a court;
 - (f) The successful recall of the incumbent;
 - (g) When the office of an Advisory Neighborhood Commissioner from a Single-Member District remains vacant after a general or special

election, in which case the effective date of the vacancy is the date on which the Commissioner's new term would otherwise begin;

- (h) When the Board determines, through its established procedure for the maintenance of the voter registration roll, that a Commissioner is no longer a registered qualified elector actually residing in the Single-Member District from which he or she was elected; or
- (i) When the incumbent submits a sworn, irrevocable letter of prospective resignation to the Board of Elections, pursuant to § 1303 of this chapter.

1300.2 Except when a vacancy occurs in the office of a member of an Advisory Neighborhood Commission pursuant to § 1300.1(h), the Executive Director or his or her designee shall be authorized to certify the seat vacant.

1300.3 Within ninety (90) days of the date that the Board declares a vacancy, the members of the Advisory Neighborhood Commission area where the vacancy exists shall fill the vacancy pursuant to D.C. Official Code § 1-309.06(d)(6) (2006 Repl.; 2012 Supp.).

1300.4 Within five (5) days (excluding Saturdays, Sundays, and legal holidays) after the date that the Board declares a vacancy, the Board shall make petitions available for obtaining signatures of registered electors within the affected Single-Member District.

1300.5 In the event petitions are not obtained by any registered qualified elector within the affected Single-Member District within fourteen (14) working days after petitions have been made available, the Board shall republish the notice pursuant to § 1300.1 of this chapter in the *D.C. Register*.

Section 1302 (Notification of Resignation) of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

1302.1 Any member of an Advisory Neighborhood Commission who resigns from the Single-Member District from which he or she is elected shall submit a copy of the letter of resignation to the following:

- (a) The Board of Elections;
- (b) The Council of the District of Columbia;
- (c) The Mayor;
- (d) The Chairperson of the member's Advisory Neighborhood Commission;

- (e) The Vice-chairperson of the member's Advisory Neighborhood Commission; and
- (f) The Office of Advisory Neighborhood Commissions.

1302.2 The Executive Director or his or her designee shall then be authorized to declare the vacancy pursuant to § 1300.1.

Section 1304 (Petition by ANC for Declaration of Vacancy) of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

1304.1 Absent a letter of resignation, if a vacancy occurs on an Advisory Neighborhood Commission, the affected Advisory Neighborhood Commission shall petition the Board by a resolution, signed by the Chairperson and secretary, to declare the vacancy.

1304.2 Consideration of the resolution by the Advisory Neighborhood Commission shall be held at a public meeting of the Commission, where the Commissioner shall have an opportunity to rebut the alleged vacancy.

1304.3 Prior to the public meeting, the Advisory Neighborhood Commission shall make a good faith effort to notify, in writing, the Commissioner who is the subject of the resolution.

1304.4 Notice of the meeting shall be sent to the Commissioner not later than fifteen (15) days prior to the meeting by certified mail, return receipt requested, and shall provide that the Commissioner shall have an opportunity to rebut the alleged vacancy.

1304.5 The resolution shall be a document, separate from all other papers, which states the reason for the vacancy. A separate resolution shall be required for each vacancy. (See Appendix 13-1.)

1304.6 The resolution shall be accompanied by the following:

- (a) The minutes of the meeting at which the resolution was adopted; and
- (b) A list of those attending the meeting.

1304.7 A copy of the resolution and accompanying papers shall be sent to the following:

- (a) The Board of Elections;
- (b) The Council of the District of Columbia;

- (c) The Mayor; and
 - (d) The affected member of the Advisory Neighborhood Commission, if the vacancy is due to removal or ineligibility.
- 1304.8 The Board shall post, by making available for public inspection, the resolution in the office of the Board for ten (10) working days, beginning on the third working day after receipt of the resolution.
- 1304.9 Any qualified elector may, within the ten (10) day period, challenge the validity of the resolution by a written statement, duly signed by the challenger and filed with the Board, specifying concisely the alleged defects in the resolution.
- 1304.10 Within three (3) working days of receipt of a challenge, the Board shall serve, in person or by certified mail, a copy of the challenge upon the Chairperson of the affected Advisory Neighborhood Commission.
- 1304.11 The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged resolution not more than thirty (30) days after the challenge has been filed.
- 1304.12 If the Board upholds the validity of the resolution, it shall certify the resolution and forward a copy of the certification and the resolution, by personal service or certified mail, within three (3) working days, to the Chairperson of the respective Advisory Neighborhood Commission.
- 1304.13 If, at the expiration of the challenge period, no challenge has been filed with respect to the resolution, or if the resolution is challenged and its validity upheld, the Board shall certify the vacancy pursuant to § 1300.1.
- 1304.14 Within three (3) days after the announcement of the determination of the District of Columbia Board of Elections with respect to the validity of the resolution, either the challenger or the affected Single-Member District Commissioner may apply to the District of Columbia Court of Appeals for a review of the reasonableness of the determination.

Subsection 1306.7 of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

- 1306.7 Each circulator shall swear or affirm under oath:
- (a) That he or she has personally circulated the petition sheet;
 - (b) That he or she personally witnessed the signing of each signature on the petition sheet;

- (c) That he or she has determined from each signer that he or she is a registered voter, in the same Single-Member District from which the candidate seeks appointment or election; and
- (d) That he or she meets the petition circulator requirements set forth in § 1307.1.

Section 1307 (Circulation of Petitions and Validity of Signatures on Petitions) of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

1307 CIRCULATION OF PETITIONS AND VALIDITY OF SIGNATURES ON PETITIONS

1307.1 In order to circulate petitions pursuant to this chapter, a person shall:

- (a) Be at least 18 years of age;
- (b) Be a citizen of the United States;
- (c) Not be incarcerated for a crime that is a felony in the District;
- (d) Not have been found by a court of law to be legally incompetent to vote, and;
- (e) Either be a resident in the District of Columbia or, if not a resident in the District of Columbia, have registered as a non-resident petition circulator prior to circulating a petition in accordance with section §§ 1307.2 and 1307.3.

1307.2 Each petition circulator who is not a resident of the District of Columbia shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:

- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;
- (b) Provides his or her name, residential address, telephone number, and email address;
- (c) Swears or affirms that he or she, while not a resident of the District of Columbia, is otherwise eligible to vote in the District of Columbia;
- (d) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the

applicable petition circulation process, and that he or she will adhere to such rules and regulations;

- (e) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1307.3 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form. Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1307.4 A petition shall contain a minimum total of twenty-five (25) signatures of duly registered qualified electors of the District of Columbia who reside within the Single- Member District from which the candidate seeks appointment.

1307.5 The signature on a petition shall be made by the person whose signature it purports to be, and not by any other person.

1307.6 Registered voters who are unable to sign their names may make their marks in the space provided for signature. These marks shall not be counted as valid signatures unless the persons witnessing the marks shall attach to the petition affidavits that they explained the contents of the petitions to the signatories and witnessed their marks.

1307.7 A signature shall not be counted as valid in any of the following circumstances:

- (a) The signer's voter registration was designated as "inactive" on the voter roll pursuant to D.C. Official Code § 1-1001.07(j) (2011 Repl.), at the time the petition was signed;
- (b) The signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed;

- (c) The signer is not a duly registered voter;
- (d) The signature is not dated;
- (e) The signer is not duly registered in the Single-Member District from which the candidate seeks appointment at the time the petition is signed;
- (f) The petition does not include the printed or typed address of the signer;
- (g) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification; or
- (h) The circulator of the petition sheet did not meet the petition circulator requirements set forth in § 1307.1 at the time the petition was signed.

1307.8 For the purposes of this section, a "duly registered voter" shall be a registered qualified elector who is registered to vote at the address listed on the petition as shown on the Board's voter registration records and whose registration is not designated as inactive on the voter roll at the time the petition is signed.

1307.9 A registered voter may submit a written notarized request to the Board to disallow his or her signature from being counted on the petition; Provided, that the request is received by the Board prior to the time the petition is filed.

Subsection 1309.3 of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

1309.3 A qualified elector may also challenge the validity of a nominating petition by citing the exact provision(s) in the Board's regulations upon which the challenge is based. For example, if the ground upon which a signature is challenged is that the signature is not dated, such challenge shall be expressed as follows: "3 DCMR § 1307.7(d)".

Section 1310 (Appointment of the Commissioner by the Advisory Neighborhood Commission) of Chapter 13 (Filling Vacant Seats on Advisory Neighborhood Commissions) of Title 3 of DCMR is amended to read as follows:

1310 APPOINTMENT OR ELECTION OF THE COMMISSIONER BY THE ADVISORY NEIGHBORHOOD COMMISSION

- 1310.1 If there is only one person qualified to fill the vacancy within the affected Single-Member District, the vacancy shall be deemed filled by that person, and the Board shall certify that the vacancy has been filled in a publication in the D.C. Register.
- 1310.2 If the Board transmits a list of qualified candidates containing more than one name, the affected area Advisory Neighborhood Commission shall give notice at a public meeting that at the next regularly scheduled or special meeting there shall be an open vote of the members of the affected Single-Member District to elect the new commissioner.
- 1310.3 The Board shall provide the affected Advisory Neighborhood Commission with a listing of the registered voters in the Advisory Neighborhood Commission in advance of the open vote.
- 1310.4 In the event that no qualified candidate submits petitions for election, the Board shall certify the vacancy again by posting it in the D.C. Register.
- 1310.5 After a vacancy has been filled pursuant to D.C. Official Code § 1-309.06(d)(6) (2006 Repl.; 2012 Supp.), the affected area Advisory Neighborhood Commission shall transmit to the Board a resolution signed by two (2) officers of the Advisory Neighborhood Commission that states the winner of the Advisory Neighborhood Commissioner SMD election and requests that the Board declare the vacancy filled. (See Appendix 13-2 and Appendix 13-3).
- 1310.6 The Commission shall also transmit a copy of the resolution to the Council of the District of Columbia, the Mayor, and the person appointed or elected by the Commission.
- 1310.7 The Board shall certify the filling of the vacancy by publication in the D.C. Register.

Section 1401 (Nominating Petitions) of Chapter 14 (Candidates: Political Party Primaries for Presidential Preference and Convention Delegates) of Title 3 of DCMR is amended to read as follows:

- 1401.1 Each nominating petition circulated for signatures shall contain:
- (a) The full name and state of residence of the presidential candidate;
 - (b) The name, address, and telephone number of the person circulating the petition; and
 - (c) A statement that all of the signatories to the petition shall be of the same political party as the nominee.

- 1401.2 If the plan submitted by the party provides that convention delegates and alternates are to be listed on the ballot or on a separate reference sheet provided to the voter with the ballot, each nominating petition shall also list the name, address, voter registration number, and office sought by each candidate for convention delegate or alternate.
- 1401.3 If the petition is used to nominate an uncommitted delegation pursuant to the party plan, the word "uncommitted" shall be placed on the petition in the space provided for the presidential candidate's name and state of residence.
- 1401.4 In order to circulate petitions pursuant to this chapter, a person shall:
- (a) Be at least 18 years of age;
 - (b) Be a citizen of the United States;
 - (c) Not be incarcerated for a crime that is a felony in the District;
 - (d) Not have been found by a court of law to be legally incompetent to vote, and;
 - (e) Either be a resident in the District of Columbia or, if not a resident in the District of Columbia, have registered as a non-resident petition circulator prior to circulating a petition in accordance with Sections 1401.5 and 1401.6.
- 1401.5 Each petition circulator who is not a resident of the District of Columbia shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:
- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;
 - (b) Provides his or her name, residential address, telephone number, and email address;
 - (c) Swears or affirms that he or she, while not a resident of the District of Columbia, is otherwise eligible to vote in the District of Columbia;
 - (d) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the applicable petition circulation process, and that he or she will adhere to such rules and regulations;

- (e) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1401.6 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form. Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1401.7 Each circulator of a petition sheet shall swear or affirm under oath:

- (a) That he or she has personally circulated the petition;
- (b) That he or she has personally witnessed the signing of each signature on the petition;
- (c) That he or she is responsible for the contents of the petition sheet, and that according to the best information available to the circulator, each signer is a registered, qualified elector of the same party as the candidate; and
- (d) That he or she meets the petition circulator requirements set forth in § 1401.4.

1401.8 Signatures appearing on a nominating petition sheet shall not be counted as valid unless all required information is provided by the circulator in his or her affidavit.

1401.9 The individual who files the petition shall execute an affidavit attesting that to the best of his or her knowledge and belief that the petition being filed is complete and contains the legally required number of valid signatures.

1401.10 If the plan submitted by the party provides that convention delegates and alternates are to be listed on the ballot or on a separate reference sheet provided to the voter with the ballot, each candidate for convention delegate/alternate shall

file a Declaration of Candidacy with the Board no later than the deadline for filing the petition, under Chapter 6 of this title.

- 1401.11 A candidate for convention delegate/alternate shall attest, inter alia, that he or she was properly selected, according to the rules of his or her political party.
- 1401.12 The Board may refuse to accept nominating petitions of individuals who fail to submit the declaration of proper selection required by § 1401.9.
- 1401.13 No nominating petition shall be issued by the Board unless the name of the presidential candidate is included in all appropriate spaces on the petition.
- 1401.14 If the party plan provides that convention delegates and alternates are to be listed on the ballot or on a separate reference sheet provided to the voter with the ballot, no nominating petition shall be issued by the Board unless the names of each candidate for delegate/alternate are provided in all appropriate spaces on the petition.

Subsection 1402.5 of Chapter 14 of Chapter 14 (Candidates: Political Party Primaries for Presidential Preference and Convention Delegates) of Title 3 of DCMR is amended to read as follows:

- 1402.5 A signature shall not be counted as valid in any of the following circumstances:
- (a) The signer's voter registration was designated as inactive on the voter roll pursuant to D.C. Official Code § 1-1001.07(j)(2) (2011 Repl.), at the time the petition was signed;
 - (b) The signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed;
 - (c) The signer is not a duly registered voter;
 - (d) The signature is not dated;
 - (e) On a petition to nominate a candidate in a primary election, the signer is not registered to vote in the same party as the candidate at the time the petition is signed;
 - (f) On a petition to nominate a candidate from a ward, where applicable, the signer is not duly registered in the ward from which the candidate seeks election at the time the petition is signed;
 - (g) On a petition to nominate a candidate from an election district created pursuant to a party plan, the signer is not registered in the

election district from which the candidate seeks election at the time the petition is signed;

- (h) The petition does not include the printed or typed address of the signer;
- (i) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification; or
- (j) The circulator of the petition sheet did not meet the requirements set forth in § 1401.4 at the time the petition was signed.

Section 1503 (Circulation of Petitions) of Chapter 15 (Candidates: Electors of President and Vice-President) of Title 3 of DCMR is amended to read as follows:

1503.1 In order to circulate petitions pursuant to this chapter, a person shall:

- (a) Be at least 18 years of age;
- (b) Be a citizen of the United States;
- (c) Not be incarcerated for a crime that is a felony in the District;
- (d) Not have been found by a court of law to be legally incompetent to vote, and;
- (e) Either be a resident in the District of Columbia or, if not a resident in the District of Columbia, have registered as a non-resident petition circulator prior to circulating a petition in accordance with Sections 1503.2 and 1503.3.

1503.2 Each petition circulator who is not a resident of the District of Columbia shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:

- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;
- (b) Provides his or her name, residential address, telephone number, and email address;
- (c) Swears or affirms that he or she, while not a resident of the District of Columbia, is otherwise eligible to vote in the District of Columbia;

- (d) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the applicable petition circulation process, and that he or she will adhere to such rules and regulations;
- (e) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1503.3 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form. Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1503.4 A petition shall be circulated no earlier than one hundred forty-four (144) days before the date of the presidential election.

Subsection 1504 (Number and Validity of Signatures on Petitions) of Chapter 15 (Candidates: Electors of President and Vice-President) of Title 3 of DCMR is amended to read as follows:

1504.1 A petition shall contain the signatures of duly registered voters, equal in number to at least one percent (1%) of the total number of registered voters in the District of Columbia, as shown by the records of the Board as of the one hundred forty-fourth (144th) day before the date of the presidential election.

1504.2 Signatures appearing on nominating petition sheets shall not be counted as valid unless all required information is provided by the circulator in his or her affidavit.

1504.3 The signature on a petition shall be made by the person whose signature it purports to be and not by any other person.

1504.4 Registered voters who are unable to sign their names may make their marks in the space for signature. These marks may not be counted as valid signatures unless the persons witnessing the marks shall attach to the petitions affidavits that they

explained the contents of the petitions to the petitioners and witnessed their marks.

- 1504.5 The petition shall also contain the signer's printed or typed name, residence address at which the signer is registered to vote as shown on the Board's records, and date signed.
- 1504.6 A signature shall not be counted as valid in any of the following circumstances:
- (a) The signer's voter registration was designated as inactive on the voter roll pursuant to D.C. Official Code § 1-1001.07(j)(2) (2011 Repl.) at the time the petition was signed;
 - (b) The signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed;
 - (c) The signer is not a duly registered voter;
 - (d) The signature is not dated;
 - (e) The petition does not include the printed or typed address of the signer;
 - (f) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification; or
 - (g) The circulator of the petition sheet did not meet the petition circulator requirements set forth in § 1503.1 at the time the petition was signed.
- 1504.7 For the purposes of this section, a "duly registered voter" shall be a registered qualified elector who is registered to vote at the address listed on the petition as shown on the Board's registration records and whose registration is not designated as inactive on the voter roll at the time the petition is signed.
- 1504.8 A registered voter may submit a written notarized request to the Board to disallow the voter's signature from being counted on the petition; Provided, that the request shall be received by the Board prior to the time the petition is filed.
- 1504.9 The failure of the circulator of a nominating petition or individual petition sheets to meet the petition circulator requirements set forth in § 1503.1 shall invalidate the signature of an otherwise registered qualified elector.

1504.10 An address on a petition which is different than the address which appears on the Board's records shall be deemed valid if the signer's current address is within the District of Columbia and the signer files a change of address form with the Board during the first 10 days of the period designated for resolving challenges to petitions.

Section 1600 (Nominating Petitions: Primary Election) of Chapter 16 (Candidates: Delegate to the U.S. House of Representatives, Mayor, Chairman, Members of the Council of the District of Columbia, U.S. Senator, U.S. Representative, Members of the State Board of Education, and Advisory Neighborhood Commissioners) of Title 3 of DCMR is amended to read as follows:

1600.1 A nominating petition shall be separately prepared and issued by the Board for each candidate seeking nomination in the Primary Election to the office of Delegate, Mayor, Chairman of the Council, Member of the Council, U.S. Senator and U.S. Representative.

1600.2 The requirements for the Primary Election nominating petition for the offices of Delegate, Mayor, and Chairman of the Council, Member of the Council, U.S. Senator and U.S. Representative are as follows:

- (a) The front page of each petition sheet shall contain the name, address, party affiliation, registration number and the office to which the candidate seeks election;
- (b) The front page shall also state that the signers of the petition shall be of the same political party as the candidate;
- (c) If the candidate is running from a ward, school district or single-member district, the front page shall also state that all signatories shall be registered and be residents of the ward, school district or single-member district from which the candidate seeks election;
- (d) The back page of each petition sheet shall contain the name, address (telephone number optional) of the person circulating the petition sheet and the affidavit of circulator required pursuant to § 1600.5 of this chapter; and
- (e) The back page of each petition sheet shall inform the circulator of the penalties for conviction of providing false information in the affidavit of the circulator required pursuant to §1600.5 of this chapter.

1600.3 No nominating petition for any of the offices covered by this chapter shall be issued by the Board until the information required pursuant to § 1600.2 of this chapter has been placed in all appropriate spaces on each petition page.

- 1600.4 The individual who files the petition shall execute an affidavit attesting that to the best of his or her knowledge and belief the petition being filed is complete and contains the legally required number of valid signatures.
- 1600.5 Each candidate shall file a Declaration of Candidacy and Affidavit of Qualifications, pursuant to Chapter 6 of this title, by no later than the deadline for the filing of nominating petitions.
- 1600.6 The Board may reject the nominating petition of any individual who fails to submit the required Declaration of Candidacy and Affidavit of Qualifications.
- 1600.7 No nominating petition shall be issued to any person other than the candidate unless the Board receives written notice from the candidate which authorizes the Board to release petitions in his or her name.
- 1600.8 The authorization shall include the following:
- (a) Candidate's name;
 - (b) Office which the candidate seeks; and
 - (c) Candidate's signature.
- 1600.9 A candidate may electronically submit the authorization to the Board by telefacsimile, the original of which shall be filed with the Board no later than the deadline for the filing of the nominating petition.

Section 1604 (Circulating of Petitions) of Chapter 16 (Candidates: Delegate to the U.S. House of Representatives, Mayor, Chairman, Members of the Council of the District of Columbia, U.S. Senator, U.S. Representative, Members of the State Board of Education, and Advisory Neighborhood Commissioners) of Title 3 of DCMR is amended to read as follows:

- 1604.1 In order to circulate petitions pursuant to this chapter, a person shall:
- (a) Be at least 18 years of age;
 - (b) Be a citizen of the United States;
 - (c) Not be incarcerated for a crime that is a felony in the District;
 - (d) Not have been found by a court of law to be legally incompetent to vote, and;
 - (e) Either be a resident in the District of Columbia or, if not a resident in the District of Columbia, have registered as a non-resident

petition circulator prior to circulating a petition in accordance with Sections 1604.2 and 1604.3.

1604.2 Each petition circulator who is not a resident of the District of Columbia shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:

- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;
- (b) Provides his or her name, residential address, telephone number, and email address;
- (c) Swears or affirms that he or she, while not a resident of the District of Columbia, is otherwise eligible to vote in the District of Columbia;
- (d) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the applicable petition circulation process, and that he or she will adhere to such rules and regulations;
- (e) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1604.3 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form. Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1604.4 Each circulator shall swear or affirm under oath that he or she:

- (a) Has personally circulated the petition;

- (b) Has personally witnessed the signing of each signature on the petition;
- (c) Has determined from each signer that he or she is a registered voter, in the same party as the candidate and, where applicable, that the signer is registered in and a resident of the ward, school district or single-member district from which the candidate seeks election; and
- (d) Meets the petition circulator requirements set forth in §1604.1.

Subsection 1607.5 of Chapter 16 (Candidates: Delegate to the U.S. House of Representatives, Mayor, Chairman, Members of the Council of the District of Columbia, U.S. Senator, U.S. Representative, Members of the State Board of Education, and Advisory Neighborhood Commissioners) of Title 3 of DCMR is amended to read as follows:

1607.5 A signature shall not be counted as valid in any of the following circumstances:

- (a) The signer's voter registration was designated as inactive on the voter roll pursuant to D.C. Official Code § 1-1001.07(j)(2) (2011 Repl.) at the time the petition was signed;
- (b) The signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed;
- (c) The signer is not a duly registered voter;
- (d) The signature is not dated;
- (e) On a petition to nominate a candidate in a primary election, the signer is not registered to vote in the same party as the candidate at the time the petition is signed;
- (f) On a petition to nominate a candidate from a ward, school district or single-member district, the signer is not duly registered in the ward, school district or single-member district from which the candidate seeks election at the time the petition is signed;
- (g) The petition does not include the printed or typed address of the signer;

- (h) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification; or
- (i) The circulator of the petition page did not meet the petition circulator requirements set forth in §1604.1 at the time the petition was signed.

Section 1703 of Chapter 17 (Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons) of Title 3 of DCMR is amended to read as follows:

1703.1 In order to circulate petitions pursuant to this chapter, a person shall:

- (a) Be at least 18 years of age;
- (b) Be a citizen of the United States;
- (c) Not be incarcerated for a crime that is a felony in the District;
- (d) Not have been found by a court of law to be legally incompetent to vote, and;
- (e) Either be a resident in the District of Columbia or, if not a resident in the District of Columbia, have registered as a non-resident petition circulator prior to circulating a petition in accordance with Sections 1703.2 and 1703.3.

1703.2 Each petition circulator who is not a resident of the District of Columbia shall, prior to circulating a petition under this chapter, complete and file with the Board a Non-Resident Petition Circulator Registration Form in which he or she:

- (a) Provides the name of (and office sought by) the candidate or ballot measure in support of which he or she will circulate the petition;
- (b) Provides his or her name, residential address, telephone number, and email address;
- (c) Swears or affirms that he or she, while not a resident of the District of Columbia, is otherwise eligible to vote in the District of Columbia;
- (d) Acknowledges that he or she has received from the Board information regarding the rules and regulations governing the applicable petition circulation process, and that he or she will adhere to such rules and regulations;

- (e) Consents to submit to the Board's subpoena power and to the jurisdiction of the Superior Court of the District of Columbia for the enforcement of Board subpoenas.

1703.3 Each non-resident petition circulator shall present proof of residence to the Board at the time he or she files the Non-Resident Petition Circulator Registration Form. Valid proof of residence is any official document showing the circulator's name and residence address. Acceptable forms of proof of residence include:

- (a) A copy of a current and valid government-issued photo identification;
- (b) A copy of a current utility bill, bank statement, government check, paycheck;
- (c) A copy of a government-issued document; or
- (d) A copy of any other official document, including leases or residential rental agreements, occupancy statements from homeless shelters, or tuition or housing bills from colleges or universities.

1703.4 Each circulator shall swear or affirm under oath that he or she:

- (a) Personally circulated the petition;
- (b) Personally witnessed the signing of each signature on the petition;
- (c) Determined from each signer that he or she is a registered voter in the same party and, if applicable, the same ward, as the candidate.

1703.5 Signatures appearing on nominating petition pages shall not be counted as valid unless all required information is provided by the circulator in his or her affidavit.

Subsection 1704.7 of Chapter 17 (Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons) of Title 3 of DCMR is amended to read as follows:

1704.7 A signature shall not be counted as valid in any of the following circumstances:

- (a) The signer's voter registration was designated as inactive on the voter roll under D.C. Official Code § 1-1001.07(j)(2) (2011 Repl.) at the time the petition was signed;
- (b) The signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed;

- (c) The signer is not a duly registered voter;
- (d) The signature is not dated;
- (e) The signer is not registered to vote in the same party as the candidate at the time the petition is signed;
- (f) On a petition to nominate a candidate from a ward, the signer is not duly registered in the ward from which the candidate seeks election at the time the petition is signed;
- (g) The petition does not include the printed or typed address of the signer;
- (h) The petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification; or
- (i) The circulator of the petition page did not meet the petition circulator requirements set forth in § 1703.1 at the time the petition was signed.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2009 Repl.)), Section 7 of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.01 (2012 Supp.)), Section 3 of the Uniform Classification and Commercial Driver’s License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-402) (2012 Supp.), Mayor’s Order 91-161, dated October 15, 1991 and Mayor’s Order 2007-168, dated July 23, 2007, hereby gives notice of the adoption of the following amendments to Chapter 13 (Classification and Issuance of Commercial Driver’s Licenses) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”) which would authorize the Director to waive the commercial driver license skills test for qualified candidates with military commercial motor vehicle experience.

Notice of Proposed Rulemaking was published in the *D.C. Register* on March 1, 2013 at 60 DCR 2411. No comments were received. No changes were made to the text of the proposed rules. The final rules will become effective on the date of publication of this notice in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 13, CLASSIFICATION AND ISSUANCE OF COMMERCIAL DRIVER’S LICENSES, is amended as follows:

Section 1318, TEST WAIVER, is amended as follows:

A new Subsection 1318.3 is added to reads as follows:

1318.3 The Director may waive the skills test specified in §1316 for a commercial driver license applicant with military commercial motor vehicle experience who currently holds a driver license at the time of his or her application for a commercial driver license as follows:

- (a) The applicant must certify that, during the two (2)-year period immediately prior to applying for a commercial driver license, he or she:
 - (1) Has not had more than one (1) license concurrently (except for a military license);
 - (2) Has not had any license suspended, revoked, or cancelled;
 - (3) Has not had any convictions for any type of motor vehicle for the disqualifying offenses contained in 49 CFR §383.51(b);

- (4) Has not had more than one (1) conviction for any type of motor vehicle for serious traffic violations contained in 49 CFR §383.51(c); and
 - (5) Has not had had any conviction for a violation of military, state, or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with any traffic accident, and has no record of an accident in which he or she was at fault;
- (b) An applicant must provide evidence and certify that he or she:
- (1) Is regularly employed or was regularly employed within the last ninety (90) days in a military position requiring operation of a commercial motor vehicle;
 - (2) Was exempted from the commercial driver license requirements in 49 CFR §383.3(c); and
 - (3) Was operating a vehicle representative of the commercial motor vehicle the driver applicant operates or expects to operate, for at least the two (2) years immediately preceding discharge from the military; and
- (c) An applicant must complete a form designed by the Director, setting forth any additional information the Director may require in order to determine whether the applicant is qualified to receive a waiver.
- (d) An applicant may not transfer a school (“S”) or passenger (“P”) endorsement under this waiver program.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FINAL RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Section 3(b) of the State Education Office Establishment Act of 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602 (b)(11) (2012 Supp.)); pursuant to Section 504 of the Early Intervention Program Establishment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 7-863.04 (2008 Repl.)); Part C of the Individuals with Disabilities Education Improvement Act of 2004, approved December 3, 2004 (P.L. 108-446, 118 Stat. 2648; 20 U.S.C. §§ 1400 - 1482); and Mayor's Order 2009-167, dated September 28, 2009, hereby gives notice of the adoption of a final rule (i) creating a new Chapter 31, entitled "Early Intervention Program for Infants and Toddlers with Disabilities," within Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR); (ii) repealing in their entirety Sections 3027 (Standards for Payment of Early Intervention Services for Families of Children with Developmental Delay) and 3028 (Fees for Early Intervention Services) of Chapter 30 (Central Referral Bureau; Health Care Fees), Subtitle B (Public Health and Medicine), Title 22 (Health) of the DCMR; and (iii) repealing Chapter 18 (Hearing Procedures for the Early Intervention Services Program) of Title 29 (Public Welfare) of the DCMR, effective on the date of publication of this notice in the *D.C. Register*.

This new Chapter 31 within Subtitle A of Title 5 DCMR establishes standards for the District of Columbia Early Intervention Program for infants and toddlers with disabilities. Federal law requires states to ensure that appropriate early intervention services are made available to infants and toddlers from birth through age two (2).

This rule: (i) establishes a District of Columbia state-level definition of developmental delay for determining eligibility for early intervention services; (ii) sets a timeframe for implementation of the state option to extend early intervention services to children from three (3) until the beginning of the first (1st) school year for which the child is eligible to attend a pre-k program; (iii) adopts a policy allowing parents to opt out of the disclosure of information about their child to the Office of the State Superintendent of Education as the state educational agency (SEA) and the local educational agency (i.e., the District of Columbia Public Schools), and (iv) memorializes current practice adopting the Individuals with Disabilities Education Act (IDEA) Part B due process hearing practice and procedures and a forty-five (45) day timeline for resolution of due process complaints.

The rule adheres to the federal regulations on evaluations and assessment of a child but clarifies the procedures applicable to evaluations as distinct from assessments. This rulemaking establishes uniform rates for early intervention services and offers services to all eligible children in the District of Columbia without taking into account a family's income. The rule repeals rules which are out-of-date and are superseded by these rules.

The rules were published in the *D.C. Register* in a proposed rulemaking on June 8, 2012, at 59 DCR 6649; during a sixty (60) day public comment period, which included two (2) public hearings, comments were received leading to revisions which were incorporated in a renewed proposed rulemaking published on January 25, 2013, at 60 DCR 771. During another sixty (60)

day public comment period, which included two (2) public hearings, one (1) comment was received, which requested no change in the proposed rule. That comment has been taken into consideration. No changes have been made to the proposed rule published on January 25, 2013. The State Superintendent took final rulemaking action on April 5, 2013. These final rules will be effective upon publication of this notice in the *D.C. Register*.

Subtitle A (Office of the State Superintendent of Education) of Title A (Education) of the District of Columbia Municipal Regulations (DCMR) is amended by adding a new Chapter 31 (Early Intervention Program for Infants and Toddlers with Disabilities):

CHAPTER 31 EARLY INTERVENTION PROGRAM FOR INFANTS AND TODDLERS WITH DISABILITIES

3100 Availability of Early Intervention Services

3100.1 Appropriate early intervention services as defined in 34 C.F.R. § 303.13, that are based on scientifically based research to the extent practicable, shall be available to all infants and toddlers with disabilities and their families who are residents of the District of Columbia, including without limitation:

- (a) Infants and toddlers with disabilities who are homeless children and their families; and
- (b) Infants and toddlers with disabilities who are wards of the District of Columbia.

3101 Components of the Early Intervention Program

3101.1 In addition to ensuring the availability of appropriate early intervention services, the District of Columbia early intervention program shall have the following components:

- (a) A definition of developmental delay;
- (b) A timely, comprehensive, multidisciplinary evaluation of the functioning of each infant or toddler with a disability in the District of Columbia that meets the requirements of 34 C.F.R. § 303.321;
- (c) For infants or toddlers with a disability who are eligible for early intervention services, a family-directed identification of the needs of the family of the infant or toddler to assist appropriately in the development of the infant or toddler. The family-directed identification must meet the requirements of 34 C.F.R. § 303.321;
- (d) An Individualized Family Service Plan (IFSP), as defined in 34 C.F.R. § 303.20, is developed and implemented as required by 34 C.F.R. §§

303.340 - 303.345, and that includes service coordination services, as defined in 34 C.F.R. § 303.34;

- (e) A comprehensive child find system that meets the requirements of 34 C.F.R. §§ 303.302 and 303.303;
- (f) A public awareness program in accordance with 34 C.F.R. § 303.116;
- (g) A central directory in accordance with 34 C.F.R. § 303.117;
- (h) A comprehensive system of personnel development in accordance with 34 C.F.R. § 303.118;
- (i) Personnel standards in accordance with 34 C.F.R. § 303.119;
- (j) A single line of responsibility in the Lead Agency with responsibilities as set forth in 34 C.F.R. § 303.120;
- (k) A policy pertaining to the contracting or making of other arrangements with public or private individuals or agency service providers to provide early intervention services in the District of Columbia in accordance with 34 C.F.R. § 303.121;
- (l) Procedures for securing the timely reimbursement of funds used under part C of the Individuals with Disabilities Education Act (IDEA), approved December 3, 2004 (20 U.S.C. §§ 1400 – 1482), in accordance with 34 C.F.R. § 303.122;
- (m) Procedural Safeguards that meet the requirements of 34 C.F.R. part 303, subpart E;
- (n) A system for compiling and reporting timely and accurate data in accordance with 34 C.F.R. § 303.124;
- (o) A State Interagency Coordinating Council that meets the requirements of 34 C.F.R. part 303, subpart G;
- (p) Policies and procedures to ensure that early intervention services are provided in natural environments in accordance with 34 C.F.R. § 303.126; and,
- (q) Services available to children ages three (3) and older, in accordance with 34 C.F.R. § 303.211.

- 3102.1 The Lead Agency shall ensure that, subject to obtaining parental consent in accordance with 34 C.F.R. § 303.420(a)(2), each child under the age of three (3) who is referred for evaluation or early intervention services under Part C of IDEA and suspected of having a disability, receives a timely, comprehensive, multidisciplinary evaluation of the child in accordance with 34 C.F.R. § 303.321.
- 3102.2 In accordance with 34 C.F.R. § 303.321(a)(2)(i), evaluation means the procedures used by qualified personnel to determine a child's initial and continuing eligibility under Part C of IDEA, consistent with the definition of infant or toddler with a disability in 34 C.F.R. § 303.21 and § 3108. An initial evaluation refers to the child's evaluation to determine his or her initial eligibility under Part C of IDEA.
- 3102.3 In accordance with 34 C.F.R. § 303.321(b), no single procedure shall be used as the sole criterion for determining an infant or toddler's eligibility for services under Part C of IDEA.
- 3102.4 In accordance with 34 C.F.R. § 303.321(b), the evaluation for an infant or toddler must include the following procedures:
- (a) Administering an evaluation instrument;
 - (b) Taking the infant or toddler's history (including interviewing the parent(s));
 - (c) Identifying the infant or toddler's level of functioning in each of the following developmental areas:
 - (1) Cognitive development;
 - (2) Physical development, including vision and hearing;
 - (3) Communication development;
 - (4) Social or emotional development; and
 - (5) Adaptive development.
 - (d) Gathering information from other sources such as family members, other care-givers, medical providers, social workers, and educators, if necessary, to understand the full scope of the child's unique strengths and needs; and
 - (e) Reviewing medical, educational, or other records.
- 3102.5 An infant or toddler's medical and other records may be used to establish eligibility (without conducting an evaluation of the child) in accordance with 34 C.F.R. § 303.321 if those records indicate that the child's level of functioning in one (1) or more of the developmental areas identified in 34 C.F.R. § 303.21(a)(1) constitutes a developmental delay or that the child otherwise meets the criteria for

an infant or toddler with a disability under 34 C.F.R. § 303.21 and § 3108. If the child's Part C eligibility is established under this section, the Lead Agency or Early Intervention Service provider (EIS provider) must conduct assessments of the child and family in accordance with 34 C.F.R. § 303.321 and § 3103.

- 3102.6 If, based on the evaluation conducted under 34 C.F.R. § 303.321, the Lead Agency determines that a child is not eligible under Part C of IDEA, the Lead Agency must provide the parent with prior written notice required in 34 C.F.R. § 303.421 and include in the notice information about the parent's right to dispute the eligibility determination through dispute resolution mechanisms under 34 C.F.R. § 303.430 and § 3111, such as requesting a due process hearing or mediation or filing a state complaint.

3103 Assessment of the Child and Family

- 3103.1 In accordance with 34 C.F.R. § 303.321(a)(2)(ii) and (iii), assessment means the ongoing procedures used by qualified personnel to identify the child's unique strengths and needs and the early intervention services appropriate to meet those needs throughout the period of the child's eligibility under Part C of IDEA and includes the assessment of the child, consistent with 34 C.F.R. § 303.321(c)(1) and the assessment of the child's family, consistent with 34 C.F.R. § 303.321(c)(2). Initial assessment refers to the assessment of the child and the family assessment conducted prior to the child's first IFSP meeting.

- 3103.2 If an infant or toddler is determined eligible for early intervention services in accordance with 34 C.F.R. § 303.321, a multidisciplinary assessment of the unique strengths and needs of that infant or toddler and the identification of services appropriate to meet those needs must be conducted by qualified personnel. This assessment may occur simultaneously with the evaluation, provided that the requirements of this section are met. The assessment of the child must include the following:

- (a) A review of the results of the evaluation conducted under § 3102;
- (b) Personal observations of the child; and
- (c) The identification of the child's needs in each of the developmental areas in 34 C.F.R. § 303.21 and Subsection 3108.1(b).

- 3103.3 If an infant or toddler is determined eligible in accordance with 34 C.F.R. § 303.321, a family-directed assessment must be conducted by qualified personnel in order to identify the family's resources, priorities, and concerns and the supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability. This assessment may occur simultaneously with the evaluation, provided that the requirements of this section are met. The family-directed assessment must:

- (a) Be voluntary on the part of each family member participating in the assessment;
- (b) Be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment; and
- (c) Include the family's description of its resources, priorities, and concerns related to enhancing the child's development.

3104 Use of Native Language for Evaluations and Assessments

3104.1 All evaluations and assessments of a child shall be conducted in the language normally used by the child if determined developmentally appropriate for the child by the qualified personnel conducting the child's evaluation. If it is not developmentally appropriate to use the language normally used by the child, the evaluations and assessments shall be conducted in the family's native language unless it is clearly not feasible to do so. All family assessments must be conducted in the native language of the family member being assessed unless it is clearly not feasible to do so.

3105 Informed Clinical Opinion

3105.1 Qualified personnel must use informed clinical opinion when conducting an evaluation and assessment of the child. In addition, informed clinical opinion may be used as an independent basis for establishing a child's eligibility under Part C of IDEA if other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments used to establish eligibility under 34 C.F.R. § 303.321(b) and Subsection 3102.4.

3106 Culturally Appropriate and Non-discriminatory Evaluations and Assessments

3106.1 All evaluations and assessments of the child and family shall be strength based, conducted by qualified personnel in a nondiscriminatory manner, and selected and administered so as not to be racially or culturally discriminatory.

3107 Post-Referral Timeline

3107.1 Except as provided in 34 C.F.R. § 303.310(b) and Subsection 3107.2, the initial evaluation and the initial assessments of the child and family under 34 C.F.R. § 303.321 and §§ 3102 and 3103 and the initial IFSP meeting under 34 C.F.R. § 303.342 must all be completed within forty-five (45) days from the date the Lead Agency receives the referral of the child.

3107.2 Subject to 34 C.F.R. § 303.310(c) and Subsection 3107.3, the 45-day timeline described in 34 C.F.R. § 303.310(a) and Subsection 3107.1 shall be extended to adjust for any period of time when:

- (a) The child or parent is unavailable to complete the initial evaluation, the initial assessments of the child and family, or the initial IFSP meeting due to exceptional family circumstances that are documented in the child's early intervention records; or
- (b) The parent has not provided consent for the initial evaluation or the initial assessment of the child, despite documented, repeated attempts by the Lead Agency or EIS provider to obtain parental consent.

3107.3 The Lead Agency ensures that in the event the circumstances described in 34 C.F.R. §§ 303.310(b)(1) or (b)(2) and Subsection 3107.2 exist, the Lead Agency or the EIS provider must:

- (a) Document in the child's early intervention records the exceptional family circumstances or repeated attempts by the Lead Agency or the EIS provider to obtain parental consent;
- (b) Complete the initial evaluation, the initial assessments (of the child and family), and the initial IFSP meeting as soon as possible after the documented exceptional family circumstances described 34 C.F.R. § 303.310(b)(1) no longer exist or parental consent is obtained for the initial evaluation and the initial assessment of the child; and
- (c) Develop and implement an interim IFSP, to the extent appropriate and consistent with 34 C.F.R. § 303.345.

3107.4 The initial family assessment must be conducted within the forty-five (45) day timeline in 34 C.F.R. § 303.310(a) and Subsection 3107.1 if the parent concurs and even if other family members are unavailable.

3108 Child Eligibility for Services

3108.1 A child must be a resident of the District of Columbia in order to receive Part C early intervention services from the District of Columbia.

3108.2 A child is a resident of the District of Columbia if the child:

- (a) Is a ward of the District of Columbia;
- (b) Lives with a natural parent, step parent, or adoptive parent who is a District of Columbia resident and has custody or control of a child, including joint custody; or,

- (c) Lives with a guardian, custodian, or caregiver who is a resident of the District of Columbia.

3108.3

Pursuant to Part C IDEA regulations at 34 C.F.R. §§ 303.21 and 303.111, a child is eligible for District of Columbia Part C early intervention services if the child is between the age of birth and his/her third (3rd) birthday and any of the following apply:

- (a) The child demonstrates a delay of fifty (50%) percent, using appropriate diagnostic instruments and procedures, in one (1) of the following developmental areas:
 - (1) Physical development, including vision or hearing;
 - (2) Cognitive development;
 - (3) Communication development;
 - (4) Social or emotional development; or
 - (5) Adaptive development.
- (b) The child is diagnosed as having a physical or mental condition that has a high probability of resulting in developmental delay, including conditions such as chromosomal abnormalities; genetic or congenital disorders; sensory impairments; inborn errors of metabolism; disorders reflecting disturbance of the development of the nervous system; congenital infections; severe attachment disorders; and disorders secondary to exposure to toxic substances, including fetal alcohol syndrome.
- (c) In addition to the above criteria, effective July 1, 2013, the child demonstrates a delay of twenty-five (25%) percent, using appropriate diagnostic instruments and procedures, in two (2) or more of the following developmental areas:
 - (1) Physical development, including vision or hearing;
 - (2) Cognitive development;
 - (3) Communication development;
 - (4) Social or emotional development;
 - (5) Adaptive development

3109

Notification of Potential Eligibility Opt-Out Policy

- 3109.1 Consistent with 34 C.F.R. § 303.401, the Lead Agency shall notify the appropriate local education agency within the District of Columbia and the state education agency within the District of Columbia of personally identifying information for each child potentially eligible for Part B of the IDEA consistent with 34 C.F.R. § 303.401, 303.209(b), no later than the child's thirty-third (33rd) month, unless a parent has signed and submitted a written request to opt out of notifying the local education agency. The Lead Agency or Lead Agency representative must explain to parents that the information that will be released will include the following:
- (a) Child's name;
 - (b) Child's date of birth; and
 - (c) Parent contact information (including parents' names, addresses, and telephone numbers).
- 3109.2 Prior to sending notification to the local educational agency and the state education agency, the Lead Agency or Lead Agency representative will inform parents of rights afforded by IDEA Part C, including the right to eligibility determination for Part B services and the right to opt-out of having personally identifiable information shared with the local educational agency and the state educational agency. If a parent chooses to opt out, the written request must be signed and submitted to the Lead Agency no later than ten (10) days prior to the child reaching the age of two (2) years and three (3) months. If the child enters the program after the age of two (2) years and three (3) months, the parent may opt out within ten (10) days after the date that the parent provides written consent for services.
- 3109.3 The opt-out form shall become part of the child's early intervention record. A parent may revoke his or her choice to opt out at any time by providing written notification to the Lead Agency. The Lead Agency or Lead Agency representative will work with the family to make a referral to the appropriate local educational agency within ten (10) days of receiving notification of revocation.
- 3110 State Option to Make Services under Part C of IDEA Available to Children Ages Three (3) and Older**
- 3110.1 Beginning on July 1, 2014, and in accordance with 34 C.F.R. § 303.211, a parent of a child with a disability who is eligible for preschool services under Section 619 of Part B of IDEA and who previously received early intervention services under Part C of IDEA may choose the continuation of early intervention services under Part C for his or her child after the child turns three (3) subject to Subsection 3110.2 below.

3110.2 The option to continue early intervention services under Part C of IDEA applies to children with disabilities from age three (3) until the beginning of the school year following the child's fourth (4th) birthday. In no case may services under this section be provided beyond the age at which the child actually enters, or is eligible under District of Columbia law to enter, kindergarten or elementary school in the District of Columbia.

3111 Procedural Safeguards

3111.1 The Lead Agency adopts the provisions on confidentiality in 34 C.F.R. §§ 303.401 through 303.417, parent consent and notice in 34 C.F.R. §§ 303.420 and 303.421, surrogate parents in 34 C.F.R. § 303.422, and dispute resolution procedures in 34 C.F.R. § 303.430.

3111.2 With respect to due process hearing procedures under 34 C.F.R. § 303.430(d), the Lead Agency adopts the Part B due process hearing procedures under Section 615 of IDEA and §§ 303.440 - 303.449 with a forty-five (45) day timeline for resolving due process complaints, as provided in 34 C.F.R. § 303.440(c).

3112 Methods to Ensure the Provision of, and Financial Responsibility for, Part C Services

3112.1 The Lead Agency shall utilize interagency agreements between each state public agency and the Lead Agency in order to ensure:

- (a) The provision of, and establishing financial responsibility for, early intervention services provided under the IDEA and this chapter; and
- (b) Such services are consistent with the requirement in Section 635 of the IDEA and the State's application under Section 637 of the IDEA, including the provision of such services during the pendency of any dispute between state agencies.

3112.2 The Lead Agency shall utilize public insurance, such as Medicaid's Title XIX and the Early Periodic Screening Diagnosis and Treatment (EPSDT) program (42 U.S.C. § 1396), to the maximum extent possible.

3112.3 The D.C. Department of Health Care Finance shall ensure timely reimbursement for services provided in accordance with Part C services including but not limited to, service coordination, evaluation and assessment, and IFSP services.

3112.4 The Lead Agency and the D.C. Department of Health Care Finance shall identify policies and procedures for allocating financial responsibility for Early Intervention Services through an inter-agency agreement.

3112.5 Pursuant to 34 C.F.R. § 303.520(a), the Lead Agency shall obtain written parental consent to access public benefits or insurance to pay for Part C services.

3112.6 Pursuant to 34 C.F.R. §303.510(c), nothing in Subsection 3113.2 shall permit a District of Columbia agency to reduce medical or other assistance available to children and families in the District of Columbia or to alter eligibility under Title V of the Social Security Act, 42 U.S.C. §§ 701, *et seq.* (SSA) or Title XIX of the SSA, 42 U.S.C. § 1396, including Section 1903(a) of the SSA regarding medical assistance for services furnished to an infant or toddler with a disability when those services are included in the child’s IFSP adopted pursuant to part C of the IDEA.

3113 Early Intervention (EI) Services Rates

3113.1 The Lead Agency shall establish and publish on an annual basis, or more frequently if necessary, maximum rates to be paid for early intervention services consistent with this chapter.

3113.2 The following schedule shall be used to determine rate of payment for services in the Early Intervention Service System.

Services	Procedure Codes	Rate
Assistive Technology Services	DME Procedure Codes	Varies depending on code
Assessments for Service Planning	T1023 R1 (RC1) T1023 R2 (RC2)	\$37.50/15 min \$28.50/ 15 min
Audiology	G0153 GP (group)	\$25.13/15 min
	G0153 R1 (individual RC1)	\$37.50/15 min
	G0153 R2 (individual RC2)	\$28.50/15 min
Developmental Therapy	T1027 R2 (individual RC2)	\$27.50/15 min
Developmental Therapy–Applied Behavioral Analysis Method	T1027 R1 (individual RC1)	\$31.25/15 min
	T1027 R2 (individual RC2)	\$27.50/15 min
	T1027 GP (group)	\$18.43/15 min
Group Therapy (two (2) or more children)	T1027 GP (group)	\$18.43/15 min
Nursing Services	G0154 U1 (individual)	\$37.50/15 min
	G0154 GP (group)	\$25.13/15 min
Nutrition Services	97802 R2 (initial)	\$30.41/15 min
	97803 R2 (subsequent)	\$26.49/15 min
	97804 R2 (group)	\$13.32/15 min
Occupational Therapy	G0152 U1 (individual)	\$37.50/15 min
	G0152 GP (group)	\$25.13/15 min
Social Work Services	90806	\$70.94/50 min
	90846	\$71.06/50 min
Psychological Services	90802	\$146.76/dx interview

	90804	\$54.06/30 min
	90806	\$70.94/50 min
	90808	\$103.32/80 min
	90810	\$55.23/30 min
	96111	\$108.22
Physical Therapy	G0151 U1 (individual RC1)	\$37.50/15 min
	G0151 U1 (individual RC2)	\$28.50/15 min
	G0151 GP (group)	\$25.13/15 min
Speech-Language Pathology	G0153 U1 (individual RC1)	\$37.50/15 min
	G0153 U1 (individual RC2)	\$28.50/15 min
	G0153 GP (group)	\$25.13/15 min
Team Treatment Activities (more than one professional providing services during same session for an individual child/family)	T1024 R1 (individual RC1)	\$37.50/15 min
Vision Services/Orientation & Mobility	V2799 R2 (individual R2)	\$37.50/15 min

*Reimbursement Category 1 (RC 1) providers are physical therapists, occupational therapists, speech-language pathologists, nurses (registered nurses or nurse practitioners), psychologists, board certified behavior analysts (BCBAs), audiologists, certified assistive technology specialists, and certified auditory verbal therapists or educators.

*Reimbursement Category 2 (RC 2) providers are physical therapy assistants, occupational therapy assistants, speech language pathology assistants, certified therapeutic recreational specialists, counselors, special educators, dietitians, family therapists, orientation and mobility specialists, social workers certified nurse aides, licensed practical nurses, ABA paraprofessionals, and board certified assistant behavior analysts (BCaBAs).

**Per professional.

3113.3 The Lead Agency may, in its sole discretion, adjust a rate specified in this chapter, based upon identification and documentation of unique or highly specialized need of a child that cannot be addressed and funded at the rates annually established by the Lead Agency.

3114 Availability of Resources

3114.1 In accordance with 34 C.F.R. § 303.207, the Lead Agency shall provide services to children in all geographic areas within the District of Columbia and require that all provider contracts include a provision that EIS providers must serve children from all geographic areas within the District of Columbia.

3115 Policy for Contracting or Otherwise Arranging for Services

- 3115.1 All service providers seeking payment for Part C services from the Lead Agency shall have a contract with the Lead Agency specifying terms and conditions at rates consistent with this chapter.
- 3115.2 The Lead Agency shall establish contracts with service providers who meet the personnel standards established pursuant to 34 C.F.R. § 303.119. The contracts must be consistent with the provisions of Part C of the IDEA including the contents of the application for federal funds required by 34 C.F.R. §§ 303.201 - 303.227.
- 3115.3 All contracts with the Lead Agency shall include a requirement that all early intervention services meet standards set by the Lead Agency and must be consistent with 34 C.F.R. Part 303 and the Education Department General Administrative Regulations in 34 C.F.R. part 80.

3199 Definitions

- 3199.1 All terms used in this chapter shall be the same and conform to the definitions of such terms in the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1431, *et seq.* and all regulations set forth in 34 C.F.R. §§ 303.1 – 303.733. Several of these definitions are included herein for convenience.

Early intervention service provider or EIS provider - an entity (whether public, private, or nonprofit) or an individual that provides early intervention services under part C of the IDEA, whether or not the entity or individual receives Federal funds under part C of the IDEA, and may include, where appropriate, the Lead Agency and a public agency responsible for providing early intervention services to infants and toddlers with disabilities in the State under part C of the IDEA.

An EIS provider is responsible for: (1) Participating in the multidisciplinary individualized family service plan (IFSP) team's ongoing assessment of an infant or toddler with a disability and a family-directed assessment of the resources, priorities, and concerns of the infant's or toddler's family, as related to the needs of the infant or toddler, in the development of integrated goals and outcomes for the IFSP; (2) Providing early intervention services in accordance with the IFSP of the infant or toddler with a disability; and (3) Consulting with and training parents and others regarding the provision of the early intervention services described in the IFSP of the infant or toddler with a disability.

Individual Family Service Plan (IFSP) – a written plan for providing early intervention services to an infant or toddler with a disability, as defined in this chapter, and the infant's or toddler's family that:

- (a) Is based on an evaluation and assessment of the child and family, consistent with the requirements of 34 C.F.R. § 303.321;
- (b) Consistent with the requirements of 34 C.F.R. § 303.344, includes information about the child's present levels of development, information about the family, results or outcomes to be achieved, the early intervention services necessary to meet the needs of the child and family and, to the extent appropriate, the identification of other services that the child or family needs or is receiving through other sources;
- (c) Is implemented as soon as possible once parental consent for the early intervention services in the IFSP is obtained, consistent with 34 C.F.R. § 303.420; and
- (d) Is developed in accordance with the IFSP procedures in 34 C.F.R. §§ 303.342, 303.343, and 303.345.

Infant or Toddler with a disability - an individual under three (3) years of age who needs early intervention services because the individual:

- (a) Is experiencing a developmental delay, as measured by appropriate diagnostic instruments and procedures, in one (1) or more of the following areas:
 - (1) Cognitive development;
 - (2) Physical development, including vision and hearing;
 - (3) Communication development;
 - (4) Social or emotional development;
 - (5) Adaptive development;
- (b) Has a diagnosed physical or mental condition that:
 - (1) Has a high probability of resulting in developmental delay; and
 - (2) Includes conditions such as chromosomal abnormalities; genetic or congenital disorders; sensory impairments; in-born errors of metabolism; disorders reflecting disturbance of the development of the nervous system; congenital infections; severe attachment

disorders; and disorders secondary to exposure to toxic substances, including fetal alcohol syndrome: or

- (c) A child of a parent elects the extended IFSP option pursuant to this chapter.

Lead Agency - the Office of the State Superintendent of Education (OSSE), as the District of Columbia agency responsible for implementing a comprehensive system of early intervention services for infants and toddlers with disabilities and their families in conformance with District of Columbia law and federal law to ensure that all children with disabilities, ages birth through three (3) years of age have early intervention services available to them.

Parent - a biological or adoptive parent of a child, a guardian (but not the District of Columbia if the child is a ward of the District of Columbia), a person acting in the place of a parent (such as a grandparent or step-parent with whom the child lives, or a person who is legally responsible for the child's welfare), or a surrogate parent who has been appointed in accordance with 34 C.F.R. § 303.422 or Section 639(a)(5) of IDEA. A foster parent shall also be a parent if:

- (a) The natural parent's authority to make educational decisions on the child's behalf has been extinguished under applicable law; and
- (b) The foster parent has an ongoing, long-term parental relationship with the child, is willing to make educational decisions for the child as required under the IDEA and has no interest that conflicts with the interests of the child.

Section 3027 (Standards for Payment of Early Intervention Services for Families of Children with Developmental Delay) of Chapter 30 (Central Referral Bureau; Health Care Fees) of Subtitle B (Public Health and Medicine) of Title 22 (Health) of the DCMR is repealed in its entirety.

Section 3028 (Fees for Early Intervention Services) of Chapter 30 (Central Referral Bureau; Health Care Fees) of Subtitle B (Public Health and Medicine) of Title 22 (Health) of the DCMR is repealed in its entirety.

Chapter 18 (Hearing Procedures for the Early Intervention Services Program) of Title 29 (Public Welfare) of the DCMR is repealed in its entirety.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority set forth in Sections 5(3)(A) (providing for a safe transportation system); 6(b) (transferring to the Department the traffic management function previously delegated to the Department of Public Works (DPW) under Section III (H) of Reorganization Plan No. 4 of 1983); and 7 (making Director of DDOT the successor to transportation related authority delegated to the Director of DPW) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.04(3)(D), 50-921.05(b), and 50-921.06 (2009 Repl. & 2012 Supp.)); and Mayor's Order 77-127, dated August 3, 1977, hereby gives notice of this final action to adopt the following rulemaking that will amend Chapter 22 (Moving Violations) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

The rules will prohibit U-turns across bicycle lanes, including the bicycle lane on Pennsylvania Avenue.

Proposed regulations were published in a Notice of Emergency and Proposed Rulemaking on December 7, 2012 in the *D.C. Register* at 59 DCR 14072. DDOT received no comments in response to this rulemaking. No substantive changes were made to the text of the proposed rulemaking.

DDOT adopted these rules as final on April 12, 2013. The rules will go into effect upon the date of publication of this Notice of Final Rulemaking in the *D.C. Register*.

Section 2204 of Chapter 22 (Moving Violations) of Title 18 (Vehicles and Traffic), is amended by adding a new Subsection 2204.10 to read as follows:

2204.10 No vehicle shall make a U-turn so as to proceed in the opposite direction across a bicycle lane.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in D.C. Official Code §§ 25-211(b) and 25-830(f) (2012 Supp.), hereby gives notice of its intent to adopt the following proposed rules that would amend the existing ABRA civil penalty schedule set forth in Section 800 of Chapter 8 (Enforcement, Infractions and Penalties) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR). These proposed rules require a regulatory inspection by an ABRA investigator in not less than ten days following the issuance of a mandatory warning for a first offense. Additionally, the proposed rules set a limitation on the number of mandatory warnings a licensee can receive for the same offense.

These proposed rules were initially adopted by the Board on August 15, 2012, by a five (5) to zero (0) vote. On October 31, 2012, the Board conducted a public hearing, pursuant to D.C. Official Code § 25-354 (2012 Supp.), to further objectives on two fronts. First, because the civil penalty schedule has not been updated since 2004, the Board invited comment from parties on revisions to the schedule. These revisions were necessary to ensure that the civil penalty schedule accurately reflected a penalty commensurate with the offense, and that it captured all laws and regulations that have been adopted by the Council since 2004, to include the Omnibus Alcoholic Beverage Regulation Emergency Amendment Act of 2012, effective January 14, 2013 (D.C. Act 19-597, 60 DCR 1001).

Second, the Board also invited comments on its efforts to implement a more comprehensive and robust warning system. The Board is required by law, pursuant to the Alcoholic Beverage Enforcement Act of 2008 to issue regulations for a warning system that includes recommendations as to what violations should require a mandatory warning for a first offense. Notwithstanding the Board's existing discretion to issue warnings under 23 DCMR 805, the Board sought to expand the number and type of offenses that qualified for a warning, and those that qualified for a mandatory warning. To further economic efficiency, the Board sought to update its existing warning system at the same time it undertook to revise the existing penalty schedule.

Andrew Kline, Legislative Representative, testified on behalf of the Restaurant Association (RAMW). RAMW has approximately 700 members and is the principal representative of restaurants in the District of Columbia. At the hearing, RAMW briefed the Board on the history of the mandatory warning requirement contained in DC Official Code § 25-830(e)(3) (2008 Supp.). RAMW suggested that 1) the genesis for a warning system stemmed from the notion that the regulated industry favors compliance with regulatory standards, but that there are times when education and minimal penalties are all that are needed for a first offense, particularly when that offense involves no direct potential impact on public safety; and 2) the law's legislative history indicates a desire that the civil penalty schedule include a warning requirement for secondary tier violations and for a 'sales to minor' first offense. RAMW further testified that of the 154 separately scheduled violations contained in the civil penalty schedule, 91 are classified as secondary tier violations. Of the 91 listed secondary tier violations, only 14 require

warnings for a first offense. Lastly, RAMW testified that the Board should adopt a mandatory warning system for all secondary tier violations.

The Board received no other testimony or written comments. The Board took the views of RAMW and the statute's legislative intent into consideration and reviewed the existing civil penalty schedule to determine what offenses should be added to the schedule, what offenses should be reassigned a different tier, and what offenses should be eligible for a mandatory warning.

The Board notes for the record that it has long recognized the efficacy of warnings as an effective educational tool. It has been the practice of this Board to give licensees an opportunity to take voluntary and prompt corrective action before the Board initiates an enforcement action when it is consistent with the public protection responsibilities of the Board, and depending on the nature of the violation. The Board's use of warnings is twofold: to achieve voluntary compliance, and to establish prior notice. The use of warnings and the prior notice policy are based on the Board's expectation that most licensees comply with the law and the regulations when they are properly educated.

With the adoption of a mandatory warning system, the Board's implementation would result in a written administrative warning to the offending licensee. This written administrative warning would document the violation and would serve as a tool available to ABRA's Enforcement Division for ensuring corrective action is taken.

However, the Board does not agree with RAMW's position that every secondary tier violation should qualify for a mandatory warning. The Board desires to make clear that violations of legal or regulatory significance do not warrant mandatory warnings and may not even warrant discretionary warnings. Significant violations are those violations that may lead to enforcement action as a matter of public safety. It is the Board's position that responsible licensees have a duty to implement whatever measures are necessary to ensure that their operations comply with the law and regulations. Under the law, licensees are presumed to be fully aware of their responsibilities.

The Board considered the testimony of RAMW and the legislative intent of the Council in reaching its decision to amend the existing penalty schedule by adding new offenses, re-evaluating the designation of primary or secondary tier violations, and establishing a more comprehensive warning system to include mandatory warnings for some first time offenses. The Board's decision was balanced upon its desire to protect the public safety for the most serious of offenses and yet, for those less serious offenses, the Board desires to give licensees an opportunity to seek voluntary compliance by taking timely corrective action.

The amended proposed rules were adopted by the Board on January 9, 2013, by a vote of five (5) to zero (0). The Board received additional comments from RAMW, requesting the Board give further consideration to reducing the penalty on secondary tier violations. The Board took the comments into consideration, and made additional modifications to the civil penalty schedule to ensure consistency in penalties for similar violations. The Board then adopted the further amended proposed rules on April 3, 2013, by a vote of five (5) to zero (0).

The Board also gives notice of its intent to take final rulemaking action to adopt these amended proposed rules on a permanent basis in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Pursuant to D.C. Official Code § 25-211(b)(2) (2012 Supp.), these proposed rules are also being transmitted to the Council of the District of Columbia for a ninety (90) day period of review. The final rules may not become effective until their approval by Council resolution.

Section 800, ABRA CIVIL PENALTY SCHEDULE, of Chapter 8, ENFORCEMENT, INFRACTIONS, AND PENALTIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR is amended by replacing Section 800 in its entirety to read as follows:

800. ABRA CIVIL PENALTY SCHEDULE.

Section	Description	Violation	Warning
25-102(a)	Selling Alcoholic Beverages Without a License	Primary	N
25-102(b)	Wholesaler/Manufacturer Sale to Non-licensed Person for Resale	Primary	N
25-102(c)	Failure to Obtain Importation Permit	Primary	Y
25-102(d)	Permitting Consumption of Alcoholic Beverage Without a License	Primary	N
25-110	Violating Terms of Manufacturer's License	Primary	N
25-111	Violating Terms of Wholesaler's License	Primary	N
25-112(a)-(c)	Violating Terms of Off-Premise Retailer's License	Primary	N
25-112(e)(1)	Failure to File a Statement of Expenditures	Secondary	Y
25-113(a)(2)(A)(ii)	Knowingly Allowing Patron to Exit the Premises with an Open Container	Secondary	N
25-113(a)(3)	Selling or Serving Alcohol in a Closed Container	Secondary	Y - Mandatory
25-113(b)(1)	Failure to Keep Kitchen Open Two Hours Before Closing	Secondary	Y - Mandatory
25-113(b)(2)(A)	Failure of Restaurant to File a Quarterly Statement	Secondary	Y - Mandatory
25-113(d)(1)	Failure to Submit a Security Plan	Primary	Y
25-113(e)(4)(A)	Failure of Hotel to File a Quarterly Statement	Secondary	Y - Mandatory

Section	Description	Violation	Warning
25-113(i)(1)(4)	Failure by Caterer to File and Maintain Records for Inspection	Secondary	Y
25-113(j)(3)	Failure to Obtain Board Approval for Off-Site Storage	Secondary	Y - Mandatory
25-113(j)(3)	Failure to Maintain Records on Premises	Primary	Y - Mandatory
25-113(a)(b)	Failure to Obtain Entertainment Endorsement	Primary	Y
25-113(a)(c)	Failure to Obtain a Summer Garden or a Sidewalk Café Endorsement	Primary	Y
25-114(a)	Violating Terms of Arena C/X License	Primary	N
25-115(a)	Violating Terms of Temporary License	Primary	N
25-116	Violating Terms of Solicitor's License	Primary	N
25-117	Violating Terms of Brew Pub Permit	Primary	N
25-118	Failure to Obtain Tasting Permit, or Exceeding Scope of Tasting Permit	Primary	N
25-119	Importing Alcohol Without Permit	Primary	Y
25-121	Providing Alcohol Awareness Training Without Board Approval	Secondary	Y
25-123	Violating Terms of Farm Winery License	Primary	N
25-341	Violating Ward 4 Moratorium	Primary	Y
25-342	Violating Ward 7 Special Restrictions	Primary	Y
25-343	Violating Ward 8 Special Restrictions	Primary	Y
25-344	Violating Mt. Pleasant Special Restrictions	Primary	Y
25-345	Violating Ward 2 Restrictions	Primary	Y
25-346	Violating Ward 6 Restrictions	Primary	Y
25-371	Allowing Nude Dancing Without a License	Primary	N
25-372	Violating Restrictions on Nude Dancing Performances	Primary	N
25-405	Transfer of Ownership Without Board Approval	Primary	N
25-423(d)	Failure to Maintain Posted Notices (Placards)	Secondary	Y
25-501	Failure to Pay Annual Fee	Primary	Y
25-701	Board-Approved Manager Required	Secondary	Y
25-701(b)	Failure to Notify Board of ABC Manager's Conviction	Secondary	Y - Mandatory
25-702	Failure to Notify Board of Employee's Conviction	Secondary	Y - Mandatory
25-711(a)	Failure to Post and Carry Licenses	Secondary	Y - Mandatory
25-711(b)	Failure to Post Lettering on Front Windows or Door	Secondary	Y - Mandatory
25-711(c)	Failure of Temporary License Holder to Have License Available	Secondary	Y
25-711(d)	Failure of Solicitor to Carry License	Secondary	Y - Mandatory
25-711(e)	Failure of Manager to Carry License	Secondary	Y - Mandatory

Section	Description	Violation	Warning
25-712	Failure to Post Signs: Warning Re: Pregnancy	Secondary	Y - Mandatory
25-713	Failure to Post Signs: Legal Drinking Age/Valid ID	Secondary	Y - Mandatory
25-721	Sale and Delivery Outside of Allowed Hours for Manufacturer & Wholesaler	Primary	N
25-722	Sale and Delivery Outside of Allowed Hours - Off Premises Licensees	Primary	N
25-723(b)	Sale and Delivery Outside of Allowed Hours - On-Premises Licensees	Primary	N
25-723(d)	Daylight Savings Time Operation Without Notice	Secondary	Y
25-724	Operating After Board Restricted Hours	Primary	N
25-725	Noise from Licensed Establishment	Secondary	N
25-726	Control of Litter, Trash, Garbage, and Proper Disposal of Refuse, Including Cooking Oils	Secondary	Y
25-731	Credit and Delinquency	Secondary	Y
25-733	Delivery and Payment Records and Reports	Secondary	Y
25-734	Sale by Retailer on Credit	Secondary	Y - Mandatory
25-735	Gifts and Loans from Manufacturer	Primary	Y
25-736	Gifts and Loans from Wholesaler	Primary	Y
25-741(a)	Providing Go-Cups at A & B Licensed Establishments	Secondary	Y
25-741(b)	Serving Back-up Drinks to Customers	Secondary	Y
25-742	Solicitation of Drinks by Employee	Secondary	Y
25-743	Tie-in Purchases Prohibited	Primary	Y
25-751	Limitations on Container Size	Secondary	Y
25-752	Containers to be Labeled	Secondary	Y
25-753	Keg Registration Required	Primary	N
25-754	Violating Beverage Storage Restrictions	Primary	Y
25-761	Structural Requirements	Secondary	Y
25-762(b)(1)	Failure to Obtain Approval to Increase Occupancy or the Use of Interior Space	Primary	Y
25-762(b)(2)	Failure to Obtain Approval to Expand Exterior Public or Private Space Including Summer Gardens or Sidewalk Cafes	Primary	Y
25-762(b)(3)	Failure to Obtain Approval to Expand to Another Floor, Roof, or Deck	Primary	Y
25-762(b)(4)	Failure to Obtain Approval to Provide For or Expand Entertainment Area	Secondary	Y
25-762(b)(5)	Failure to Obtain Approval to Diminish or Expand Dining or Food Prep Area	Secondary	Y

Section	Description	Violation	Warning
25-762(b)(6)	Failure to Obtain Approval to Provide Permanent Space for Dancing	Primary	Y
25-762(b)(7)	Failure to Obtain Approval to Change Exterior Design	Secondary	Y
25-762(b)(8)	Failure to Obtain Approval to Provide Music or Entertainment if None Previously.	Primary	N
25-762(b)(9)	Failure to Obtain Approval to Change from Recorded to Live Music or Live Entertainment or Change the Kind of Music or Entertainment Provided	Secondary	Y - Mandatory
25-762 (b)(10)	Failure to Obtain Approval to Change Entertainment to Include Nude Performances	Primary	N
25-762(b)(11)	Failure to Obtain Approval to Change From Full Menu to Snack Menu	Secondary	Y - Mandatory
25-762(b)(12)	Failure to Obtain Approval to Change On-Premises to Carry-out	Primary	Y
25-762(b)(12)	Failure to Obtain Approval to Change On-Premises to Add Carry Out	Secondary	Y
25-762(b)(13)	Failure to Obtain Approval to Extend Hours of Operation	Primary	N
25-762(b)(14)	Failure to Obtain Approval to Provide New Mechanical or Electronic Entertainment	Secondary	Y
25-762(b)(15)	Failure to Obtain Approval to Change Trade Name or Corp Name With Ownership Change	Secondary	Y - Mandatory
25-762(b)(16)	Failure to Obtain Approval to Change Booth Size	Secondary	Y - Mandatory
25-762(b)(17)	Failure to Obtain Approval to Reduce Number of Toilet Facilities	Secondary	Y - Mandatory
25-762(b)(18)	Failure to Obtain Approval to Increase Number of Vessels Under On-Premises	Primary	N
25-763	Restrictions on Use of Signs	Secondary	Y - Mandatory
25-764	Advertisements Related to Alcohol	Secondary	Y - Mandatory
25-765	Advertisements on Windows and Doors	Secondary	Y - Mandatory
25-766	Prohibited Statements	Secondary	Y
25-771	Reporting by Manufacturers	Secondary	Y
25-772	Unlawful Importation of Beverages	Primary	Y
25-781	Sale to Minors or Intoxicated Persons - Egregious	Primary	Y
25-781	Sale to Minors or Intoxicated Persons - Non-egregious	Primary	Y - Mandatory
25-782(a)	Restrictions on Minors Entrance into Class A	Primary	Y

Section	Description	Violation	Warning
25-782(d)	Denying Admittance to Someone of Legal Drinking Age	Secondary	Y
25-783(a)	Sale to Someone Who Fails to Produce a Valid ID	Primary	Y
25-783(b)	Failure to Take Reasonable Steps to Ascertain Legal Age	Primary	Y
25-784(a)	Prohibit Persons Under 21 From Sell, Give, Furnish or Distribute, Except as Provided in 25-784(b)	Secondary	Y
25-784(b)	18-20 Person May Sell, Serve or Deliver, But May Not Bartend	Secondary	Y
25-791(a)	Failure to Surrender License Into Safekeeping	Secondary	Y – Mandatory
25-797(a)	Failure to Control Licensed Establishment	Primary	N
25-797(b)	Allowing Third Party or Promoter to Provide Security	Primary	N
25-802	Failure to Allow Examination of Premises, Books and Records	Primary	N
25-823(1)	Violation of Any Law Outside of Title 25 of the District of Columbia Code or Title 23 of the District of Columbia Municipal Regulations	Primary	Y
25-823(2)	Allowing Establishment to be Used for an Unlawful or Disorderly Purpose	Primary	N
25-823(3)	Failure by Owner or ABC Manager to Superintend Licensed Business	Secondary	N
25-823(4)	Allowing Employees or Agents to Engage in Prostitution, Sexual Acts, or Sexual Contact	Primary	N
25-823(5)	Failure to Allow/Delays ABRA or MPD to Inspect Premises or Books and Records, or Otherwise Interferes With an Investigation	Primary	N
25-823(6)	Failure to Follow Voluntary Agreement	Secondary	Y
25-823(6)	Failure to Follow Security Plan	Primary	Y
25-823(6)	Failure to Follow a Board Order	Primary	N
25-828(c)	Licensee Defaces Notice of Suspension Placard	Secondary	N
25-830(i)	Selling or Serving Alcohol on a Suspended or Expired License or License Held in Safekeeping	Primary	N
25-830(j)	Failure to Comply with Either of the Food Requirements	Primary	Y
23 DCMR 205.2	Failure to Obtain Storage Permit	Secondary	Y
23 DCMR 206.2	Retailer's Class DR or DT With Common Dining Area Fails to Sell Alcoholic Beverages in Containers Identifiable With Business	Secondary	Y

Section	Description	Violation	Warning
23 DCMR 206.4	Off-premise Retailer Class A or Class B failed to Inform Board in Application of Table Use	Secondary	Y - Mandatory
23 DCMR 208.19	Submission of Knowingly False or Misleading Affidavit	Primary	N
23 DCMR 600.1	Change Trade Name without Board Approval	Secondary	Y - Mandatory
23 DCMR 600.1	Change Corporate Name Without Board Approval	Secondary	Y - Mandatory
23 DCMR 600.3	Area Identified by Trade Name Inaccessible to Patrons	Secondary	Y
23 DCMR 601	Failure to Notify Board of Change in Ownership, Corporate Officers, or Partners	Secondary	Y
23 DCMR 702.3	Private Club Open to Public	Primary	Y
23 DCMR 705.9	Retailer's Class C, D, F, G, or Caterer Permits the Consumption of Alcoholic Beverages After Hours	Primary	N
23 DCMR 706	Remaining Open Without Securing Beverages or Having an ABC Manager or Owner Present	Secondary	N
23-707.1	Licensee or Board Approved Manager on Licensed Premises During Hours of Sale, Service or Consumption	Secondary	N
23 DCMR 710.2	Minimum Charge Greater Than Value of Food or Beverage	Secondary	Y - Mandatory
23 DCMR 710.4	Failure to Post Sign Indicating Minimum Charge	Secondary	Y - Mandatory
23 DCMR 712	Hosting a Pub Crawl Without Board Approval or in a Manner Other Than as Approved by the Board	Primary	Y
23 DCMR 717.1	Permitting Alcoholic Beverages Brought by Consumer to be Removed From Premises	Secondary	Y
23 DCMR 717.2	Corking Fee	Secondary	Y
23 DCMR 719.1	Sign re: Drinking and Driving	Secondary	Y - Mandatory
23 DCMR 900	Primary American Source of Supply	Primary	Y
23 DCMR 901	Beer Labeling	Secondary	Y
23 DCMR 902	Open Container or Package in Vehicle	Primary	N
23 DCMR 905	Discriminatory Admittance Requirements	Secondary	Y
23 DCMR 1002	Cover Charge Without Entertainment Endorsement	Secondary	Y
23 DCMR 1204	Failure to Keep and Maintain Delivery Slips	Primary	Y
23 DCMR 1206	Failure of Manufacturer Class A to Submit Monthly Report	Secondary	Y - Mandatory

Section	Description	Violation	Warning
23 DCMR 1207.1	Failure to File Quarterly Statements	Secondary	Y - Mandatory
23 DCMR 1207.5	Failure to File Annual Reports	Secondary	Y
23 DCMR 1208	Failure of the Licensee to Keep or Maintain its Books, Records, or Invoices.	Primary	Y
23 DCMR 1303	Failure to Properly Transport Alcoholic Beverages in a Vehicle	Secondary	Y
23 DCMR 2000.1	The Selling, Delivering, or Serving of Alcoholic Beverages at a Catered Event Where Snack Items Are the Only Food Products Served by the Caterer	Primary	N
23 DCMR 2000.2	Caterer or Designated Manager on Premises of Event	Secondary	Y
23 DCMR 2000.3	Submission of False or Misleading Affidavit	Primary	N
23 DCMR 2002.1	Purchase of Alcoholic Beverages by Caterers	Secondary	Y
23 DCMR 2002.2	Failure to Maintain Caterer Records	Primary	N
23 DCMR 2003.1	Improper Storage of Alcoholic Beverages by Caterer	Primary	Y
23 DCMR 2004.1	Importation and Transportation of Alcoholic Beverages by Caterer	Primary	Y
23 DCMR 2004.2	Removal of Unsealed Container by Caterer	Secondary	Y
23 DCMR 2004.3	Storage of Unopened Alcoholic Beverage by Caterer	Primary	Y
23 DCMR 2005.1	Caterer: No ABC Manager Present	Secondary	N
23 DCMR 2005.2	Caterer: No License Available for Public Inspection	Secondary	Y
23 DCMR 2006.1	Failure to File Caterer Report	Secondary	Y - Mandatory
23 DCMR 2006.2	Caterer: False or Misleading Information in Report	Primary	N
23 DCMR 2006.5	Caterer: Failure to Timely File Report	Secondary	Y - Mandatory

800.1

The penalties contained under this section shall become effective 5 days after publication in the District of Columbia Register.

- 800.2 None of the descriptions contained in Subsection 800.2 shall be construed to expand, limit, or define any specific violation.
- 800.3 Whether violations are classified as primary tier or secondary tier shall be determined with reference to the ABRA civil penalty schedule in effect when the violation was committed.

Section 801, PRIMARY TIER VIOLATIONS, of Chapter 8, ENFORCEMENT, INFRACTIONS, AND PENALTIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR is amended to read as follows:

801. PRIMARY TIER VIOLATIONS.

- 801.1 The Board may fine a licensee for a primary tier violation at a show cause hearing scheduled pursuant to the notice requirements set forth in § 1604 as follows:
 - (A) For the first primary tier violation, the fine shall be \$1000 - \$2000.
 - (B) For the second primary tier violation within two years, the fine shall be \$2,000 - \$4,000.
 - (C) For the third primary tier violation in three years, the fine shall be \$4,000 - \$6,000.
 - (D) For the fourth primary tier violation in four years, the ABC license shall be revoked or fined no less than \$30,000 and suspended for 30 consecutive days.
 - (E) For the fifth primary tier violation in four years, the ABC license shall be revoked.

Section 803, CITATIONS FOR PRIMARY TIER VIOLATIONS, of Chapter 8, ENFORCEMENT, INFRACTIONS, AND PENALTIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR is amended to read as follows:

803. CITATIONS FOR PRIMARY TIER VIOLATIONS.

- 803.1 ABRA investigators or Metropolitan Police Department Officers (“MPD Officer”) shall issue citations, pursuant to D. C. Official Code § 25-801(b), for primary tier violations as follows:
 - (A) For the first primary tier violation, the fine shall be \$1000.
 - (B) For the second primary tier violation within two years, the fine shall be \$2,000.

- (C) For the third primary tier violation in three years, the fine shall be \$ 4,000.
- (D) For the fourth or fifth primary tier violation in four years, the violation shall be referred to the Board for a show cause hearing pursuant to § 1604.

Section 805, WARNINGS, of Chapter 8, ENFORCEMENT, INFRACTIONS, AND PENALTIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR is amended to read as follows:

805. WARNINGS.

- 805.1 An ABRA investigator or MPD Officer is not precluded from issuing an administrative written warning before the issuance of a citation for a violation as permitted by § 800 of this title.
- 805.2 In not less than ten (10) business days following the issuance of an administrative written warning, an ABRA investigator shall conduct a subsequent inspection of the licensed premises to ensure that the licensee has taken corrective action for the violation found for which the administrative written warning was issued. If corrections to violations that resulted in the issuance of the administrative written warning are not completed at the time of the subsequent inspection, the ABRA investigator shall issue the licensee a citation or refer the matter to the ABC Board if (1) the licensee observes other violations that are not entitled to a warning or (2) the licensee already has three or more secondary tier violations.
- 805.3 A licensee entitled to a mandatory administrative written warning for a first violation shall not be entitled to a mandatory administrative written warning for a second or subsequent violation of the same offense. There shall be no expiration period on this subsection's prohibition against issuing a mandatory administrative written warning for a subsequent violation of the same offense.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400, Washington, D.C. 20009. Persons with questions concerning the rulemaking should contact Martha Jenkins at 202-442-4456 or email martha.jenkins@dc.gov. All persons desiring to comment on the proposed rulemaking must submit their written comments, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to the above address.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in D.C. Official Code § 25-211(b)(2012 Supp.) and Mayor's Order 2001-96 (June 28, 2001), as revised by Mayor's Order 2001-102 (July 23, 2001), hereby gives notice of its intent to adopt the following proposed rules that make technical amendments to Chapters 2 (License and Permit Categories), 7 (General Operating Requirements), 12 (Records and Reports), 15 (Applications: Notice Of Hearings Involving Licenses), 16 (Contested Hearings, Non-Contested Hearings, Protest Hearings, And Procedures), and 20 (Caterer's License) of Title 23 of the District of Columbia Municipal Regulations (DCMR) to conform to changes contained in the Omnibus Alcoholic Beverage Regulation Emergency Amendment Act of 2012 (Act), or any similar succeeding legislation, effective January 14, 2013 (D.C. Act 19-0599, 60 DCR 1001) as well as other administrative changes not related to the Act.

The rulemaking clarifies that all retailer's license categories can apply to the Board for a stipulated license, and creates a stipulated license fee of \$100. The rules also clarify that the annual fee for a wine pub permit is \$5,000 and that the holder of a wine pub permit can apply for a wine and beer purchasing permit. The rulemaking amends the corking requirements contained in § 717 of Title 23 of the DCMR to conform to D.C. Official Code § 25-113(b)(5)(2012 Supp.), which allows customers to leave a restaurant with a partially consumed bottle of wine. The rules also conform to the Act's requirement that retailers may keep and maintain records on the licensed premises electronically. The rules clarify that the Board may require a group of five or more individuals to appear in person before the Board. Finally, the rulemaking amends § 1609 and § 2000.3 of Title 23 of the DCMR to conform to the new settlement agreement and catering requirements contained in the Act.

These proposed rules were initially adopted by the Board on January 30, 2013 by a five (5) to zero (0) vote. On February 28, 2013, the Board conducted a public hearing, pursuant to D.C. Official Code § 25-354 (2012 Supp.), to receive comment on the technical changes proposed to Title 23 of the DCMR.

Andrew Kline, Legislative Representative, testified on behalf of the Restaurant Association (RAMW). RAMW has approximately 700 members and is the principal representative of restaurants in the District of Columbia. At the hearing, Mr. Kline requested that the Board give consideration to eliminating Section 717.2, which creates a cap of \$25.00 as a corkage fee. Corkage fees are those fees charged by restaurants and other on-premises retailer licensees to uncork a bottle of wine brought by patrons who consume the wine with the purchased meal. Mr. Kline indicated that there is no public policy reasoning to support this regulatory cap, and the market should govern as to the amount of the fee set by the on-premises establishment. RAMW requested that the cap on the corkage fee be eliminated, but if the Board is inclined to impose one, the current \$25.00 cap should be increased to reflect today's market.

Mr. Kline also requested the Board amend Section 1204 to add the word "available" so that

retailers who keep and maintain their records electronically will be required to have those electronic records available upon the licensed premises. The rationale is that ABRA will have access to the electronic records for regulatory inspection, so it does not matter where the hard data of electronic records is physically located.

The Board received no other testimony or written comments. The Board considered the testimony of RAMW, and the addition of other technical changes to the existing regulations. The Board is in agreement with RAMW's comments regarding the corkage fee and the electronic recordkeeping amendment, and has added those modifications below. Additionally, the Board made further amendments to Title 23 with respect to Section 200 regarding stipulated licenses, Section 1609 regarding settlement agreements, and Section 711 regarding tasting permits.

The amended proposed rules were adopted by the Board on April 3, 2013, by a vote of five (5) to zero (0).

The Board also gives notice of its intent to take final rulemaking action to adopt these rules on a permanent basis in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Pursuant to D.C. Official Code § 25-211(b)(2), these proposed rules are also being transmitted to the Council of the District of Columbia (Council) for a ninety (90) day period of review. The final rules shall not become effective absent approval by the Council.

Title 23 of the D.C. Municipal Regulations is amended as follows:

Section 200, STIPULATED LICENSES, of Chapter 2, LICENSE AND PERMIT CATEGORIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsections 200.1, and 200.1(a) through 200.1(c) to read as follows:

200 STIPULATED LICENSES.

200.1 The ABC Board will permit an applicant who has submitted a completed license application involving a Manufacturer's license, Wholesaler's license, or Retailer's license to apply for a stipulated license under the following conditions:

- (a) The applicant must be applying for or must hold a Manufacturer's license, Wholesaler's license, or Retailer's license; and
- (b) The applicant must submit to the ABC Board written correspondence from an ANC Officer where the applicant's premises is located stating that the ANC has voted with a quorum present to either support or not to object to the issuance of a stipulated license to the applicant pending completion of the 45-day protest period; and
- (c) The applicant must stop serving or selling alcoholic beverages under the stipulated license if a valid protest is filed against the applicant during the 45-day protest period.

Section 203, WINE AND BEER PURCHASING PERMIT, of Chapter 2, LICENSE AND PERMIT CATEGORIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsections 203.1, 203.2, and 203.3 to read as follows:

203 WINE AND BEER PURCHASING PERMIT.

203.1 A wine and beer purchasing permit shall allow the holder of a Retailer's A, Class B, brew pub, or wine pub license to sell wine and/or beer to the public at the premises of a Temporary or a Retailer's Class C or Class D license holder.

203.2 Beer or wine that is purchased at the authorized location from the Class A, Class B, brew pub, or wine pub licensee under the wine and beer purchasing permit shall not be opened or consumed at the authorized location.

203.3 A District off-premises retailer, brew pub, or wine pub authorized to sell containers of beer or wine at the authorized location may remove closed containers of beer and/or wine from the authorized premises but shall not be permitted to remove opened containers of beer and/or wine from the authorized premises. This subsection also applies to customers who purchase or receive alcoholic beverages at the authorized location.

Section 209, PERMIT AND ENDORSEMENT FEES, of Chapter 2, LICENSE AND PERMIT CATEGORIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by adding a new Subsection 209.12 to read as follows:

209 PERMIT AND ENDORSEMENT FEES.

209.12 The annual fee for a Wine Pub permit shall be five thousand dollars (\$5,000).

Section 210, APPLICATION FEES, of Chapter 2, LICENSE AND PERMIT CATEGORIES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by adding a new Subsection 210.7 to read as follows:

210 APPLICATION FEES.

210.7 The fee for a stipulated license shall be one hundred dollars (\$100).

Section 711, PERMITS FOR SAMPLING OF ALCOHOLIC BEVERAGES, of Chapter 7, GENERAL OPERATING REQUIREMENTS, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsection 711 to read as follows:

711. RETAIL PERMITS FOR SAMPLING OF ALCOHOLIC BEVERAGES.

711.1 The holder of a Retailer's license Class A and B may utilize a portion of the licensed premises for the sampling of alcoholic beverages during the hours of sale authorized in D.C. Official Code § 25-722(a). Containers of alcoholic beverages

used for sampling purposes shall be labeled as such and may not be sold.

711.2 No licensee may use any portion of the licensed premises for the sampling of alcoholic beverages without a permit issued by the Board. A request for a permit shall be in writing and shall:

- (a) State in detail the type of beverages to be offered in the sampling;
- (b) Include drawings of the premises indicating the areas where the sampling is to take place; and
- (c) State the hours and days during which the sampling is to take place.

711.3 A permit issued under this section shall be valid for two years. The permit shall expire on the same date as the applicant's Class A and B Retailer's license.

711.4 The annual fee for a permit issued under this section shall be one-hundred and thirty dollars (\$130). Payment shall be made at the same time that the second year fee or renewal fee for Class A and B Retailer's licenses is due.

711.5 The holder of a permit issued under this section shall be authorized to provide to one customer in any one day samples that do not exceed the following quantities:

- (a) Three ounces (3 oz.) of spirits;
- (b) Six ounces (6 oz.) of wines; and
- (c) Twelve ounces (12 oz.) of beer.

711.6 The holder of a tasting permit may hold public tastings during the hours it is permitted to sell and serve alcoholic beverages under its Class A and B Retailer's license unless restricted by Board order or settlement agreement.

Section 717, CORKING FEE, of Chapter 7, GENERAL OPERATING REQUIREMENTS, of title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by deleting Subsection 717.2 in its entirety and retaining Section 717.1 to read as follows:

717. CORKING FEE.

717.1 The holder of an on-premises retailer's license may permit a patron to bring to and consume on the licensed premises an alcoholic beverage that the licensee is permitted to sell or serve under its on-premises retailer's license; provided that the alcoholic beverage is opened by an employee of the establishment. However, the holder of an on-premises retailer's license shall not permit any alcoholic beverage opened on the licensed premises to be removed from the licensed premises.

717.2 The holder of an on-premises retailer’s license shall be permitted to charge a corking fee provided that the corking fee is disclosed to the patron prior to the opening of the alcoholic beverage.

Section 1204, RETAILERS BOOKS AND RECORDS, of Chapter 12 RECORDS AND REPORTS, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsection 1204.1 to read as follows:

1204. RETAILERS BOOKS AND RECORDS.

1204.1 Each holder of a Retailer's license shall keep and maintain available upon the licensed premises, either physically or electronically, records which include invoices and delivery slips and which adequately and fully reflect all purchases, sales, and deliveries of all alcoholic beverages, except beer, made to it.

Section 1502, NOTICE OF A NEW APPLICATION FOR A NEW LICENSE, RENEWAL OF A LICENSE, OR TRANSFER OF A LICENSE TO A NEW LOCATION, of Chapter 15, APPLICATIONS: NOTICE OF HEARINGS INVOLVING LICENSES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsection 1502.3 to read as follows:

1502. NOTICE OF AN APPLICATION FOR A NEW LICENSE, RENEWAL OF A LICENSE, OR TRANSFER OF A LICENSE TO A NEW LOCATION.

1502.3 At least forty-five (45) days prior to the roll call hearing, the Board shall give notice of an application to the entities set forth in D.C. Official Code § 25-421(a). This notice requirement shall not apply to renewal applications in those instances where the Applicant’s new license or transfer to a new location application has a 45 day public comment period ending within thirty (30) days of the renewal deadline for that license class.

Section 1605, FILING A PROTEST, of Chapter 16, CONTESTED HEARINGS, NON-CONTESTED HEARINGS, PROTEST HEARINGS, AND PROCEDURES, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsection 1605.4 to read as follows:

1605. FILING A PROTEST.

1605.4 The Board may require protestants to appear in person before the Board for the purpose of determining that a sufficient number of individuals exist to have standing pursuant to D.C. Official Code § 25-601.

Section 1609, COOPERATIVE OR VOLUNTARY AGREEMENTS of Chapter 16, CONTESTED HEARINGS, NON-CONTESTED HEARINGS, PROTEST HEARINGS, AND PROCEDURES, of title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended

by replacing 1609.1 to read as follows, and adding new Subsections 1609.6, 1609.7, and 1609.8 to read as follows:

1609. SETTLEMENT AGREEMENTS.

1609.1 The terms of a settlement agreement submitted by the parties shall be consistent with District of Columbia law and shall be in compliance with D.C. Official Code §§ 25-446.01 and 25-446.02.

1609.6 The phrase “settlement agreement” found in Title 25 of the D.C. Official Code shall be deemed equivalent to the term “cooperative agreement”, or “voluntary agreement” used in Title 23 of the D.C. Municipal Regulations.

1609.7 If the Board determines that a settlement agreement submitted by the parties does not comply with all applicable laws and regulations, or otherwise exceeds the Board’s expertise to enforce, the Board may condition approval of the settlement agreement on the parties’ acceptance of modifications of the agreement proposed by the Board. If the parties reject the modifications proposed by the Board, they may submit a new settlement agreement for Board review that complies with D.C. Official Code §§ 25-446.01 and 25-446.02 and is within the Board’s expertise to enforce, or proceed to a protest hearing.

1609.8 Settlement agreements must be submitted by the parties to the Board for the Board’s consideration no later than ninety (90) days after the execution of the settlement agreement by parties who are signatories to the settlement agreement.

Section 2000, CATERER’S LICENSE, of Chapter 20, CATERER’S LICENSE, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR, is amended by replacing Subsection 2000.3 to read as follows:

2000. CATERER’S LICENSE.

2000.3 Holders of a caterer’s license may purchase alcoholic beverages from Wholesalers and holders of an off-premises license, class A, for catered events of one hundred (100) persons or less. Holders of a caterer’s license shall purchase alcoholic beverages from an off-premises license, class A, for catered events in excess of one hundred (100) persons except that holders of a caterer’s license may also purchase alcoholic beverages from Wholesalers for catered events in excess of one hundred (100) persons when the licensed caterer also holds another type of on-premise, retailer’s license.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009. All persons desiring to comment on the emergency and proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of

the publication of this notice in the *D.C. Register*, to the above address or via email to martha.jenkins@dc.gov.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2006 Repl.; 2012 Supp.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2008 Repl.)), hereby gives notice of the intent to adopt a new Section 941 of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), to be entitled “Medicaid Birth Center Services and Reimbursement.”

Birth centers provide alternatives to institutionalized childbirth settings for women who have uncomplicated, low risk pregnancies. To be eligible for Medicaid reimbursement, these centers must provide three distinct phases of care: (1) routine ante-partum care in any trimester; (2) delivery services; and (3) postpartum care. The rules also require birth centers to have procedures to access hospital care in the event complications arise during the labor phase of birth in order to be eligible for reimbursement. Lastly, these rules set standards for Medicaid participation and identify health care practitioners eligible for reimbursement of services rendered at freestanding birth centers.

The corresponding amendment to the District of Columbia State Plan for Medical Assistance (State Plan) was approved by the Council of the District of Columbia (Council) on August 10th, 2012 (PR-0820) and submitted to the Centers for Medicare and Medicaid Services (CMS) on August 3, 2012.

The Director of DHCF also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

A new Section 941 of Chapter 9 (Medicaid Program) of Title 29 of the DCMR (Public Welfare) is added to read as follows:

941 MEDICAID BIRTH CENTER SERVICES AND REIMBURSEMENT

941.1 These rules establish standards governing Medicaid reimbursement for the delivery of services provided to Medicaid beneficiaries at freestanding birth centers located in the District of Columbia.

941.2 A freestanding birth center, eligible for Medicaid reimbursement shall be:

- (a) Licensed in accordance with the Health-Care and Community Residence Facility, Hospice and Home-Care Licensure Act of 1983, effective Feb.

24, 1984 (D.C. Law 5-48; D.C. Official Code, §§ 44-501, *et seq.* (2005 Repl.; 2012 Supp.)) and implementing rules; and

- (b) Enrolled by DHCF as a Medicaid provider of birth center/maternity center services.

941.3 Services eligible for Medicaid reimbursement provided at a freestanding birth center shall be delivered by a:

- (a) Physician licensed in accordance with the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl.; 2012 Supp.));
- (b) Pediatric Nurse Practitioner who is licensed as a registered nurse pursuant to the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl.; 2012 Supp.)), and certified by the National Board of Pediatric Nurse Practitioners or the Pediatric Nursing Certification Board (PNCB);
- (c) Family Nursing Practitioner who is licensed as a registered nurse pursuant to the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl.; 2012 Supp.)) and credentialed as a Family Nurse Practitioner- Board Certified (FNP-BC);
- (d) Nurse Midwife who is licensed as an advanced practice registered nurse pursuant to the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl.; 2012 Supp.)), and certified by the American Midwifery Certification Board (AMCB); or
- (e) Certified Professional Midwife who is certified pursuant to the American Midwifery Certification Board (AMCB).

941.4 Services eligible for Medicaid reimbursement provided at a freestanding birth center shall be provided:

- (a) To beneficiaries in an outpatient setting;
- (b) By a facility that is not a part of a hospital; and
- (c) By or under the direction of a physician.

941.5 Services eligible for Medicaid reimbursement provided at a freestanding birth center shall consist of the following:

- (a) Routine ante-partum care;
- (b) Delivery; and
- (c) Postpartum care.

941.6 Medicaid reimbursement for routine ante-partum care in any trimester shall include the following:

- (a) Initial and subsequent medical history;
- (b) Physical Examination;
- (c) Recording of fetal heart tones;
- (d) Recording of weight and blood pressure;
- (e) Routine chemical urinalysis; and
- (f) Maternity counseling;

941.7 Medicaid reimbursement for delivery services shall include:

- (a) Admission history and physical examination;
- (b) Management of uncomplicated labor; and
- (c) Vaginal delivery.

941.8 Medicaid reimbursement for postpartum care shall include:

- (a) Mother's postpartum check within six (6) weeks after birth;
- (b) Newborn screening test which consists of a screening panel which shall include, but not be limited to:
 - (1) Phenylketonuria (PKU);
 - (2) Congenital Adrenal Hyperplasia (CAH);
 - (3) Congenital hypothyroidism;
 - (4) Hemoglobinopathies;
 - (5) Biotinidase deficiency;

- (6) Maple Syrup Urine Disease (MSUD);
- (7) Homocystinuria; and
- (8) Galactosemia.

(c) A well baby check or newborn assessment to include two separate screenings for a newborn on two separate dates of service.

941.9 Medicaid reimbursement for services for normal, uncomplicated pregnancies shall be limited to fourteen (14) ante-partum visits. These visits shall occur in the following manner:

- (a) Monthly visits up to 28 weeks gestation;
- (b) Thereafter, biweekly visits up to thirty-six (36) weeks gestation;
- (c) Thereafter, weekly visits until delivery.

941.10 In order to be eligible for Medicaid reimbursement, additional birth center visits, beyond the requirements set forth in 941.9 must be deemed medically necessary and require prior authorization.

941.11 Reimbursement rates for birth centers and practitioners delivering birth center services shall be published on the DHCF website at www.dhcf.dc.gov

941.99 **DEFINITIONS**

For purposes of this chapter, the following terms shall have the meanings ascribed:

Ante-partum care - Care delivered to a pregnant patient during the period before childbirth.

Gestation - The period of development in the uterus from conception until birth.

Outpatient - A patient who receives medical treatment without being admitted to a hospital.

Postpartum care - Care delivered to a patient shortly after childbirth.

Comments on this proposed rule shall be submitted in writing to Linda Elam, Ph.D., M.P.H. Deputy Director/Medicaid Director, Department of Health Care Finance, 899 North Capitol Street, NE, 6th Floor, Washington, DC 20002, via telephone on (202) 442-9115, via e-mail at

DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Additional copies of this proposed rule may be obtained from the above address.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2007 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the intent to amend Chapter 90 (Dental Assistants) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to create two (2) levels of registered dental assistants and clarify the required education and training as well as the scope of authorized practice by dental assistants.

The Director also gives notice of intent to take final rulemaking action to adopt this amendment in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 90 (DENTAL ASSISTANTS) of Title 17 (BUSINESS, OCCUPATIONS, AND PROFESSIONS) is amended as follows:

Section 9000 (APPLICABILITY) is amended to read as follows:

9000 GENERAL PROVISIONS

- 9000.1 This chapter applies to applicants for and holders of a registration to practice as a dental assistant.
- 9000.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations Administrative Procedures) of Title 17 of the District of Columbia Municipal Regulations supplement this chapter.

Section 9001 (REGISTRATION REQUIRED) is amended to read as follows:

9001 REGISTRATION REQUIRED

- 9001.1 No person shall perform or be permitted to perform any duties as a dental assistant without a registration issued by the Board.
- 9001.2 Notwithstanding Subsection 9001.1, a person who is performing the duties of a dental assistant on the effective date of this chapter shall obtain a registration no later than September 17, 2012.

Section 9002 (EDUCATION REQUIREMENT) is amended to read as follows:

9002 TERM OF REGISTRATION

- 9002.1 Subject to § 9002.2, a registration issued pursuant to this chapter shall expire at 12:00 midnight of December 31 of each odd-numbered year.
- 9002.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a registration issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birth date of the holder of the registration or other date established by the Director.

Section 9003 (TERM OF REGISTRATION) is amended to read as follows:

9003 EDUCATION REQUIREMENT

- 9003.1 No person shall be registered as a Level I Dental Assistant or Level II Dental Assistant unless he or she has graduated from high school or has a general equivalency diploma.
- 9003.2 Except as provided in § 9003.3, an applicant for a registration as a Level II Dental Assistant shall provide satisfactory evidence to the Board of the following:
 - (a) That the applicant has successfully completed and graduated from an educational program for dental assistants approved by the Board or the American Dental Association’s (ADA) Commission on Dental Accreditation (CODA);
 - (b) That the applicant possesses a current and valid certification as a Certified Dental Assistant from the Dental Assisting National Board (DANB); or
 - (c) That the applicant has completed a dental assisting program approved by the Board.
- 9003.3 Notwithstanding the requirements of § 9003.2, an applicant for a registration as a Level II Dental Assistant may be granted a registration if the applicant registers no later than September 17, 2012 and provides satisfactory evidence of the following:
 - (a) That the applicant has been performing the duties of a dental assistant on the effective date of this chapter; and
 - (b) That the applicant has demonstrated competency to perform the duties of a dental assistant to the satisfaction of the supervising dentist.

9003.4 As a prerequisite to registration, a dental assistant shall present proof to the Board that he or she has completed a course in dental radiography training that the Board deems satisfactory.

Section 9004 (RENEWAL OF REGISTRATION) is amended to read as follows:

9004 SCOPE OF PRACTICE

9004.1 Subject to the restrictions set forth in this section, a dentist may delegate to a registered dental assistant only those procedures which are:

- (a) Appropriate to the training and experience of the dental assistant and the practice of the supervising dentist;
- (b) Reversible; and
- (c) To be performed under the direct supervision of the dentist.

9004.2 Level I Dental Assistant may perform the following functions under direct supervision of a dentist:

- (a) Placing retraction cord;
- (b) Placing matrices;
- (c) Applying a medicinal agent to a tooth for a prophylactic purpose;
- (d) Placing periodontal dressings;
- (e) Removing temporary restorations without the use of a rotary instrument;
- (f) Removing sutures;
- (g) Taking impression for study models or diagnostic casts;
- (h) Rinsing and aspirating the oral cavity;
- (i) Retracting the lips, cheek, tongue, and flaps;
- (j) Placing or removing materials for the isolation of the dentition, provided that the material is not retained by the dentition;
- (k) Applying topical anesthesia;

- (l) Constructing athletic mouth guards in models;
- (m) Performing intraoral photography;
- (n) Curing by the use of halogen light;
- (o) Checking for loose bands;
- (p) Whitening; and
- (q) Other functions as approved by the Board.

9004.3 Level II Dental Assistant may perform the following functions under direct supervision of a dentist:

- (a) All functions permitted to Level I Dental Assistant, as enumerated in § 9004.2;
- (b) Performing vitality tests;
- (c) Taking alginate impressions for intraoral appliances;
- (d) Applying topical fluoride;
- (e) Applying desensitizing agents;
- (f) Placing or removing a rubber dam;
- (g) Etching;
- (h) Fabricating indirect restorations in a dental office;
- (i) Placing or removing a matrix band;
- (j) Drying a root canal;
- (k) Preparing and fitting stainless steel crowns;
- (l) Preparing temporary crowns;
- (m) Removing excess cement;
- (n) Removing or placing a periodontal dressing (except placing the original periodontal dressing); and

(o) Constructing athletic mouth guards on models.

9004.4 Level I or II Dental Assistant working under the direct supervision of an orthodontist may also perform the following functions:

- (a) Preparing and fitting orthodontic bands;
- (b) Removing excess cement from around orthodontic bands;
- (c) Placing and removing arch wires;
- (d) Cementing orthodontic bands, placing bonded attachments, or removing cemented or bonded orthodontic bands and attachments;
- (e) Placing elastics and ligatures; and
- (f) Selecting headgear.

9004.5 A dentist shall not delegate to a dental assistant any of the following procedures:

- (a) Those procedures excluded by 17 DCMR § 4215.1;
- (b) A preliminary dental examination;
- (c) A complete prophylaxis, including the removal of any deposits, diseased crevicular tissue, accretion, or stain from the surface of a tooth or a restoration;
- (d) The intraoral polishing of a tooth or a restoration;
- (e) The charting of cavities during preliminary examination, prophylaxis, or polishing; however, a dentist may permit an assistant to record the charting of cavities as dictated by the dentist or dental hygienist during the course of a preliminary examination or dental procedure;
- (f) The instruction of individuals or groups of individuals in oral health care, unless it is in the dental office and done as instructed by the dentist;
- (g) The application of pit and fissure sealants;
- (h) Diagnostic screening to identify indications of oral abnormalities;
- (i) Administration of local anesthesia with board identified criteria and certification;

- (j) Administration of nitrous oxide with Board identified criteria and certification;
- (k) Placement of temporary restorations; or
- (l) Taking final impressions.

Section 9005 (SCOPE OF PRACTICE OF REGISTERED DENTAL ASSISTANT) is amended to read as follows:

9005 RADIOGRAPHY REQUIREMENTS

9005.1 Except as provided in § 9005.2, a dental assistant shall not place or expose dental x-ray film unless he or she has:

- (a) Successfully passed the Dental Assisting National Board’s (DANB) Radiation Health and Safety (RHS) examination or Certified Dental Assistant (CDA) examination; or
- (b) Successfully completed a dental radiography training program approved by the Board.

9005.2 Notwithstanding § 9005.1, a dentist may permit an assistant to place or expose dental x-ray film if:

- (a) The assistant has completed in-office training;
- (b) The assistant has demonstrated competency to perform the task to the supervising dentist’s satisfaction; and
- (c) The assistant registers no later than September 17, 2012.

Section 9099 (DEFINITIONS) is amended as follows:

Add a new definition as follows:

Director – the Director of the Department of Health or the Director’s designee.

All persons desiring to comment on the subject of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*. Comments should be sent to the Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 5th Floor, Washington, D.C. 20002. Copies of

the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, excluding holidays, at the address listed above, or by contacting Angli Black, Administrative Assistant, at Angli.Black@dc.gov, (202) 442-5977.

OFFICE OF CONTRACTING AND PROCUREMENT**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Chief Procurement Officer of the District of Columbia, pursuant to the authority set forth in Sections 204 and 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.04 and 2-361.06) (2011 Repl.)) (Act), hereby gives notice of the adoption of the following emergency rules and of the intent to adopt final rulemaking to replace Chapter 9 (Surplus Property), of Title 27 (Contracts and Procurement), of the District of Columbia Municipal Regulations (DCMR) and to rescind all of Part II, Sections 2630-2634, of the District of Columbia's Materiel Management Manual (MMM).

The rulemaking updates and consolidates the regulations, and implements the provisions in the Act that apply to the distribution of surplus personal property. The current Chapter 9, which applies only to federal surplus personal property, and the MMM, which applies to District surplus personal property, are outdated and inconsistent with the Act. This inconsistency may create legal uncertainty regarding the distribution of surplus personal property. Adoption of these emergency rules is therefore necessary for the immediate preservation and promotion of public safety and welfare.

The emergency rules will remain in effect for up to one hundred twenty (120) days from March 20, 2013, the date of their adoption, and will expire on July 18, 2013 or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

Chapter 9, SURPLUS PROPERTY, of Title 27, CONTRACTS AND PROCUREMENTS, of the DCMR is amended as follows:

Section 900, GENERAL PROVISIONS, is amended to read as follows:

900 GENERAL PROVISIONS

- 900.1 The District of Columbia State Agency for Surplus Property (D.C. SASP) is responsible for effecting the fair and equitable distribution of federal surplus personal property, whether by sale, donation, or transfer, in accordance with the Federal Property and Administrative Services Act.
- 900.2 The Office of Contracting and Procurement Surplus Property Division (SPD) is responsible for effecting the fair and equitable distribution of District surplus personal property, whether by sale, donation, or transfer.
- 900.3 The Office of Contracting and Procurement (OCP) shall publish on the OCP website all forms used for the purpose of disposing of federal and District surplus property.

900.4 OCP shall publish on the OCP website records of all transfers of federal and District surplus property.

Section 901, AUTHORITY, is repealed and replaced with:

901 RESPONSIBILITIES OF THE CHIEF PROPERTY DISPOSAL OFFICER

901.1 The Director shall delegate to the Chief Property Disposal Officer (CPDO) specific responsibilities that include:

- (a) Acting as the District of Columbia State Agent (State Agent) for purposes of disposing of federal surplus personal property. The State Agent shall be the Chief of D.C. SASP, and may make charges, assess fees, and distribute surplus personal property in accordance with all federal laws and regulations governing the donation and transfer of federal surplus property;
- (b) Acting as the Chief of the SPD for purposes of disposing of District surplus personal property in accordance with District law and regulations governing the sale, donation, and transfer of District surplus property;
- (c) Maximizing the investment recovery value of surplus personal property and effective oversight and management of personal property utilization;
- (d) Maintaining office and warehouse facilities for requesting, receiving, staging, displaying, storing, and shipping all categories of surplus personal property;
- (e) Examining the property records of each agency to determine the adequacy and accuracy of the property records; and
- (f) Determining who shall be authorized to enter the District’s warehouse to select property.

Section 902, RESERVED, is repealed and replaced with:

902 INVENTORY CONTROL

902.1 Each District agency is responsible for all personal property in its custody whether purchased from appropriations or other authorized funds, or acquired by transfer, donation, or other authorized means. Each District agency shall ensure that the personal property is properly utilized and managed in the best interest of the District government.

902.2 Each District agency director shall designate in writing to the CPDO:

- (a) An administrative employee who shall serve as an Accountable Property Officer (APO); and
- (b) An administrative employee who shall serve as an alternate APO.

902.3 The APO shall be responsible for:

- (a) Maintaining records that reflect accountability of property assigned to the agency;
- (b) Ensuring the proper utilization and care of all property assigned to the agency;
- (c) Reconciling physical inventories with property records and inventory databases; and
- (d) Approving transfers of, accounting for, and reporting dispositions of agency personal property to SPD by utilizing the property disposal action form.

902.4 The D.C. SASP and the SPD shall maintain a shared electronic inventory control system to monitor all federal and District surplus personal property in their possession. The system shall contain the following information for each item of surplus personal property:

- (a) The date of receipt of property;
- (b) The agency from which the property was received;
- (c) A description of the property, including quantity and condition;
- (d) A photograph of the property; and
- (e) The estimated value of the property.

Section 903, DESIGNATION OF STATE AGENCY, is repealed and replaced with:

903 TRANSFER OF DISTRICT AND FEDERAL SURPLUS PROPERTY

903.1 The CPDO may transfer surplus District property between District agencies.

903.2 The CPDO may transfer federal surplus property to a District agency for use in carrying out or promoting, for residents of the District, a public purpose, including conservation, economic development, education, parks and recreation, public health, and public safety.

Section 904, INVENTORY CONTROL, is repealed and replaced with:

904 SALE OF DISTRICT SURPLUS PROPERTY

904.1 When it is in the District’s best interest, and after the District has made an attempt to transfer District surplus property between District agencies, the Director may authorize the disposal or sale of surplus personal property after it has been in SPD for seven (7) days using any of the following disposal methods:

- (a) Auctions;
- (b) Competitive sealed bidding;
- (c) Competitive electronic sales; or
- (d) Other appropriate method designated by rule.

904.2 If an on-line auction occurs, items shall be placed on an on-line auction site for a period of seven (7) days. After the auction period has expired, the winning bidder shall be awarded the property after payment has been received.

904.3 During an on-line auction, the record of the bid prices received will be available for public viewing on the auction site.

904.4 Property with an estimated value exceeding ten thousand dollars (\$10,000) shall only be sold subject to a minimum bid established by the CPDO. If the CPDO determines that property cannot be sold at the established minimum bid price, the CPDO may extend the bidding period or reject the bids.

904.5 The CPDO may reject any bid received during any disposal method.

904.6 No District employee or member of a District employee’s household may purchase surplus personal property.

Section 905, ACCOUNTING, is repealed and replaced with:

905 DONATION OF FEDERAL SURPLUS PROPERTY

905.1 The State Agent must determine whether an applicant is eligible to receive a donation of federal surplus property in the District’s possession.

905.2 When a determination has been made by the State Agent to donate federal surplus property, donations may be made to the following sources:

- (a) Any public agency for use in carrying out or promoting for the residents of the District one or more public purposes, such as conservation, economic

development, education, parks and recreation, public health, and public safety; or

- (b) To a nonprofit educational or public health institution or organization that is exempt from taxation under section 501 of the Internal Revenue Code of 1986 (26 U.S.C. § 501), including—
- (i) a medical institution, hospital, clinic, health center, or drug abuse treatment center;
 - (ii) a provider of assistance to homeless individuals or to families or individuals whose annual incomes are below the poverty line (as that term is defined in Section 673 of the Community Services Block Grant Act (42 U.S.C. § 9902));
 - (iii) a school, college, or university;
 - (iv) a school for the mentally retarded or physically handicapped;
 - (v) a child care center;
 - (vi) a radio or television station licensed by the Federal Communications Commission as an educational radio or educational television station;
 - (vii) a museum attended by the public;
 - (viii) a public library;
 - (ix) a historic light station as defined under Section 308(e)(2) of the National Historic Preservation Act (16 U.S.C. §§ 470w-7 (e)(2)), including a historic light station conveyed under Subsection (b) of that section, notwithstanding the number of hours that the historic light station is open to the public; or
 - (x) an organization whose membership comprises substantially all veterans (as defined under Section 101 of Title 38) and representatives are recognized by the Secretary of Veterans Affairs under Section 5902 of Title 38.

905.3 The distribution of federal surplus property should be done in a fair and equitable manner based on the relative needs and resources of interested District agencies and other eligible institutions in the District, and their abilities to use the property.

905.4 When an eligible donee ceases to operate, whether by loss of license, accreditation, approval or otherwise, or fails to satisfy all financial obligations as

required or fails to maintain a reasonable posture regarding all financial obligations, D.C. SASP shall terminate the distribution of federal surplus personal property immediately upon notification.

- 905.5 When a determination has been made by the State Agent that property has not been put into use by a donee within one (1) year from the date of receipt, or when the donee ceases to use the property within one (1) year after it has been received, the donee shall, at the direction of the CPDO do one (1) of the following:
- (a) Return all usable surplus personal property at the donee's expense, to the D.C. SASP warehouse;
 - (b) Transfer all usable property to another eligible donee; or
 - (c) Make another disposal arrangement deemed appropriate by the CPDO.
- 905.6 D.C. SASP may impose reasonable terms, conditions, reservations, and restrictions on the use of the donated property.
- 905.7 D.C. SASP shall maintain a donee wish-list which shall serve as a fundamental tool designed to neutralize the necessity of frequent visits to the warehouse in search of desired properties. D.C. SASP employees shall be guided by these requests in the screening and selection of property.

Section 906, RESERVED, is repealed and replaced with:

906 DONATION OF DISTRICT SURPLUS PROPERTY

- 906.1 The District may donate its surplus personal property to an organization qualified as a tax-exempt under Section 501 of the Internal Revenue Code of 1986 (26 U.S.C. § 501), or state, county, or municipal jurisdictions only after an attempt has been made to:
- (a) Transfer the property within an agency;
 - (b) Transfer the property between agencies; and
 - (c) Auction the property for sale.
- 906.2 The CPDO must determine whether an applicant is eligible to receive a donation of District surplus property, and re-verify its eligibility every two (2) years.
- 906.3 Before receiving a donation of District surplus personal property, a tax-exempt organization must:
- (a) Demonstrate it meets any approval, accreditation, or licensing requirements for operation of its program;

- (b) Certify that it is not debarred, suspended, or excluded from any federal or District program, including procurement programs;
- (c) Operate in compliance with applicable federal nondiscrimination law; and
- (d) Certify that it is a non-profit tax-exempt organization.

906.4 SPD shall maintain a donee wish-list which shall serve as a fundamental tool designed to neutralize the necessity of frequent visits to the warehouse in search of desired properties. SPD employees shall be guided by these requests in the screening and selection of property.

Section 907, RESERVED, is repealed and replaced with:

907 UNDISTRIBUTED SURPLUS PROPERTY

907.1 The CPDO may recycle, sell for scrap, abandon, or destroy undistributed District or federal surplus personal property upon making a determination that the property has no commercial value, or the estimated cost of its continued care and handling would exceed the estimated proceeds from its sale.

Section 908, RETURN OF DONATED PROPERTY, is repealed and replaced with:

908 SERVICE CHARGES

908.1 D.C. SASP may assess a service charge for services performed under this chapter. Service charges shall be fair and equitable in relation to the services performed. The D.C. SASP must take into account the amount of screening, packing, crating, removal, transportation and other efforts required to perform the services when determining the amount of a service charge.

Section 909, FINANCING AND SERVICE CHARGES, is repealed and replaced with

909 PLACEMENT OF ANIMALS

909.1 Notwithstanding any other provisions of this chapter, the CPDO may transfer or donate surplus animals in any manner in which he determines to be in the best interest of the District.

Section 910, TERMS AND CONDITIONS ON DONABLE PROPERTY, is repealed.

Section 911, NON-UTILIZED DONABLE PROPERTY, is repealed.

Section 912, FAIR AND EQUITABLE DISTRIBUTION, is repealed.

Section 913, ELIGIBILITY, is repealed.

Section 914, APPLICATION, is repealed.

Section 915, MAINTAINING ELIGIBILITY, is repealed.

Section 916, COMPLIANCE AND UTILIZATION, is repealed.

Section 917, CONSULTATION WITH ADVISORY BODIES AND PUBLIC AND PRIVATE GROUPS, is repealed.

Section 918, AUDIT, is repealed.

Section 919, COOPERATIVE AGREEMENTS, is repealed.

Section 920, LIQUIDATION, is repealed.

Section 921, RESERVED, is repealed.

Section 922, RESERVED, is repealed.

Section 923, RESERVED, is repealed.

Section 924, RESERVED, is repealed.

Section 925, RESERVED, is repealed.

Section 926, RESERVED, is repealed.

Section 927, RESERVED, is repealed.

Section 928, RESERVED, is repealed.

Section 929, RESERVED, is repealed.

Section 930, FORMS, is repealed.

Section 931, RECORDS, is repealed.

Section 932, ADMISSION TO SASP DISTRIBUTION CENTER AND SELECTION OF PROPERTY, is repealed.

Section 933, DONEE-SCREENERS, is repealed.

Section 934, CERTIFICATIONS AND AGREEMENTS (INCLUDING TERMS, CONDITIONS, RESERVATIONS AND RESTRICTIONS) COVERING THE DONATION OF DONABLE FEDERAL SURPLUS PROPERTY, is repealed.

999 DEFINITIONS

999.1 When used in this chapter, the following words have the meanings ascribed:

Chief Property Disposal Officer: The Chief of the District of Columbia State Agency for Surplus Property and the Chief of the Office of Contracting and Procurement Surplus Property Division who is designated to oversee and manage all personal property programs of the District government.

Director: The Director of the Office of Contracting and Procurement (OCP) or the District of Columbia Chief Procurement Officer (CPO).

Electronic Inventory Control System: The shared computer system and database used by the District of Columbia Personal Property Division and the State Agency for Surplus Property to record transactions related to surplus property.

Federal Property and Administrative Services Act of 1949: The law approved August 16, 1950 to authorize a State Agency for Surplus Property to acquire and distribute to all eligible donees in the District any federal surplus property.

Public agency: A federal or District department, agency, or instrumentality thereof.

Public purpose: A program carried out by a public agency which is legally authorized in accordance with the laws of the District of Columbia, and for which public funds may be expended. Public purposes include, but are not limited to, programs such as conservation, economic development, education, parks and recreation, public health, and public safety.

All persons desiring to comment on the subject matter of this proposed rulemaking should submit comments to the Chief Procurement Officer, 441 4th Street, 700 South, Washington, D.C. 20001. Comments may be sent by email to OCPRulemaking@dc.gov, by postal mail or hand delivery to the address above, or by calling (202) 727-0252. Comments must be received no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. A copy of this proposed rulemaking may be requested at the same address, e-mail, or telephone number as above.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-063
April 2, 2013

SUBJECT: Delegation of Authority to Make, Modify, Repeal and Enforce Rules Concerning the Brakes, Horns, Lights, Mufflers, and Other Equipment of Bicycles and the Speed, Routing, and Parking of Bicycles


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(6) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) (2012 Supp.), and section 6 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119, 1121; D.C. Code § 50-2201.03) ("Traffic Act"), it is hereby **ORDERED** that:

1. The Mayor's authority to make, modify, repeal, and enforce rules concerning the brakes, horns, lights, mufflers, and other equipment of bicycles and the speed, routing, and parking of bicycles under section 6(a)(2)(B) and (a)(6) of the Traffic Act (D.C. Code §§ 50-2201.03(a)(2)(B) and (a)(6)) is delegated to the director of the District Department of Transportation.
2. This Order shall supersede any provision of any outstanding Mayor's Order or Commissioner's Order to the extent that any such provision is inconsistent with the provisions of this Order.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

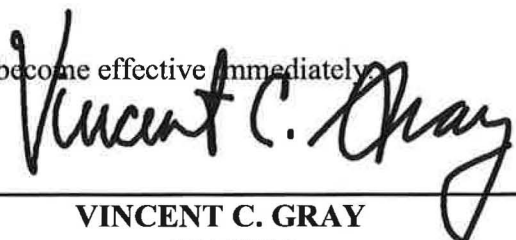
Mayor's Order 2013-064
April 2, 2013

SUBJECT: Designation of Special Event Area for Vending


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2012 Supp.), and pursuant to 19 DCMR 1301.8, it is hereby **ORDERED** that:

1. 7th Street, S.E., between C Street, S.E. and Pennsylvania Avenue, S.E., including the contiguous sidewalks and adjoining public spaces, is hereby designated as a special event area which may be used as a market for vending between the hours of 6:00 a.m. and 7:00 p.m. on each Saturday and Sunday, beginning July 6, 2013 and continuing on each Saturday and Sunday thereafter until C Street, S.E. between 7th Street, S.E. and 8th Street, S.E. is available for use and occupancy or until this Order is otherwise modified or rescinded.
2. The Special Event Area shall be overseen by the Department of General Services.
3. The Department of General Services may issue licenses and permits for the operation of vending activities within the Special Event Area.
4. This Order supersedes all previous Mayor's Orders to the extent of any inconsistency therein.
5. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-065
April 3, 2013


SUBJECT: Appointment – Commission on Aging

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and in accordance with section 402 of the District of Columbia Act on the Aging, effective October 29, 1975, D.C. Law 1-24, D.C. Official Code § 7-504.02 (2008 Repl.), it is hereby **ORDERED** that:

1. **BARBARA HAIR** is appointed as a member of the Commission on Aging, replacing Alethea Campbell, to complete the remainder of an unexpired two year term that began October 29, 2012, and to end October 28, 2014.
2. **EFFECTIVE DATE:** This Order shall be effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST: 
CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-066
April 3, 2013

SUBJECT: Appointment – Office of Employee Appeals

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and pursuant to section 601 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979, D.C. Law 2-139, D.C. Official Code § 1-606.01 (2012 Supp.), it is hereby **ORDERED** that:

1. **SHEREE PRICE** is designated as Vice Chairperson of the Office of Employee Appeals and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-067
April 3, 2013

SUBJECT: Amendment – Business Regulatory Reform Task Force

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and pursuant to Mayor's Order 2013-031, dated February 7, 2013, it is hereby **ORDERED** that:

1. Section 2 of Mayor's Order 2013-032, dated February 7, 2013, is hereby amended and shall read as follows:

The following persons are appointed to the Task Force as voting members from the various Business Organizations:

MARY L. LYNCH, representing the Apartment and Office Building Association of Metropolitan Washington;

KAREN CAMPBELL, representing the Greater Washington Board of Trade;

MARGARET SINGLETON, representing the DC Chamber of Commerce; and

CHERYL HAMILTON, representing the DC Building Industry Association.

2. Section 8 of Mayor's Order 2013-032, dated February 7, 2013, is hereby amended and shall read as follows:

The following persons are appointed to the Task Force as public voting members:

DAVID GOLDBLATT;


LLOYD JORDAN; and

MARLA BILONICK.

3. Unless otherwise earlier removed, the terms of all Task Force members shall expire in accordance with section V of Mayor's Order 2013-031.
4. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to February 27, 2013.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-068
April 3, 2013

SUBJECT: Appointment – Business Regulatory Reform Task Force


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and pursuant to Mayor's Order 2013-031, dated February 7, 2013, it is hereby **ORDERED** that:

1. **ANGELA FRANCO** is appointed to the Business Regulatory Reform Task Force ("Task Force") as a public voting member.
2. Unless otherwise earlier removed, the terms of all Task Force members shall expire in accordance with section V of Mayor's Order 2013-031.
3. **EFFECTIVE DATE:** This Order shall be effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-069
April 3, 2013

SUBJECT: Appointment - Interim Director, Department of Small and Local Business Development

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and pursuant to section 2312 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005, D.C. Law 16-33, D.C. Official Code § 2-218.12 (2011 Repl.), it is hereby **ORDERED** that:

1. **ROBERT SUMMERS** is appointed Interim Director of the Department of Small and Local Business Development, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2011-200, dated December 28, 2011.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to March 22, 2013.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-070
April 4, 2013

SUBJECT: Appointment – District of Columbia Water and Sewer Authority Board of Directors


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), and pursuant to section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996, D.C. Law 11-111, D.C. Official Code § 34-2202.04 (2010 Repl.), it is hereby **ORDERED** that:

1. **ROBERT L. MALLET**, who was nominated by the Mayor on December 6, 2012, and approved by the Council of the District of Columbia pursuant to Resolution 20-0068 on March 19, 2013, is appointed as a member of the District of Columbia Water and Sewer Authority Board of Directors, replacing William M. Walker, for a term to end September 12, 2016.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-071
April 4, 2013

SUBJECT: Appointments and Reappointments – District of Columbia State
Rehabilitation Council

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2012 Supp.), and by the Rehabilitation Act of 1973, as amended by the Workforce Investment Act of 1998, approved August 7, 1998, Pub. L. 105-220, 112 Stat. 1151, 29 U.S.C. § 725, and in accordance with Mayor's Order 2001-173, dated November 30, 2001, it is hereby **ORDERED** that:

1. **STEVEN POWE** is appointed, as a current or former applicant for or recipient of vocational rehabilitation services, to the District of Columbia State Rehabilitation Council (hereinafter referred to as the "Council"), for a term to end April 4, 2016.
2. **RICHARD SIMMS** is appointed, as a representative of the Statewide Independent Living Council, to the Council, for a term to end April 4, 2016.
3. **ANDREW REESE** is appointed, as the Administrator of the designated state unit for Vocational Rehabilitation services, replacing Laura L. Nuss, as an ex officio member of the Council, and shall serve in that capacity at the pleasure of the Mayor.
4. **SIAVOSH HEDAYATI** is appointed, as a qualified vocational rehabilitation counselor, as an ex officio member of the Council, for a term to end April 4, 2016.
5. **MARION LEVINE** is appointed as a member of the Council, and shall serve for a term to end April 4, 2016.

6. **JEROME H. PARSON**, a current member of the Council, is re-designated as a representative of business, industry, and labor, for a term to end November 1, 2014. Mayor's Order 2011-185, dated November 7, 2011, Section 1, is amended only to the extent of any inconsistency with the re-designation of the category of membership assigned to Jerome H. Parson.
7. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-072
April 4, 2013

SUBJECT: Appointment - Acting Deputy Mayor for Education


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Supp.), pursuant to section 202 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007, D.C. Law 17-9, D.C. Official Code § 38-191 (2012 Supp.), and in accordance with section 2(a)(2) of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01(a)(2) (2012 Supp.), it is hereby **ORDERED** that:

1. **ABIGAIL SMITH** is appointed Acting Deputy Mayor for Education and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2012-187, dated November 5, 2012.
3. **EFFECTIVE DATE:** This Order shall be effective on April 10, 2013.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CHANGE OF HOURS AGENDA

WEDNESDAY, APRIL 17, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Approved Hours of Operation and Approved Hours of Alcoholic Beverage Sales/Service: Monday through Saturday 10:00 am - 8:00 pm. Proposed Hours of Operation and Proposed Hours of Alcoholic Beverage Sales/Service: Sunday 1:00 pm – 6:00 pm; Monday through Saturday 11:00 am -9:00 pm. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 2E. SMD 2E07. *Jade Liquors, Inc. T/A Georgetown Wine and Spirits*, 1500-27th Street, NW, Retailer's Class A, License No.: 085209.
2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Approved Hours of Operation and Approved Hours of Alcoholic Beverage Sales/Service: Monday through Saturday 9:00 am - 12:00 am. Proposed Hours of Operation and Proposed Hours of Alcoholic Beverage Sales/Service: Sunday through Saturday 7:00 am -12:00 am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No conflict with Settlement Agreement. ANC 4A. SMD 4A03. *Hargunn, Inc. T/A Mayfair Liquors*, 7312 Georgia Ave, NW, Retailer's Class A, License No.: 060561.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, APRIL 17, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On April 17, 2013 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#12-CMP-00243 Yegna, 1920 9TH ST NW Retailer C Tavern, License#: ABRA-074241

2. Case#13-CMP-00169 Rumba Cafe, 2443 18TH ST NW Retailer C Restaurant, License#: ABRA-071023

3. Case#13-CMP-00168 Soussi, 2228 18TH ST NW Retailer C Restaurant, License#: ABRA-060448

4. Case#13-CMP-00167 Pi, 2309 18TH ST NW Retailer C Restaurant, License#: ABRA-076754

5. Case#13-AUD-00034 Aroma Indian Restaurant, 1919 I ST NW Retailer C Restaurant, License#: ABRA-001847

6. Case#13-AUD-00035 Bistrot Le Zinc, 3712 - 3714 MACOMB ST NW Retailer C Restaurant, License#: ABRA-086355

7. Case#13-AUD-00036 HOT AND JUICY CRAWFISH, 2651 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-086226

8. Case#13-AUD-00038 Mixtec, 1792 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-007374

9. Case#13-AUD-00039 Panache, 1725 DESALES ST NW Retailer C Restaurant, License#: ABRA-060754

10. Case#13-AUD-00040 Park Hyatt Washington, 1201 24TH ST NW Retailer C Hotel, License#: ABRA-023759

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, APRIL 17, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Amended and Restated Settlement Agreement dated April 3, 2013 by and between Ugly Mug, LLC T/A Jake's American Grill and Advisory Neighborhood Commission 3F. *Jake's American Grille*, 5016 Connecticut Avenue NW Retailer CR02, Lic.#: 86013.

2. Review of letter dated April 4, 2013 from Nicolas Makris, Owner, The Juniper Group, LLC T/A The Blaguard to amend its ABC license to reduce the seating from 49 to 27 indoor and 4 outdoor seats. *The Blaguard*, 2003 18th Street NW Retailer CR01, Lic.#: 72512.

3. Review of Application for Change of Hours. ***Approved Hours of Operation:*** Sunday 8:00 am – 11:00 pm; Monday through Thursday 11:00 am – 11:00 pm; Friday and Saturday 11:00 a.m. – 2:00 am. ***Approved Hours of Alcoholic Beverage Sales/Service:*** Sunday 10:00 am – 11:00 pm; Monday through Thursday 11:00 am – 11:00 pm; Friday and Saturday 11:00 a.m. – 2:00 am. ***Proposed Hours of Operation:*** Sunday 8:00 am – 12:00 am; Monday through Thursday 11:00 am – 12:00 am; Friday and Saturday 11:00 a.m. – 2:00 am. ***Proposed Hours of Alcoholic Beverage Sales/Service:*** Sunday 10:00 am – 12:00 am; Monday through Thursday 11:00 am – 12:00 am; Friday and Saturday 11:00 a.m. – 2:00 am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 3G. SMD 3G05. *Blue 44*, 5507 Connecticut Avenue NW Retailer CR, Lic.#: 85977.

4. Review of Application for Substantial Change: Load increase from 36 to 47. ***Approved Hours of Operation and Approved Hours of Alcoholic Beverage Sales/Service:*** Sunday through Saturday 10:00 a.m. – 1:00 am. ***Approved Hours of Operation and Approved Hours of Alcoholic Beverage Sales/Service for Sidewalk Café:*** Sunday through Thursday 10:00 am – 10:00 pm; Friday and Saturday 10:00 am – 11:00 pm. ***Approved Hours of Entertainment:*** Sunday through Thursday 6:00 pm – 10:00 pm; Friday and Saturday 6:00 p.m. – 12:00 am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No conflict with Settlement Agreement. ANC 6C. SMD 6C04. *Ethiopic Restaurant*, 401 H Street NE Retailer CR01, Lic.#: 83149.

5. Manager's Application: Spenser McKenna.**

Board's Agenda – April 17, 2013 - Page 2

6. Review of Request dated April 3, 2013 from Washington Wholesale Liquor Company, License No. 060518, for approval to provide retailers with products valued at more than \$50 and less than \$500. **Washington Wholesale Liquor Company, LLC**, 2800 V Street NE Wholesaler A, Lic.#: 60518.

7. Review of Letter dated April 4, 2013 from Andrew Kline on behalf of Leed the Way, LLC T/A Hanks Oyster Bar attaching noise abatement report required by Board Order dated December 8, 2010. **Hank's Oyster Bar**, 1624 Q Street NW Retailer CR02, Lic.#: 71913.

8. Review of letter, dated April 3, 2013, from Lyle Blanchard requesting an extension of Safekeeping until March 31, 2014. **TBD (Formerly The Attic)**, 1841 Columbia Road NW Retailer CR, Lic.#: 86065.

9. Review of Motion to Discharge and Dismiss Show Cause, dated March 13, 2013, from Emanuel Mpras. **Lotus**, 1420 K Street NW Retailer CN03, Lic.#: 75162.

10. Review of District's Precipe of Dismissal, dated April 4, 2013, from Louise Phillips. **Lotus**, 1420 K Street NW Retailer CN03, Lic.#: 75162.

11. Review of Petition to Terminate or Amend Settlement Agreement, dated March 11, 2013, for Farmers & Fishers. **Farmers & Fishers**, 3000 K Street NW Retailer CR04, Lic.#: 74934.*

12. Review of Petition to Terminate or Amend Settlement Agreement, dated March 29, 2013, for B Café/Brookland Café. **B Café/Brookland Café**, 3740 12th Street NE Retailer CR01, Lic.#: 83121.*

13. Review of Petition to Terminate or Amend Settlement Agreement, dated March 29, 2013, for Policy. **Policy**, 1904 14th Street NW Retailer CR03, Lic.#: 76804.*

14. Review of Petition to Terminate or Amend Settlement Agreement, dated March 29, 2013, for Rice Restaurant & Bar. **Rice Restaurant & Bar**, 1608 14th Street NW Retailer CR01, Lic.#: 60730.*

Board's Agenda – April 17, 2013 - Page 3

15. Review of Petition to Terminate or Amend Settlement Agreement, dated March 29, 2013, for Old Glory. *Old Glory*, 3139 M Street NW Retailer CR02, Lic.#: 76435.*

16. Review of Petition to Terminate or Amend Settlement Agreements, dated March 29, 2013, for Meze. *Meze*, 2437 18th Street NW Retailer CR01, Lic.#: 60347.*

17. Review of Petition to Terminate or Amend Settlement Agreement, dated March 29, 2013, for Bistro 18. *Bistro 18*, 2420 18th Street NW Retailer CR01, Lic.#: 86876.*

18. Review of Petition to Terminate or Amend Settlement Agreement, dated April 1, 2013, for Tryst. *Tryst*, 2459 18th Street NW Retailer CR01, Lic.#: 25781.*

19. Review of Petition to Terminate or Amend Settlement Agreement, dated March 22, 2013, for Dangerously Delicious DC. *Dangerously Delicious DC*, 1339 H Street NE Retailer CR01, Lic.#: 87422.*

20. Review of Settlement Agreement Amendment, dated June 12, 2012, between Mayfair Liquors and ANC 4A. *Mayfair Liquors*, 7312 Georgia Avenue NW Retailer A, Lic.#: 60561.*

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

DC COMMISSION ON THE ARTS AND HUMANITIES**NOTICE OF FUNDING AVAILABILITY****FY 2014 Grant Season**

The DC Commission on the Arts and Humanities (DCCAH) announces the availability of grant funds for fiscal year 2014. DCCAH provides grants, programs and educational activities that encourage diverse artistic expressions and learning opportunities, so that all District of Columbia residents and visitors can experience the rich culture of our city.

Eligible applicants must be DC-based, non-profit organizations or individuals who have resided in the District of Columbia for at least one year. All eligible applications are reviewed through a competitive process. Evaluation criteria are based on 1) Artistic Content, 2) Community Impact and Engagement, 3) Organizational Capacity and Sustainability, and 4) Overall.

The Request for Applications (RFA) will be available electronically beginning May 10, 2013 on our website at <http://dcarts.dc.gov/>. Neither paper applications nor hard copies of artistic work samples will be accepted. Applicants must apply online.

Deadlines for applications will vary, beginning on June 17, 2013.

For more information, please contact:

Moshe Adams
Director of Grants
DC Commission on the Arts and Humanities
200 I (EYE) St. SE,
Washington, DC 20003
(202)724-5613
Moshe.Adams@dc.gov.

CENTER CITY PUBLIC CHARTER SCHOOLS, INC.

REQUEST FOR PROPOSAL

Center City Public Charter Schools, Inc. is soliciting proposals from qualified vendors for the following:

Center City PCS would like to engage one or more contractors to complete several small scale renovation projects at six of our campuses during the summer of 2013. The goal is to create school buildings which are well maintained and are conducive to PK-8th grade instruction. Our buildings are generally 50-100 years old and have been serving as schools since inception.

To obtain copies of full RFP's, please visit our website: www.centercitypcs.org. The full RFP's contain guidelines for submission, applicable qualifications and deadlines.

Contact person:

Cristine Doran
cdoran@centercitypcs.org

DISTRICT OF COLUMBIA TAX REVISION COMMISSION**NOTICE OF PUBLIC MEETING**

The District of Columbia's Tax Revision Commission (the "Commission") will be holding a meeting on Monday, April 15, 2013 from 3:00 p.m. to 6:00 p.m. The meeting will be held at One Judiciary Square, 441 4th Street, NW, Room 1107, Washington, DC 20001. The agenda for the meeting is below.

For additional information, please contact Ashley Lee at (202) 478-9143 or ashley.lee@dc.gov.

AGENDA

- I. Call to Order**
- II. Approval of Minutes from March 4, 2013 Meeting**
- III. Muriel Bowser, Councilmember Ward 4 (invited)**
- IV. Regional and National Tax Comparisons**
- V. D.C. Fiscal Architecture**
- VI. D.C. Tax Revision Commission Business**
- VII. Adjournment**

EAGLE ACADEMY PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS (RFP)****Development and Legal Services**

Eagle Academy Public Charter School (EAPCS) invites all interested and qualified District of Columbia public charter school development consulting firms and real estate legal counsel to submit proposals to provide: (i) ongoing development consulting services to EAPCS in connection with its continued development of its leased facility located at 3400 Wheeler Road, SE, Washington, DC 20032 (known as the former McGogney Elementary School site); and (ii) legal services to EAPCS as its Counsel in connection with the continued development of its Wheeler Road site. All proposals submitted in response to this RFP are due no later than 5 p.m. on Friday, April 26, 2013. The RFP with bidding requirements and supporting documentation can be obtained by contacting:

Mayra Martinez-Fernandez Deputy Chief Operating Officer Eagle Academy Public Charter School 202-544-2646 mmartinez@eagleacademypcs.org

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

ESEA Title III, Part A
Significant Increase in Immigrant Children and Youth Enrollment [3114(d)]
Public and Charter School Application

Notice of Funding Availability

Application Release Date: On or Before June 1, 2013
Application Submission Deadline: August 2, 2013

Purpose and Description:

The Office of the State Superintendent of Education (OSSE) will issue a Request for Application as part of the ESEA Title III, Part A required reservation [3114(d)] to support local educational agencies (LEAs) that are experiencing a significant increase in Immigrant Children and Youth enrollment.

LEAs are eligible if they had a significant increase in the percentage or number of immigrant children and youth enrolled during the school year 2012-2013, as compared to the average of the two (2) preceding fiscal years.

“Immigrant Children and Youth” (ICY) means individuals who:

- a) are aged 3 through 21
b) were not born in any State; and
c) have not been attending one or more schools in any one or more States for more than three (3) full academic years

“Significant increase” is based on the following definition:

Table with 2 columns: LEA English Learner (EL) Enrollment and Significant Increase (ELs). Rows show enrollment ranges (1-249, 250-999, 1000->1000) and corresponding percentages (22, 44, 6%).

To determine a significant increase, the eligible LEAs should have experienced a significant increase, as compared to the average of the two (2) preceding fiscal years, in the percentage or number of ICY, who have enrolled, during the fiscal year preceding the fiscal year for which the subgrant is made, in public and nonpublic elementary schools and secondary schools in the geographic areas under the jurisdiction of, or served by, such LEAs.

In general, eligible LEAs shall use the Section 3114(d)(1) funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include—

- a) family literacy, parent outreach, and training activities designed to assist parents to become active participants in the education of their children;
b) support for personnel, including teacher aides who have been specifically trained, or are being trained, to provide services to immigrant children and youth;
c) provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;
d) identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds;

- e) basic instruction services that are directly attributable to the presence in the school district involved of immigrant children and youth, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instruction services;
- f) other instruction services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and
- g) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant children and youth by offering comprehensive community services.

Additionally, eligible LEAs shall select one or more methods or forms of instruction to be used in the programs and activities undertaken by the entity to assist limited English proficient children to attain English proficiency and meet challenging State academic content and student academic achievement standards. [Section 3115(f)]

Applicants will be required to provide the following:

- a) assurance certification;
- b) completed and certified Significant Increase in Immigrant Children and Youth Enrollment Computation form; and
- c) completed and certified Request for Application, including a local plan.

Funding Level:

Up to a total of \$10,000 in grant funds will be available for this grant competition. Eligible applicants may apply for up to \$10,000. Award(s) may be made in other increments and successful applicants may be awarded amounts less than requested.

Eligibility:

All LEAs that had a significant increase in Immigrant Children and Youth Enrollment during the school year 2012-2013 are eligible to apply.

To receive more information, please contact:

Bryan Sebobo
Office of the State Superintendent of Education
810 First Street, NE, 5th Floor
Washington, D.C. 20002
202.714.6127 (m)
Bryan.Sebobo@dc.gov

A copy of the application will be available on OSSE's website at www.osse.dc.gov.

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Certification of Filling Vacancies
In Advisory Neighborhood Commissions

Pursuant to D.C. Official Code §1-309.06(d)(6)(D), If there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person, the Board hereby certifies that the vacancies have been filled in the following single-member districts by the individuals listed below:

Martha Mitchell
Single-Member District 4A05

Ronnie Webb
Single-Member District 5C06

Alvin O. Judd, Sr.
Single-Member District 6E06

Naomi Carthens
Single-Member District 8C06

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF FILING OF A
VOLUNTARY CLEANUP ACTION PLAN

Cleanup Action Plan at 44 and 88 M Street, N.E.

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code §§ 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (Act)), the Voluntary Cleanup Program in the District Department of the Environment (DDOE), Land Remediation and Development Branch (LRDB), informs the public that it has received a Cleanup Action Plan requesting to perform a remediation action for certain real property located at 44 and 88 M Street, N.E. The applicant for the referenced addresses, Case No. VCP2013-024, is SCD Capitol Plaza, LLC, 1776 Wilson Boulevard, Suite 250, Arlington, Virginia 22209. The application identified the presence of volatile chlorinated organic solvents and petroleum in the soil and groundwater. The applicant intends to redevelop the subject property for a mixed-use commercial office and residential development.

Written comments on the proposed Cleanup Action Plan must be received by the VCP program at the address listed below within twenty one (21) days from the date of this publication. DDOE is required to consider all public comments it receives before acting on the application, the Cleanup Action Plan, or a Certificate of Completion for any voluntary cleanup project.

The Cleanup Action Plan and supporting documents are available for public review at the following location:

Voluntary Cleanup Program
District Department of the Environment (DDOE)
1200 First St., NE, Fifth Floor
Washington, DC 20002

Interested parties may also request a copy of the Cleanup Action Plan for a small charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or by calling (202) 535-1771.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC) for the area in which the property is located.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE**AIR QUALITY TITLE V OPERATING PERMIT AND
GENERAL PERMIT FOR
AMERICAN UNIVERSITY**

Notice is hereby given that American University has applied for a Title V air quality permit pursuant to the requirements of Title 20 of the District of Columbia Municipal Regulations, Chapters 2 and 3 (20 DCMR Chapters 2 and 3) to operate the following notable emission units: two 62.82 million BTU per hour boilers, one 25.50 million BTU per hour boiler, one 5.86 million BTU per hour boiler, fourteen (14) small boilers, each having a capacity of five million or fewer BTUs per hour of heat input, thirty (30) water heaters and twenty emergency generators, at American University located at 4400 Massachusetts Avenue, NW, Washington DC. The contact person for the facility is Juan Allen, Chief Engineer, Central Plant Operations, at (202) 885-2336.

With the potential to emit approximately 153 tons per year of nitrogen oxides and 103 tons per year of sulfur dioxide, the facility has the potential to emit greater than the District's major source thresholds of 25 tons per year of nitrogen oxides and 100 tons per year of sulfur dioxide. Therefore, the facility is classified as a major source of air pollution and is subject to 20 DCMR Chapter 3.

Emission Information for Emission Units being Permitted for the First Time

Small boiler at the McCabe Building:

Of the fourteen (14) small boilers, only one of those is new and it is being permitted for the first time. It is located in the McCabe Building of American University. The unit has a capacity of 0.88 million BTU per hour of heat input. Under the provisions of 20 DCMR 200.11 any fuel burning equipment which has a capacity of five million or fewer BTUs per hour of heat input and which uses for fuel only gaseous fuels or distillate oils, does not require a Chapter 2 permit. Although this new boiler is not required to have a Chapter 2 permit, it is still subject to emissions limitations. Consequently this requirement has been incorporated into the facility's Title V permit.

The proposed emission limits for the new small boiler are as follows:

Particulate matter emissions from [the] boiler shall not exceed 0.13 pounds per million BTU. Note that the Permittee is deemed to have complied with this requirement by burning only natural gas with a maximum sulfur content of 2.5 grains per 100 standard cubic feet unless other credible evidence of a violation of this limit is identified.

The estimated emissions from the unit are as follows:

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.0014	0.00634
SO _x	0.00046	0.0020
NO _x	0.076	0.334
VOC	0.0042	0.0184
CO	0.0639	0.280

Emergency generators requiring permits: Eleven (11) emergency standby generators that are subject to the New Source Performance Standards (NSPS) for stationary compression ignition internal combustion engines are listed below:

Equipment Location	Emission Unit Description	Equipment Serial Number
Transmitter Building	One (1) TB 450 kW Cummins Diesel Generator	B100097232
Nebraska Hall	One (1) NEH 60 kW Cummins Generator	D070045800
Bender Library	One (1) BL 60 kW Cummins Diesel Generator	A100092569
Letts Hall	One (1) LTH 200 kW Cummins Diesel Generator	A100092571
Leonard Hall	One (1) LNH 250 kW Caterpillar Diesel Generator	K060991203
Brandywine	One (1) BDW.250 kW Generac Diesel Generator	131049-0906
McDowell Generator	One (1) MDH 200 kW Cummins Diesel Generator	F110223068
Sport Center Bender Arena	One (1) SCB 350 kW Cummins Diesel Generator	E080185469 SPEC
School of International Svc. Bldg.	One (1) ISB 250 kW Cummins Diesel Generator	G090018479
Asbury Building	One (1) ASB 500 kW Cummins Diesel Generator	J070113585 SPECF
McKinley Building	One (1) MB 242 kW Cummins Diesel Generator	Model #QSB7-G5NR3

These new eleven (11) emergency generators have not been previously incorporated into the Title V operating permit, although Chapter 2 permits have been issued. By way of this notice, the requirements of the Chapter 2 permits for these new emergency generators are hereby incorporated into the facility's Title V operating permit. The emergency generators are subject to the requirements of the New Source Performance Standards (NSPS), and these form the basis of the emission limits listed below.

The proposed emission limits for the new emergency generators are as follows:

- a. Emissions shall not exceed those found in the following table [40 CFR 60.4205(b) 40 CFR 60.4202(a) and 40 CFR 89.112(a)]

Emission Standards (g/kW-hr)							
	Columns by Engine Size (kW)						
Pollutant	60	200	242	250	350	450	500
NMHC+NO _x	4.7	4.0	4.0	4.0	4.0	4.0	4.0
CO	5.0	3.5	3.5	3.5	3.5	3.5	3.5
PM	0.40	0.20	0.20	0.20	0.20	0.20	0.20

- b. Visible emissions shall not be emitted into the outdoor atmosphere from stationary sources (excluding fuel-burning equipment placed in initial operation before January 1, 1977); Provided, that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, soot blowing, adjustment of combustion controls, or malfunction of equipment. [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated emissions from each emergency generator are as follows:

Transmitter Building Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	1.32	0.3300
SO _x	1.23	0.3075
NO _x	18.6	4.6500
VOC	1.482	0.3705
CO	4.008	1.0020

Nebraska Hall Building Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.176	0.0440
SO _x	0.164	0.0410
NO _x	2.480	0.6200
VOC	0.200	0.0494
CO	0.534	0.1336

Bender Library Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.176	0.0440
SO _x	0.164	0.0410
NO _x	2.480	0.6200
VOC	0.200	0.0494
CO	0.534	0.1336

Letts Hall Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.587	0.1467
SO _x	0.547	0.1367
NO _x	8.267	2.0667
VOC	0.659	0.1647
CO	1.781	0.4453

Leonard Hall Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.733	0.1833
SO _x	0.683	0.1708
NO _x	10.333	2.5833
VOC	0.823	0.2058
CO	2.227	0.5567

Brandywine Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.733	0.1833
SO _x	0.683	0.1708
NO _x	10.333	2.5833
VOC	0.823	0.2058
CO	2.227	0.5567

McDowell Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.587	0.1467

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
SO _x	0.547	0.1367
NO _x	8.267	2.0667
VOC	0.659	0.1647
CO	1.781	0.4453

Sport Center Bender Arena Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	1.027	0.2567
SO _x	0.957	0.2392
NO _x	14.467	3.6167
VOC	1.153	0.2882
CO	3.117	0.7793

School of International Service Building Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.00432	0.0108
SO _x	0.00013	0.00338
NO _x	18.6	4.6500
VOC	1.482	0.3705
CO	4.008	1.0020

Asbury Building Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.4668	0.1167
SO _x	0.008	0.0020
NO _x	16.00	4.0000
VOC	0.47	0.1175
CO	4.008	1.0020

McKinley Building Emergency Generator

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
PM (Total)	0.0908	0.0227
SO _x	0.000904	0.000226
NO _x	2.992	0.7480
VOC	0.7244	0.1811

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
CO	4.008	1.0020

The District Department of the Environment (DDOE) has reviewed the permit application and related documents and has made a preliminary determination that the applicant meets all applicable air quality requirements promulgated by the U.S. Environmental Protection Agency (EPA) and the District. Therefore, draft permit #013-R2 has been prepared.

The application, the draft permit, and all other materials submitted by the applicant [except those entitled to confidential treatment under 20 DCMR 301.1(c)] considered in making this preliminary determination are available for public review during normal business hours at the offices of the District Department of the Environment, 1200 First Street NE, 5th Floor, Washington DC 20002. Copies of the draft permit and a fact sheet are available at <http://ddoe.dc.gov/service/public-notice-hearings>.

A public hearing on this permitting action will not be held unless DDOE has received a request for such a hearing within 30 days of the publication of this notice. Interested parties may also submit written comments on the permitting action. Hearing requests or comments should be directed to Stephen S. Ours, DDOE Air Quality Division, 1200 First Street NE, 5th Floor, Washington DC 20002. Questions about this permitting action should be directed to John C. Nwoke at (202) 724-7778 or john.nwoke@dc.gov. Comments or hearing requests will not be accepted after May 13, 2013.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality permits #6718 and #6719 to the Armed Forces Retirement Home - Washington to construct and operate two (2) 725 kW natural gas fired emergency generator sets at 3700 North Capitol Street NW, Washington, DC 20011. The contact person for the facility is Justin Seffens, Corporate Facility Manager at 202-541-1405.

Maximum annual potential emissions from each unit are expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Particulate Matter (PM) (Total)	0.053
Sulfur Oxides (SOx)	0.0016
Nitrogen Oxides (NOx)	0.856
Volatile Organic Compounds (VOC)	0.570
Carbon Monoxide (CO)	2.282

The proposed emission limits for the equipment are as follows:

- a. Emissions from this unit shall not exceed those in the following table [40 CFR 60 Subpart JJJJ, Table 1]:

Pollutant Emission Limits (g/HP-hr)		
NOx	CO	VOC
2.0	4.0	1.0

- b. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a public hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments postmarked after May 13, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue a permit (#6722) to the International Monetary Fund to construct and operate one (1) diesel-fired 300 kW emergency generator set to be located at 1250 New Hampshire Avenue NW, Washington, DC. The contact person for the facility is Scott McMillan, Divion Chief - Facilities, at (703) 623- 6740.

The proposed emission limits are as follows:

- a. Emissions shall not exceed those found in the following table [40 CFR 60.4205(b) 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]

Emission Standards	
Pollutant	g/kW-hr
NMHC+NO _x	4.0
CO	3.5
PM	0.20

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated emissions from the unit, operating five hundred (500) hour per year are expected to be as follows:

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
Total Particulate Matter (PM -Total)	0.13	0.0325
Sulfur Oxides (SO _x)	1.967	0.492
Nitrogen Oxides (NO _x)	3.8	0.95
Volatile Organic Compounds (VOC)	0.39	0.0975
Carbon Monoxide (CO)	0.9	0.225

The application to operate the generator and the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permits and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after May 13, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

FRIENDSHIP PUBLIC CHARTER SCHOOL
NOTICE OF REQUEST FOR PROPOSALS FOR

Friendship Public Charter School is seeking bids from prospective candidates to provide **Consultant Services and GP Financial System Hosting Services** in accordance with requirements and specifications detailed in the Request for Proposal

Friendship Public Charter School is seeking bids from prospective candidates to provide **Event/Conference Centers and Catering Services** in accordance with requirements and specifications detailed in the Request for Proposal

An electronic copy of the full Request for Proposal (RFP) may be requested via e-mail from Valerie Boahene at vboahene@friendshipschools.org call 202-281.1722

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PUBLIC MEETINGS AND COMMENT PERIOD

CHILDLESS, NONDISABLED ADULTS, AGES 21-64, MEDICAID DEMONSTRATION

Pursuant to 42 C.F.R. § 431.408, the Department of Health Care Finance (DHCF) is providing public notice about an application to extend the authority under which the District operates its current Childless Adults Demonstration. The District's Childless Adults Demonstration provides non-pregnant, non-disabled adults, ages 21-64, with incomes between 133% and at or below 200% of the Federal Poverty Limit (FPL) with full Medicaid coverage, accessible through Medicaid Managed Care Organizations. The goals of the Childless Adults Demonstration are to (1) improve access to health care; (2) increase the rate of insured D.C. residents; and (3) provide continuity in health insurance coverage. In conjunction with State Plan authority to cover adults with incomes at or below 133% of the Federal Poverty Level (FPL), the Demonstration authorizes the District's Medicaid program to cover childless adults with incomes between 0% and at or below 200% FPL.

The Centers for Medicare and Medicaid Services (CMS) approved the original Demonstration on October 28, 2010, with effective dates of November 1, 2010 through December 31, 2013. The application requests a three (3) year extension, from January 1, 2014 through December 31, 2016. The extension would ensure continuous access to health insurance coverage for childless adults in light of the changes necessary to implement the Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148, 124 Stat. 119, enacted March 23, 2010. If the extension application is approved, the Demonstration will continue to operate pursuant to the authority of Section 1115(a)(2) of the Social Security Act (the Act), which allows expenditures not otherwise included as medical assistance under Section 1903 of the Act to be considered as expenditures under the District of Columbia's Title XIX State Plan for Medical Assistance.

In accordance with Federal requirements, DHCF will submit the application to CMS after convening two public meetings to discuss the application and receive stakeholder input. These meetings will take place as follows:

Public Meeting I: Childless Adults Demonstration Extension Overview

Date: Thursday, April 18, 2013, Time: 2:30pm – 4:00pm

Address: 609 H Street, NE, 2nd Floor Conference Room (Large), Washington, DC 20002

Public Meeting II: Medical Care Advisory Committee Meeting

Teleconference Capability

Date: Wednesday, April 24, 2013, Time: 1:30pm

Address: 899 N. Capitol Street NE, Room 6130, Washington, DC 20002

Teleconference Number: 1-888-395-5745 || Participant Code: 7970473#

Physical copies of the Demonstration extension application are available for public review and comment at the Department of Health Care Finance, 899 N. Capitol Street, NE, Sixth Floor, Washington, DC 20002, and at dhcf.dc.gov. Comments will be accepted between April 15, 2013 and May 15, 2013, and may be submitted to the attention of Linda Elam, PhD, MPH, Senior Deputy Director/State Medicaid Director, using the physical address above or via email at DHCFPublicComments@dc.gov with the subject line stating "Comment – 1115 Demonstration Extension Application".

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PUBLIC MEETING

District of Columbia Health Information Exchange Policy Board

The District of Columbia Health Information Exchange Policy Board, pursuant to the requirements of Mayor's Order 2012-24, dated February 15, 2012, hereby announces a public meeting of the Board. The meeting will be held **Wednesday, April 17, 2013** at 2:00 pm in the **6th Floor Conference Room 6130** at 899 North Capitol Street, NE, Washington, DC 20002.

The District of Columbia Health Information Exchange Policy Board meeting is open to the public. The topics to be discussed on the agenda include a Welcome and Introduction, Approval of the Minutes from the March 20, 2013 Meeting, Discussion of ONC Phase 1-2 Document, DC HIE Prospective Partnerships, Direct/HIE Marketing Strategies, New Business, and Reports.

If you have any questions, please contact Cleveland Woodson at (202) 724-7342.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Marriage and Family Therapy (“Board”) hereby gives notice of a change in its regular meeting pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2001) (“Act”).

Due to schedule conflicts, the Board’s monthly currently scheduled on Wednesday, May 1, 2013 will be held instead on Wednesday, May 8, 2013 from 11:00AM to 1:00PM . The Board will consider and discuss a variety of matters including proposed regulatory changes pertaining to the practice of occupational therapy and practices by occupational therapy assistants and occupational therapy aides. The meeting will be open to the public from 11:00AM until 12:00PM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed from 12:00PM until 1:00PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health Events link at <http://doh.dc.gov/events> for additional information.

DISTRICT OF COLUMBIA COMMISSION ON JUDICIAL DISABILITIES AND TENURE

**Judicial Tenure Commission Begins Reviews Of
Judges A. Franklin Burgess, Jr. and Natalia M. Combs Greene**

This is to notify members of the bar and the general public that Judges A. Franklin Burgess, Jr. and Natalia M. Combs Greene of the Superior Court of the District of Columbia are retiring and have requested recommendations for initial appointments as Senior Judges.

The District of Columbia Retired Judge Service Act P.L. 98-598, 98 Stat. 3142, as amended by the District of Columbia Judicial Efficiency and Improvement Act, P.L. 99-573, 100 Stat. 3233, §13(1) provides in part as follows:

"...A retired judge willing to perform judicial duties may request a recommendation as a senior judge from the Commission. Such judge shall submit to the Commission such information as the Commission considers necessary to a recommendation under this subsection.

(2) The Commission shall submit a written report of its recommendations and findings to the appropriate chief judge of the judge requesting appointment within 180 days of the date of the request for recommendation. The Commission, under such criteria as it considers appropriate, shall make a favorable or unfavorable recommendation to the appropriate chief judge regarding an appointment as senior judge. The recommendation of the Commission shall be final.

(3) The appropriate chief judge shall notify the Commission and the judge requesting appointment of such chief judge's decision regarding appointment within 30 days after receipt of the Commission's recommendation and findings. The decision of such chief judge regarding such appointment shall be final."

The Commission hereby requests members of the Bar, litigants, former jurors, interested organizations, and members of the public to submit any information bearing on the qualifications of Judges Burgess and Greene which it is believed will aid the Commission. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting materials will be kept confidential unless expressly authorized by the person submitting the information.

All communications should be mailed or faxed, by **June 28, 2013**, and addressed to:

District of Columbia Commission on Judicial Disabilities and Tenure
Building A, Room 246
515 Fifth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 727-1363
FAX: (202) 727-9718

The members of the Commission are:

Hon. Gladys Kessler, Chairperson
William P. Lightfoot, Esq., Vice Chairperson
Michael K. Fauntroy, Ph.D.
Noel J. Francisco, Esq.
Shirley Ann Higuchi, Esq.
Jeannine C. Sanford, Esq.

BY: /s/ Gladys Kessler
Chairperson

**KIPP DC
NOTICE OF TECHNOLOGY REQUEST FOR PROPOSALS**

**Data Warehouse Reporting Software, Hybrid Learning Management System, and
Related Professional Services**

KIPP DC is soliciting proposals from qualified vendors for the continued design, development, and implementation of a data warehouse. KIPP DC intends to utilize federal Department of Education Race to the Top—District (RTT-D) funds in order to execute this project.

The competitive Request for Proposal can be found on KIPP DC's website at www.kippdc.org/procurement.

Proposals are due no later than 5:00 P.M., EST, Apr. 22, 2013. No proposals will be accepted after the deadline.

**POTOMAC LIGHTHOUSE PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS
April 10, 2013**

Charter Facilities Management, Inc., on behalf of Lighthouse Academies, Inc., and the Potomac Lighthouse Public Charter School, is seeking competitive proposals to provide janitorial services for the 2013-2014 school year.

All sealed proposals shall be forwarded to the address listed below:

Attn: Ms. Rebecca Rudder
Charter Facilities Management
1661 Worcester Road, Suite 203
Framingham, MA 01701
Phone: 508-626-0904 ext. 103
Fax: 508-626-0944
rrudder@charterfacilities.org

Sealed proposals shall be received no later than April 29, 2013, by 12:00 PM EST.

Sealed proposals shall be submitted according to the specifications enclosed herein. In addition all sealed proposals shall be submitted in a sealed envelope marked as: PLPCS Janitorial Services Proposal SY2014. Indicate the firm name on the envelope. Included with the hard-copy proposals shall be an electronic copy of the proposal.

Late and/ or faxed proposals will not be accepted.

Charter Facilities Management, Inc., reserves the right to reject any and all proposals without limitation. Charter Facilities Management reserves the right to award a contract as it determines to be in the best interest of Lighthouse Academies, Inc. and the Potomac Lighthouse Public Charter School. To acquire a copy of the proposal specification, please contact Rebecca Rudder at the above contact information. To download the proposal specifications go to the Charter Facilities Management website at www.charterfacilities.org, RFP page.

DEPARTMENT OF MENTAL HEALTH**NOTICE OF LIMITED CERTIFICATION OPPORTUNITY**

The Director of the D.C. Department of Mental Health (DMH), pursuant to section 104 of the Department of Mental Health Establishment Amendment Act of 2001 (Act), effective December 18, 2001, D.C. Law 14-56, D.C. Official Code §§ 7-1131.04 (2012 Supp.), hereby gives notice that effective April 15, 2013, DMH will accept new applications for certification for two Mental Health Rehabilitation Services (MHRS): (1) Community-Based Intervention (CBI) Level I, Multisystemic Therapy (MST) and (2) Rehabilitation/Day Services. DMH will accept certification applications for the provision of CBI Level I and Rehabilitation/Day Services until June 30, 2013. Applications for CBI Level I or Rehabilitation/Day Services submitted after June 30, 2013 will be returned to the applicant and will not be reviewed or processed by DMH.

The moratorium on processing applications for other MHRS services which was imposed effective August 18, 2012 remains in effect. Applications for other MHRS services will be returned to the applicant and will not be reviewed or processed by DMH.

The Act authorizes DMH to "plan, develop, coordinate, and monitor comprehensive and integrated mental health systems of care for adults and for children, youth, and their families in the District, so as to maximize utilization of mental health services and mental health supports and to assure that services for priority populations identified in the Department's annual plan are funded within the Department's appropriations or authorizations by Congress and are available." DMH has identified a need for additional CBI Level I providers in order to meet the specific needs of certain children and youth. Additionally, DMH has identified a need for additional Rehabilitation/Day Services providers as a result of the closure of Medicaid Fee for Service Day Programs.

All questions regarding this Notice should be directed to Atiya Frame-Shamblee, Deputy Director of Accountability, DMH, at 64 New York Ave. NE, 3rd floor, Washington D.C. 20002; or Atiya.Frame@dc.gov; or (202) 671-2245.

PERRY STREET PREP PUBLIC CHARTER SCHOOL**NOTICE: FOR PROPOSALS FOR VARIOUS CHARTER SCHOOL SERVICES
AND SUPPLIES**

The Perry Street Prep Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for the following supplies/services: Food and supplies for student meals program; special education contracted services; professional development; student assessment services; student data management services; copiers; credit recovery services; travel planning services; student transportation services; IT support services; janitorial services; and landscaping services.

The school anticipates that it will select multiple vendors to perform these services, so vendors are encouraged to submit proposals for the provision of individual services rather than the full list. E-mail Garrett Mushaw, Chief Operating Officer, at gmushaw@pspdc.org to request a full RFP offering more detail on scope of work and bidder requirements.

Proposals shall be received no later than 5:00 P.M., Friday, May 3, 2013.

Prospective Firms shall submit one electronic submission via e-mail to the following address:

Garrett Mushaw
gmushaw@pspdc.org

Please include the type of service you are submitting for in the subject line of the e-mail.

**DISTRICT OF COLUMBIA
POLICE OFFICERS STANDARDS AND TRAINING BOARD**

NOTICE OF PUBLIC MEETING

The District of Columbia Police Officers Standards and Training (D.C. POST) Board will hold an open meeting on:

Wednesday, April 24, 2013, 3:30 p.m. – 5:00 p.m.

The meeting will be held in Room 5147, Henry J. Daly Building, 300 Indiana Avenue, Northwest, Washington, D.C. 20001 or as otherwise announced in the D.C. Register. Anyone interested in the work of the D.C. POST Board may attend the meetings. Please note that you must present picture identification in order to enter the building.

Copies of the materials to be voted on by the Board at a particular meeting may be obtained in advance beginning ten (10) business days prior to the meeting. Typed written comments on the materials may be submitted to the Office of the Board at least one (1) business day in advance of the meeting. Written comments received or postmarked after this date will not be accepted.

Members of the public who wish to present oral testimony at a particular meeting should contact the Office of the D.C. POST at least one (1) business day prior to the meeting by telephone or by faxing a written copy of the comments to be presented. Public comments will be limited to the last thirty (30) minutes of the meeting. Individual comments will be limited to three (3) minutes. Members of the public will be scheduled on a “first come-first served” basis.

The contact information is as follows:

District of Columbia Police Officers Standards and Training Board
300 Indiana Avenue, Northwest, Room 6029
Washington, D.C. 20001
dcpost@dc.gov

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
APPOINTMENTS OF NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after May 15, 2013.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on April 12, 2013. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: May 15, 2013

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Abebe	Demissie	Ethiopian Community Support Services 3628 12th Street, NE	20017
Acolatse	Ophelia E.	NIH Federal Credit Union 2200 Pennsylvania Avenue, NW, Suite E-160	20037
Akiner	Ata	Curtis, Mallet-Prevost, Colt & Mosle LLP 1717 Pennsylvania Avenue, NW	20006
Allan	Natanya Holland	Allan & Flax PLLC 5335 Wisconsin Avenue, NW	20015
Arnson-Serotta	Zachary J.	Planet Depos 1100 Connecticut Avenue , NW, Suite 950	20036
Bajwa	Baljit	Home Builders Institute 1201 15th Street, NW, 6th Floor	20005
Barnes	Donna M.	Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Barnes	Kimberly Brown	Consumer Financial Protection Bureau 1700 G Street, NW	20552
Berko	Lloyd	Fannie Mae 3900 Wisconsin Avenue, NW	20016
Bernard	Denise E.	Ballard Spahr, LLP 1909 K Street, NW, 12th Floor	20006
Blaine	Deloris	Frederick Douglass Apartments 1438 Cedar Street, SE	20020
Borthwick	Alycia	Bank of America 1801 K Street, NW	20006
Bowers	Judy A.	Department of Transportation - Maritime Administration 1200 New Jersey Avenue, SE, 2nd Floor, W28-201	20590

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Bowman	Jacquelyn R.	Bank Fund Staff Federal Credit Union 1725 I Street, NW, Suite 150	20006
Brown	Tabitha Renee	Law Offices of Tabitha R. Brown 1200 G Street, SE, Suite A	20003
Burns	Constance	National Association of American Veterans, Inc. 1725 I Street, NW, Suite 300	20006
Calloway	Malika C.	Consumer Financial Protection Bureau 1700 G Street, NW	20552
Chaplin	Sharon	General Services Administration, Office of General Counsel 1275 First Street, NE, 585B	20417
Chapman	Cheryl	Jacobson Holman PLLC 400 Seventh Street, NW, Suite 600	20004
Chiles	Brayden	Easterly Partners, LLC 2101 L Street, NW, Suite 750	20037
Conaway	Jacqueline T.	Federal Housing Finance Agency, Office of General Counsel 400 Seventh Street, SW, Suite 600	20024
Cox	Colleen	Edgeworth Economics LLC 1225 19th Street, NW, 8th Floor	20036
Cranston	Mary Kate	Kalbian Hagerty LLP 888 17th Street, NW, Suite 1000	20006
Crawford	Chanee Delonda	E and G Group Property Management, Meadows Green Courts 3539 A Street, SE	20019
Crawford	DaChea M.	Agriculture Federal Credit Union 1400 Independence Avenue, SW, Suite 1210	20050

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Culpepper	Patricia E.	Capitol Title Insurance Agency, Inc. 1501 27th Street, SE	20020
Daley	Claudia S.	The Webster Group, Inc. 5185 MacArthur Boulevard, NW, Suite 250	20016
Datoff	Vivian	The Datz Foundation 4545 42nd Street, NW, Suite 302	20016
Davis	William E.	Jackson & Campbell, PC 1120 Twentieth Street, NW, Suite 300-S	20036
Dickerson	Nathena	JCR Companies 1501 11th Street, NW	20001
Diehl	Rebecca A.	Lincoln Property Company 1030 15th Street, NW	20005
Doke	Nikki M.	State Services Organization 444 North Capitol Street, NW, Suite 237	20001
Dorgan	Briana	Linda Low Realtor 1827 Park Road, NW	20010
Duncan	Shantelle N.	Nave & Associates, PLLC 1405 Florida Avenue, NW	20009
Estevez	Sonya P.	Estevez & Associates 3600 14th Street, NW	20010
Fay	Jessica	M& T Bank 5630 Connecticut Avenue, NW	20015
Fleming	Angela S.	Cahill Gordon & Reindel LLP 1990 K Street, NW, Suite 950	20006
Flumo	Gboea	TD Bank 905 Rhode Island Avenue, NE	20018

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Garabetian	Marale	Kalbian Hagerty LLP 888 17th Street, NW, Suite 1000	20006
Ghanim, Sr.	Habib	USA Halal Chamber of Commerce, Inc. 1712 Eye Street, NW, Suite 602	20006
Glenn	Kenneth R.	District of Columbia Government , Department of Youth Rehabilitation Services 450 H Dtreet, NW	20001
Gray	Tonia S.	Schnader Harrison Segal & Lewis, LLP 750 Ninth Street, NW, Suite 550	20001
Halsey	Anne Marie	Children's National Medical Center, Children's Hospital Foundation 111 Michigan Avenue, NW	20010
Hemphill	Candis M.	Premium Title & Escrow, LLC 1534 14th Street, NW	20032
Henry	Steven A.	Self (Dual) 1524 Corcoran Street, NW	20009
Hill	Cynthia A.	Self 3425 Summit Court, NE	20018
Hodges	Justin	Self 350 G Street, SW, Apt. N625	20024
Hoffman	Melissa	Toyota Motor North America, Inc. 601 13th Street, NW, Suite 910 South	20005
Horn	Emily Van	Humphries & Partners, P.L.L.C. 1029 Vermont Avenue, NW, Suite 800	20005
Hostetler	Daniel Norman	BB&T Bank 1909 K Street, NW	20006

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Jacobius	Laura C.	Intellectual Property Owners Association 1501 M Street, NW, Suite 1150	20005
Johnson	Natasha	Regus 20 F Street, NW, Suite 700	20001
Johnson	Kenya L.	Pharmaceutical Research and Manufacturers of America 950 F Street, NW, 3rd Floor	20004
Johnson	Elston C55	TaylorMade Business Centers 4645 Nannie Helen Burroughs Avenue, NE	20019
Jones	Deborah Elaine	U.S. House of Representatives, Office of Inspector General 441 D Street, SW, Suite 386, Ford House Office Building	20515
Jones	Lanniece	Carr Workplaces 1325 G Street, NW, Suite 500	20005
Kale	Carol Baugham	Leo A. Daly Company 1201 Connecticut Avenue, NW, 10th Floor	20036
Laird-Hammond	John	Self (Dual) 1400 Quincy Street, NE	20017
Lanchester	Michelle	Michelle Lanchester, Attorney At Law, The Lanchester Law Firm 601 Pennsylvania Avenue, NW, Suite 900, South Building	20004
Latta	Deborah C.	Self 4419 2nd Street, NE, Apt. 2	20011
Leo	Diana K.	Republican National Committee 310 First Street, SE	20003
Lewis	Dennis James	Department of Youth Rehabilitation Services 1000 Mt. Oliver Road, NE	20748

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Malloy	Breana M.	International Brotherhood of Electrical Workers 900 7th Street, NW	20001
Mason	Shelonda E.	Studley, Inc. 555 13th Street, NW, Suite 420 East	20004
McCarthy	Vicki	International Union of Bricklayers & Allied Craftworkers 620 F Street, NW	20004
Messer	Matthew Joshua	Danaher Corporation 2200 Pennsylvania Avenue, NW, Suite 800W	20037
Miri	Azadeh	The Mayflower Hotel 1127 Connecticut Avenue, NW	20036
Muldrow	Mable L.	Patient Centered Outcomes Research Institute 1828 L Street, NW, Suite 900	20036
Murray	Pamela	General Services Administration, Office of General Counsel 1275 First Street, NE, 585C	20417
Nargil	Jack K.	Mandarin Oriental Hotel 1330 Maryland Avenue, SW	20024
Osborn	Kimberlee	Ballard Spahr, LLP 1909 K Street, NW, 12th, Floor	20006
Paquin	Thomas S.	Kass, Mitek & Kass, PLLC 1050 17th Street, NW, Suite 1100	20036
Park	Bomsu	Potomac Law Firm, LLP 1010 Wisconsin Avenue, NW, Suite 525	20007
Parker	Pamela G.	Wilson Sonsini Goodrick & Rosati 1700 K Street, NW, 5th Floor	20006

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Petralia, Jr.	Salvatore John	U.S. Office of Special Counsel 1730 M Street, NW, Suite 218	20036
Ponder	Laureen E.	Duane Morris LLP 505 9th Street, NW, Suite 1000	20004
Rasul	Sana'	Self (Dual) 5031 First Street, NW, Suite 203	20011
Raze	Judy L.	Zuckert, Scoutt & Rasenberger, LLP 888 17th Street, NW, Suite 700	20006
Ricks	Inga L.	George Washington University Hospital 900 23rd Street, NW	20037
Rivera	Jesseca G.	Estevez & Associates 3600 14th Street, NW	20010
Roberts	Glenda J.	The Kiplinger Washington Editors, Inc. 1100 13th Street, NW, Suite 750	20005
Robinson	Vicki S.	Solidarity Center 888 16th Street, NW, 4th Floor	20006
Robles	Martha	Beauvoir, The National Cathedral Elementary School 3500 Woodley Road, NW	20016
Rodriguez	Jaime	Estevez & Associates 3600 14th Street, NW	20010
Rogers	Reginia E.	Jones Lang LaSalle 1801 K Street, NW, Suite 1000	20006
Sanders	Kelly S.	Paralyzed Veterans of America 801 18th Street, NW	20006

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Schaefer	Danielle	NRL FCU 4555 Overlook Avenue, SW, Building 222, Code 9050	20375
Shoval	Tomer	SunTrust Bank 1150 Connecticut Avenue, NW	20036
Simeone	Thomas J.	Simeone & Miller, LLP 1130 Connecticut Avenue, NW, Suite 350	20036
Speight	Abraham A.	US Small Business Administration 409 3rd Street, SW, 6th Floor	20416
Springer	Pamela J.	PNC Bank 1201 Wisconsin Avenue, NW	20007
Tadesse	Mulugeta	NIH Federal Credit Union 2200 Pennsylvania Avenue, NW, Suite E-160	20037
Thomas	Sean	Safe Kids Worldwide 1301 Pennsylvania Avenue, NW, Suite 1000	20004
Tillery	Janice B.	Kuder, Smollar & Friedman 1350 Connecticut Avenue, NW, Suite 600	20036
Turpin	Roger	Office of Attorney General - Child Support Enforcement Division 441 4th Street, NE, Suite 550	20001
Walker	Jennifer Mayer	Akerman Senterfitt, LLP 750 9th Street, NW, Suite 750	20001
Walsh	Irene M.	National Right to Life Committee, Inc. 512 10th Street, NW	20004
Wiley	Melissa S.	Department of Veterans Affairs 810 Vermont Avenue, NW	20420

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Williams	Julie	Food for the Hungry 1627 K Street, NW	20006
Williams	Joyce Ann	Self 6101 16th Street, NW, Suite 926	20011
Wise	Kelly	SOS Children's Village-USA, Inc. 1001 Connecticut Avenue, NW, Suite 1250	20236
Wise	Connell	Office of the United States Representative 1350 Pennsylvania Avenue, NW, Suite CO-9	20004
Yoshikawa	John J.	The UPS Store 1718 M Street, NW	20036

DISTRICT OF COLUMBIA TAX REVISION COMMISSION**NOTICE OF PUBLIC MEETING**

The District of Columbia's Tax Revision Commission (the "Commission") will be holding a meeting on Monday, April 15, 2013 from 3:00 p.m. to 6:00 p.m. The meeting will be held at One Judiciary Square, 441 4th Street, NW, Room 1107, Washington, DC 20001. The agenda for the meeting is below.

For additional information, please contact Ashley Lee at (202) 478-9143 or ashley.lee@dc.gov.

AGENDA

- I. Call to Order**
- II. Approval of Minutes from March 4, 2013 Meeting**
- III. Muriel Bowser, Councilmember Ward 4 (invited)**
- IV. Regional and National Tax Comparisons**
- V. D.C. Fiscal Architecture**
- VI. D.C. Tax Revision Commission Business**
- VII. Adjournment**

UNIVERSITY OF THE DISTRICT OF COLUMBIA
REGULAR MEETING OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The regular meeting of the Board of Trustees of the University of the District of Columbia will be held on Wednesday, April 17, 2013 at 5:00 p.m. in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call
- II. Approval of Minutes – January 23, 2013, February 20, 2013 and March 13, 2013
- III. Report of the Chairperson
- IV. Report of the President
- V. Committee Reports
 - a. Executive – Dr. Crider
 - b. Committee of the Whole – Dr. Crider
 - c. Academic Affairs – Dr. Curry
 - d. Budget and Finance – Mr. Felton
 - f. Audit/Administration/Governance – Mr. Shelton
 - g. Student Affairs – General Schwartz
 - i. Communications Task Force – Mr. Pooda
 - h. Community College – Mr. Dyke
 - i. Facilities – Mr. Bell
 - i. Resolution – Approval of Proposed Contract for Janitorial Services
- VI. Unfinished Business
- VII. New Business
- VIII. Closing Remarks

Adjournment

Expected Meeting Closure

In accordance with Section 405(b) (10) of the Open Meetings Act of 2010, the Executive Committee of the Board of Trustees hereby gives notice that it may conduct an executive session, for the purpose of discussing the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Joint Meeting – Environmental Quality and Sewerage Services and Water Quality and Water Services Committees

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee and Water Quality and Water Services Committee will be holding a joint meeting on April 18, 2013 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dcwater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or lmanley@dcwater.com.

DRAFT AGENDA

- | | | |
|------|---------------|---|
| I. | Call to Order | Committee Chairperson |
| II. | Action Items | Chief Engineer/Acting Dir., Procurement |
| III. | Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18523 of Peter H. Bell, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under § 402, a variance from the lot occupancy requirements under § 403, a variance from the court requirements under § 406, and a variance from the nonconforming structure requirements under § 2001.3, to allow roof additions to an existing one-family row dwelling in the DC/R-5-B District at premises 1726 18th Street, N.W. (Square 133, Lot 133).

HEARING DATE: April 2, 2013

DECISION DATE: April 2, 2013

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 5.)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission ("ANC") 2B, and to all owners of property within 200 feet of the property that is the subject to this application. The subject property is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a written report that indicated that at its regularly scheduled, duly noticed meeting on March 13, 2013, ANC 2B, with a quorum present, voted 6:0 to adopt a resolution in support of the application on the condition that there will be no railing on the roof deck.¹ (Exhibit 24.)

The Office of Planning ("OP") submitted a report, dated March 26, 2013, in which it expressed its support of the proposed application.² (Exhibit 25.) The District Department of Transportation ("DDOT") submitted a memorandum of "no objection" to the application. (Exhibit 23.)

At the hearing the Applicant submitted an email chain from four neighbors expressing their support of the application. (Exhibit 27.)

At the public hearing, the Board questioned the Applicant and his architect regarding the proposed roof structures and whether there would be a railing or not. The architect

¹ The ANC specifically noted that it did not consider, nor vote upon, historic preservation matters at this time until an application with the Historic Preservation Review Board ("HPRB") is filed. (Exhibit 24.)

² The OP report notes that HPRB approval will be required prior to applying for building permits. (Exhibit 25.)

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answered that no railing was in the plans submitted for the application before the Board. Also, he noted that the roof deck was designed with a five-foot setback from the parapet and that it was his opinion that no railing was required in those circumstances. He further testified that the storage area and other roof structures would be either not visible or minimally visible from the street. Upon the Board's questioning, he also indicated that while he had spoken with Historic Preservation staff, the Applicant had yet to file or appear for review of the project at the HPRB or at the permitting office at the Department of Consumer and Regulatory Affairs. In reply to Board members' questions regarding the ANC's position that it wished to see a condition regarding a railing, it was noted that the issue of whether a railing would be required was not a zoning requirement over which the Board has jurisdiction.

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for variances under § 3103.2 from the strict application of the floor area ratio requirements under § 402, the lot occupancy requirements under § 403, the court requirements under § 406, and the nonconforming structure requirements under § 2001.3. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board closed the record at the conclusion of the hearing. Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 3103.2 for area variances under § 3103.2, 402, 403, 406, and 2001.3, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

In its deliberations the Board noted that although it duly considered the ANC's request to condition the Board's approval on there being no railing on the roof deck, it was not persuaded to condition its approval because that requirement would be under other agencies' control and thereby outside of the Board's jurisdiction and control.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirements of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT** to the **APPROVED PLANS in Exhibit 9**.

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VOTE: **5-0-0** (Lloyd L. Jordan, S. Kathryn Allen, Nicole C. Sorg, Jeffrey L. Hinkle, and Marcie I. Cohen³, to APPROVE.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: April 4, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC

³ At the start of the public hearing, Marcie Cohen disclosed that although she knew the Applicant, she did not have any financial interests associated with him or this project and would participate based on the facts and the Zoning Regulations, unless there was an objection. No one objected to her participation.

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INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18526 of Brian and Christy Davis, pursuant to 11 DCMR § 3104.1, for a special exception for a two-story rear addition to a one-family row dwelling under § 223, not meeting the lot occupancy requirements (§ 403), and nonconforming structure requirements (§ 2001.3) in the R-4 District at premises 1329 F Street, N.E. (Square 1029, Lot 169).

HEARING DATE: April 2, 2013
DECISION DATE: April 2, 2013

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, and by mail to Advisory Neighborhood Commission (“ANC”) 6A and to owners of property within 200 feet of the site as well as to the Office of Planning (“OP”). The site of this application is located within the jurisdiction of ANC 6A, which is automatically a party to this application. ANC 6A did not submit a report. At the public hearing in response to the Board’s questions, the Applicant testified that they had presented their application to the ANC, both to its Zoning Committee in February and to the full ANC in March and that the ANC had voted to approve the application.

The Office of Planning (“OP”) submitted a timely report dated March 26, 2013, in support of the application. (Exhibit 25.)

Letters of support from two adjacent neighbors, one at 1327 F Street, N.E., and the other at 1343 F Street, N.E., were submitted for the record. (Exhibit 23.) The Capitol Hill Restoration Society also submitted a letter of support for the record. (Exhibit 28.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under § 223 (§§ 403 and 2001.3) of the Zoning Regulations. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

BZA APPLICATION NO. 18526

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Based upon the record before the Board and having given great weight to the OP report¹ filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223 (§§ 403 and 2001.3), that the requested relief can be granted, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirements of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO the revised plans at Exhibit 26.**

VOTE: 5-0-0 (Lloyd J. Jordan, Jeffrey L. Hinkle, Nicole C. Sorg, S. Kathryn Allen, and Marcie I. Cohen to Approve.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

FINAL DATE OF ORDER: April 3, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION

¹ As the ANC did not submit a report, there was no written report to which to give great weight. Nonetheless, the record reflects that the Applicant did testify that they presented the application to the ANC and that the ANC voted to support it.

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THERE TO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18528 of Cynthia Davis, pursuant to 11 DCMR § 3104.1, for a special exception for a child development center (12 children and five staff) under § 205, in the R-3 District at premises 4831 9th Street, N.W. (Square 3010, Lot 84).¹

HEARING DATE: April 2, 2013

DECISION DATE: April 2, 2013

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated December 14, 2012, from the Zoning Administrator, which stated that Board of Zoning Adjustment (“Board” or “BZA”) approval is needed for a special exception, pursuant to 11 DCMR § 3104.1. (Exhibit 6.)

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 4D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4D, which is automatically a party to this application. ANC 4C did not file a report on the application.

The Office of Planning (“OP”) submitted a timely report, dated March 26, 2013, recommending approval of the application, subject to conditions. (Exhibit 28.) By its letter, dated February 11, 2013, the Office of State Superintendent of Education (“OSSE”) recommended that the application be approved. (Exhibit 24.) The District Department of Transportation (“DDOT”) submitted a letter of no objection to the application, dated February 7, 2013. (Exhibit 23.)

A petition with five signatures in support for the application from nearby neighbors was submitted for the record. (Exhibit 25.) Three letters of support for the application were also submitted by Ms. Diane Jackson, president and member of the board of the New Family Childcare Home Providers Association of Washington, D.C.; and by two parents whose children attend the Applicant’s center. (Exhibit 29.) Additionally, a colleague of the Applicant’s, Ms. Angelique Speight-Valladaves, testified as to the Applicant’s educational attainments and qualifications and in support of the application.

¹ The Applicant amended the application to increase the number of staff requested from two to five. The caption has been changed to reflect the amended application.

BZA APPLICATION NO. 18528**PAGE NO. 2**

A letter in opposition was submitted by neighbor Dee Parker, 4829 9th Street, N.W.² Ms. Parker raised objections pertaining to adequate parking, trash in the alley, and the Applicant's language and the traffic in and out of her house.³ (Exhibit 27.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under § 205. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 205 that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application be **GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Approval shall be for **FIVE YEARS** from the final date of this order.
2. Enrollment shall not exceed 12 children, age 15 years or less.
3. The center shall have a maximum of five staff.
4. a. Drop-off hours shall be primarily between 6:30 a.m. and 9:00 a.m.
b. Pick-up hours shall be primarily from 4:00 p.m. and 6:00 p.m.
5. Two parking spaces shall be reserved on-site for use by the center staff.
6. Center trash collection shall be scheduled at least once a week.

² The Board questioned the Applicant if she had met with this neighbor and could address the objections Ms. Parker raised. The Applicant testified that she had not met with her neighbor and did not know about her objections until these were raised in the letter. The Applicant testified in rebuttal to the assertions in the letter by stating that her rear yard was fenced in, her father kept the grounds neat and trimmed, and there was no trash in the alley caused by the center.

³ The Board granted approval of the application with conditions, several of which address Ms. Parker's concerns.

BZA APPLICATION NO. 18528**PAGE NO. 3**

VOTE: **5-0-0** (Lloyd J. Jordan, Nicole C. Sorg, S. Kathryn Allen, Jeffrey L. Hinkle, and Marcie I. Cohen to APPROVE.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: April 4, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 10-23
Z.C Case No. 10-23
Jemal's Babes, LLC
(Consolidated Planned Unit Development and Related Map Amendment
@ Square 1732, Lots 817 and 820)
February 25, 2013

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on November 1 and 5, 2012, to consider applications for a consolidated planned unit development ("PUD") and related zoning map amendment filed by Jemal's Babes, LLC (the "Applicant"). The Commission considered the applications pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the applications.

FINDINGS OF FACT

The Applications, Parties, Hearings, and Post-Hearing Filings

1. On September 17, 2010, the Applicant filed an application with the Commission for a map amendment to rezone the property at 4600 and 4614 Wisconsin Avenue, N.W. (Square 1732, Lots 817 and 820) ("Property") from the C-2-A to the C-3-A Zone District. On April 11, 2012, the Applicant amended its application to include a PUD, with the rezoning request to be deemed a PUD-related map amendment.
2. The Property is situated in the Tenleytown neighborhood of Ward 3 and has a combined land area of 12,671 square feet. It is located at the northwest corner of Wisconsin Avenue and Brandywine Street, N.W. A portion of the Property (Lot 820) is currently improved with a vacant one-story plus basement commercial building most recently occupied by Babe's Billiards Café, while the remainder (Lot 817) is improved with a vacant two-story office/retail building presently cleared for demolition. The Property is located within the boundaries of Advisory Neighborhood Commission ("ANC") 3E.
3. The Applicant proposes to redevelop the Property with a new residential building that includes ground floor and below-grade retail uses. The existing building on Lot 817 will be demolished to accommodate the new construction and five new floors will be added on top of the former one-story Babe's Billiards structure on Lot 820. Upon completion, the expanded building will contain approximately 60,821 square feet of gross floor area, which equates to a density of approximately 4.8 floor area ratio ("FAR"). The height of the building will be approximately 71 feet.
4. By report dated July 20, 2012, the Office of Planning ("OP") recommended that the applications be set down for a hearing. At its public meeting held on July 30, 2012, the Commission voted to schedule a public hearing on the applications.

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5. The Applicant submitted a pre-hearing statement for the project on August 10, 2012, and a hearing was timely scheduled for the matter on November 1, 2012. A description of the proposed development and the notice of the public hearing in this matter were published in the *D.C. Register* on August 31, 2012. The notice of public hearing was mailed or emailed to all property owners within 200 feet of the PUD site as well as to ANC 3E on August 30, 2012.
6. The parties to the case were the Applicant, ANC 3E, Ward 3 Vision, and Cityline at Tenley Residential Condominium Association ("Cityline at Tenley") in support of the application, and Tenley Neighbors Association, Inc. ("TNA") in opposition to the application.
7. The Commission convened a hearing on November 1, 2012 which was concluded on November 5, 2012. At the hearing, the Applicant presented five witnesses in support of its applications: Paul Millstein, Douglas Development Corporation on behalf of Jemal's Babes, LLC; Shalom Baranes, Shalom Baranes Associates, project architects; Osborne George, O.R. George Associates, traffic engineer; David Fields, Nelson/Nygaard, transportation planner; and Steven E. Sher, Director of Land Use and Zoning Services, Holland & Knight LLP. Based upon their professional experience and qualifications, Mr. Baranes was recognized as an expert in architecture; Mr. George as an expert in transportation planning and engineering; Mr. Fields as an expert in transportation planning; and Mr. Sher as an expert in land use and zoning.
8. Stephen J. Mordfin, AICP, Development Review Specialist at OP and Murat Omay and Jamie Henson of the District's Department of Transportation ("DDOT") testified in support of the applications with certain comments and conditions.
9. On October 18, 2012, ANC 3E submitted its resolution to the record in support of the applications, with conditions. Jonathan Bender and Matthew Frumin of ANC 3E testified in support of the applications at the hearing.
10. The following persons testified in support of the applications: Leslie Dembinski, Ellen Bass, Steven Beller, Jeffrey Norman, John Wheeler, and Cheryl Cort on behalf of the Coalition for Smarter Growth. The Commission received letters in support from the following: Councilmember Mary Cheh (Ward 3), Bruce Lowrey, Benjamin Mann, Ellen Bass, Hugh Morris, Washington Sustainable Growth Alliance, John Wheeler, Dorcas Adkins, Fred Davidson, the Sierra Club, and Joe Bous.
11. The following persons testified in opposition to the applications: Marilyn Simons, Allen Seeber, Donald Zowader, Linda Schmitt and Melissa Kundstadter. The Commission received letters in opposition to the applications from the following: Jane Waldmann,

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Mary Alice Levine, Marilyn Simon, Richard Clark, Sherry Houghton, Melissa Kunstadter, George Idelson, Susan MacKnight, Hazel Rebold, David Frankel, Donald Zowader, Myrna Sislen, Margaret Beveridge, Richard Levine, Alma Gates, Nina Kraut, Allen Seeber, and Timothy Ritzert.

12. The record was closed at the conclusion of the hearing, except to receive additional submissions from the Applicant and DDOT, as requested by the Commission, and responses thereto from the parties. The Commission also requested proposed findings of fact and conclusions of law from the parties.
13. At its public meeting held on January 14, 2013, the Commission took proposed action to approve with conditions the PUD and related map amendment.
14. At the January 14, 2013 public meeting, the Commission issued a procedural order directing the Applicant to submit a final list of the project's proffered benefits and amenities and draft conditions, and stipulating deadlines for the District of Columbia Office of the Attorney General ("OAG"), Office of Zoning ("OZ"), and OP, as well as the parties to submit comments on the proposed conditions. The order stated that the responses should be limited to the issue of whether the proposed conditions are specific and enforceable as to the proffers to which they relate. (Exhibit ["Ex."] 112.) The Commission also requested that the Applicant provide information to the Commission regarding a development that has restricted its resident's access to residential parking permits. On January 22, the Applicant submitted its responsive filings. (Ex.114-116.) On January 30, OAG submitted comments to the Applicant. On February 4, 2013, the Applicant submitted its revised final list of proffers and conditions. (Ex. 117.) On February 8, 2013, TNA submitted its response to the Applicant's filing. (Ex. 118.) On February 11, 2013, ANC 3E requested more time to respond to the Applicant's filing, (Ex. 119), and submitted a response on February 19, 2013. (Ex. 121.)
15. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") pursuant to § 492 of the Home Rule Act. The Executive Director of NCPC, by delegated action dated January 31, 2013, found that the proposed PUD would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests.
16. The Commission took final action to approve the PUD on February 25, 2013.

The Property and Surrounding Area

17. The Property is located in the Tenleytown neighborhood in Ward 3 of the District, along the commercial corridor of upper Wisconsin Avenue, N.W. The L-shaped site is comprised of Lots 817 and 820 in Square 1732, known as premises 4600 and 4614

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Wisconsin Avenue, N.W. It has a total land area of 12,671 square feet. The site fronts on Wisconsin Avenue at the east side, and Brandywine Street to the south with interior lot lines at the west and north sides. Additionally, the narrow leg of the L-shaped lot extends west to a north-south mid-block alley that is 20 feet wide. The Property is sloped, dropping approximately six feet to the north and 11 feet to the west from a high point at the intersection of Wisconsin Avenue and Brandywine Street.

18. The Property is improved with two existing buildings. The one-story commercial structure at the corner (4600 Wisconsin Avenue, N.W.) was originally built in the early 1950s for the C&P Telephone Company as a maintenance facility for its mobile service fleet, and last occupied by Babe's Billiards Café. The two-story building immediately to the north (4614 Wisconsin Avenue, N.W.) was used for office and retail purposes. The Applicant proposes to raze this two-story building but incorporate the one-story building at the corner into the new development.
19. The Property is surrounded by commercial office, retail, and services uses. Across the street to the south, at 4530 Wisconsin Avenue, is a five-story office building with ground-floor retail, occupied by Hudson Trail Outfitters, Middle C Music Store and, until recently, Marvelous Market. Two blocks to the south, at 4500 Wisconsin Avenue, is the Tenleytown Metrorail Station and Cityline at Tenley Condominium, a six-story residential building with retail uses at the ground floor and lower level, which are currently occupied by the Container Store, Best Buy, and Ace Hardware.
20. Immediately to the north of the Property, at 4620 Wisconsin Avenue, is a four-story office building with ground-floor retail uses. Two- and three-story mixed-use buildings with ground floor retail finish out the block to the north. Immediately west of the Property is a one-story building occupied by Friendship Animal Hospital. Across Wisconsin Avenue to the east are vacant lots and older two-story commercial buildings. A CVS Pharmacy and other small-scale commercial buildings are also located across the street in the 4500 block of Wisconsin Avenue. Farther north across Wisconsin Avenue is the Tenley Hill, a mixed-use PUD with a residential and commercial uses, completed in 2001. Low-density residential uses are located to the west of the Property.
21. The neighborhood is well served by many alternatives to the use of the private automobile, including sidewalks and crosswalks, Capital Bikeshare, on-street bicycle infrastructure, Zipcar, Metrobus, and Metrorail. The site has a Walk Score of 97 and Transit Score of 71, higher than the District in general and indicative of the ability of future residents to get around without owning a car.
22. The surrounding neighborhood includes many underutilized parking spaces, both on- and off-street. There are 183 on-street metered parking spaces located within the immediate neighborhood, and maximum utilization is 65%. Five-hundred sixty additional spaces

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are located within five nearby commercial parking facilities and available for short-term leases or for hourly parking. The commercial garage at CityLine at Tenley typically has 50 spaces available during the day and between 110 and 120 during the overnight hours. (Ex. 36C.)

23. The area street network can support the traffic and parking demand generated by the PUD. (Ex. 36C.) As evidenced by the transportation impact study prepared by the Applicant's expert traffic engineer, the new building would generate approximately 21 vehicle trips during the morning and 38 vehicle trips during the afternoon peak hours on a typical weekday. When analyzed against future traffic conditions in 2015, at which time other area developments are also anticipated to be completed, all area intersections would operate at a "Level of Service" of C or better. The Commission finds that the PUD's level of trip generation will not impact the future levels of service.

Existing and Proposed Zoning

24. The Property is situated within the C-2-A Zone District. The C-2-A Zone District is designed to "provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside the central core ... [and] shall be located in low and medium density residential areas with access to main highways or rapid transit stops, and shall include office employment centers, shopping centers, and medium-bulk mixed use centers." (11 DCMR § 720.2 and 720.3.) The C-2-A Zone District limits construction to a maximum height of 50 feet and a maximum density of 2.5 FAR. (11 DCMR §§ 770.1 and 771.2.)
25. The western boundary line for the C-2-A Zone District runs along the center alley of Square 1732; the southern boundary is co-terminus with the Property's lot line at Brandywine Street. Immediately adjacent to the Property to the south is the C-3-A Zone District, which extends southward along Wisconsin Avenue for approximately two blocks. The area is comprised of neighborhood-serving retail and medium-density residential uses, consistent with the proposed zoning designation for the Property. The C-3-A area is surrounded by low-density residential zones, including the R-1-B and R-2 Zone Districts. The C-3-A property to the south has the same mixed-use Medium-Density Residential/Moderate-Density Commercial land use designation on the Future Land Use Map as the Applicant's site.
26. The Applicant proposes to rezone the property to C-3-A. The C-3-A Zone District is a major business and employment center that is "designed to accommodate major business and employment centers supplementary to the Central Business (C-4) District." (11 DCRM § 740.1.) The C-3-A Zone District permits residential and most commercial uses as a matter of right, but permits residential development at a higher density than

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commercial development. These districts are intended to be "compact in area and located on arterial streets, in uptown centers, and at rapid transit stops." (11 DCMR § 740.5.)

27. Consistent with these parameters, the Property proposed for C-3-A zoning is within two blocks of the Tenleytown Metrorail Station; fronts on Wisconsin Avenue, a major arterial street; maintains the compact nature of the C-3-A Zone District in this area; and does not encroach on the neighboring low-density residential land.

Description of the PUD Project

28. The Applicant's program includes approximately 48,830 square feet of residential space for 55-65 apartments on five new levels. Approximately 11,977 square feet of gross floor area will be devoted to retail uses on the ground and basement levels. An additional 7,717 square feet of retail space will be located on the cellar level (and not counting toward FAR).
29. Above the first story, which occupies nearly the entire site, the project's massing is roughly rectangular in shape, with a small ell at the southwest corner of the new building. An open court above the first floor is positioned at the northwest corner. A rear yard extends from the northwest corner of the ground floor to the centerline of the mid-block alley. The building mass rises five stories above the first floor to a height of approximately 71 feet. As originally designed, the penthouse would rise 18.5 feet above the main roof. In response to comments raised by the Commission, the penthouse was redesigned and reduced to a height of 12.5 feet. The overall height of the building and penthouse fall below the 90-foot height limit allowed under a PUD for the proposed C-3-A Zone District.
30. The residential entrance is located on Wisconsin Avenue at the northeast corner of the site. Access to the ground floor retail space occurs along Wisconsin Avenue through a series of projecting storefront bays and recessed entrances. Entrance to the retail basement level is located along Brandywine Street from a new areaway. Access to the loading and service area is from Brandywine Street with a re-aligned curb cut at the southwest corner of the site.
31. The principal street façades are articulated to reflect the unique character of each street. The Wisconsin Avenue façade is treated as a taut, gridded skin composed of tan and ochre terracotta panels with large rectangular windows, which as a whole defines the street wall. Into this plane, two elements are incorporated, one a vertical bay or tower at the north end comprised of metal and glass, and the other a metal and glass bay inserted near the south end. Into each of these formal, secondary elements balconies are inserted. With the primary form of the building parallel to Wisconsin Avenue, these two bays are aligned with true north and provide smaller scaled secondary elements at this façade. The

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- residential lobby is demarcated by the tall vertical bay at the northeast corner. A series of projecting bays and insets at the ground level creates a rhythm of retail display windows and entrances.
32. The terracotta-clad treatment of the Wisconsin Avenue facade wraps the corner at Brandywine Street for a distance of approximately 20 feet where it transitions to a residential idiom composed of metal panel surfaces and terra cotta inserts with projecting bays and balconies. This treatment continues along the open court facing west and north where the building is set back approximately 12 feet and 26 feet at the second level from the adjacent building to the west. Along the south side of the building where Brandywine Street slopes downward to the west, the B-1 Level gains considerable exposure, such that at the corner, clear access to the loading area within the building is achieved.
 33. Each of the five residential floors consists of approximately 12 apartments arranged efficiently along a double-loaded corridor, providing a total of 55-65 units for the building. A variety of unit types is proposed, ranging in size from two-bedroom units to junior one-bedroom units, with the unit mix predominantly one-bedroom dwellings. At the second floor, a terrace is provided along the west side above the service area on the level below.
 34. Retail uses will occupy most of the ground floor and will be accessed from Wisconsin Avenue. The existing floor construction is tiered in three increments as it steps down from an elevation highpoint at the southeast corner to the north, following the descending slope of the sidewalk. An entrance is provided at each tier for flexibility in leasing the space. At the northeast corner the residential lobby is entered from Wisconsin Avenue. The existing B-1 level will provide space for additional retail uses and for building services including an enclosed loading berth and platform at the southwest corner. Access to the retail space will occur along Brandywine Street from a new areaway and outdoor patio.
 35. New sidewalks along Wisconsin Avenue and Brandywine Street will provide a pedestrian pathway paved with scored concrete between new tree planters along the curb and special paved areas at entrances along the building line. These areas will feature 16-inch square pavers bordered with a brick paver accent band. Similarly, the curb-side tree planters will be edged with brick pavers and extended to create a green zone with paired, street trees and a mix of shrubs and perennials. Between the planters along Wisconsin Avenue, street furnishings will include fixed tables and benches, bicycle racks, and trash receptacles. The new areaway proposed along the building on Brandywine Street will be accessed by a stairway at the east side from the higher Wisconsin Avenue grade and will be accessed by a ramp and steps from the west where the change in grade elevation is less. The areaway will feature special paving. At the corner of Wisconsin Avenue and

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Brandywine Street a low-scale fountain wall and planter will define the pedestrian path and retail entrance while ameliorating the change in grade.

Zoning Flexibility Requested

36. The Applicant requested flexibility from the PUD area requirements. The project site has a land area of 12,661 square feet, whereas a minimum of 15,000 square feet is required under § 2401.1(c). The Commission may grant up to a 50% waiver of the minimum area requirements provided the Applicant meets the standards of § 2401.1. An applicant must demonstrate that the development is in the best interests of the city. Here, an apartment house with ground-floor retail is responsive to the direct desire of the city for new residential with ground-floor retail along "Main Street" mixed-use corridors such as this one. An applicant must also demonstrate that at least 80% of the gross floor area will be devoted to dwelling units and accessory uses. The record reflects the project will devote 80.31% of its gross floor area to dwelling units and accessory uses.
37. The Applicant also sought flexibility from the parking and loading requirements. Whereas 78 parking spaces are required, the Applicant proposed to provide only one space designated as a handicap space. The loading facilities to be provided would be one berth at 12 feet x 30 feet, in lieu of 12 feet x 55 feet; one platform at 100 square feet in lieu of 200 square feet; and elimination of the required service/delivery loading space. The Applicant would implement a management plan to coordinate move-in/move-out schedules with retail deliveries.
38. Finally, the Applicant requested flexibility to allow a roof structure not meeting the one-to-one setback requirements, consistent with the roof plan. (Ex. 102A.)
39. No additional zoning flexibility was requested, and none is granted through this order.

Project Benefits and Amenities

40. *Burying of Utility Lines*: The PUD includes the burying of existing utilities currently located overhead on utility poles along the street frontages of the PUD. The corner of Brandywine and Wisconsin Avenue is the first point at which utility lines come above-ground. The Applicant's proposal to extend the "undergrounding" along its street frontage is an important step in burying all the lines along the Wisconsin Avenue corridor. This effort not only eliminates unsightly electrical and cable lines, it significantly reduces the chances of power outages. The Applicant pledged up to \$600,000 to fund this effort in coordination with PEPCO. The Commission finds this to be a significant benefit of the PUD, which has considerable value to the immediate neighborhood and the community at large.

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41. Urban Design, Architecture, and Landscaping. The exterior architectural treatment of the building provides a quality design that is not normally achieved under matter-of-right projects. The terracotta exterior finish, painted aluminum panels, and select glass adds a premium to the building above what would be likely under a matter-of-right development, with an added value of approximately \$600,000. (Ex. 36E, 102C.) The project also includes the following amenities along the street frontages of the building: special entrance pavement; street edging and borders of mixed ground covers and perennials; four new street trees on Brandywine Street; five new street trees on Wisconsin Avenue; four bike racks on Wisconsin Avenue; streetscape furniture, including benches, tables with seating and trash receptacles; an outdoor patio/seating area along Brandywine Street for the adjacent retail/service use space; and a new fountain wall and planter at the ground level of the building. These improvements add approximately \$100,000 to the cost of the project. Across Wisconsin Avenue, the Applicant will improve with landscaping the triangular park known as Reservation 503 and the public space at the northeast corner of Wisconsin Avenue and Brandywine Street. Both would be planted with trees, shrubs, and groundcovers. The corner area would also include the concrete pad for a Capital Bikeshare station, as well as funding for installation of the station. Consistent with its previous holdings (see Ex. 102C), the Commission finds these features of the PUD to be significant in their breadth, quality, and value in comparison to what is typically achieved in a matter of right project.
42. Transportation Features: The PUD includes several transportation demand management (“TDM”) measures that help mitigate the lack of parking on site and benefit the project and the community. The PUD will designate a resident transportation coordinator, whose responsibility would be to inform residents of alternative modes of transportation available and how to access them. Based on availability, a digital multimodal display being developed by DDOT will be installed in the lobby, providing information on Metrobus and Metrorail, and locations of bike and car share stations. Under the PUD's bicycle usage program, there will be secure storage for 60 bikes in a convenient location in the residential portion of the building (one per residential unit). Another 12 bike storage spaces will be located inside the building for use by retail employees. A secure shower facility will also be provided for the employees' use. Each initial resident and employee within the building will receive a \$100.00 SmartTrip Card. Each initial resident of the building will receive a one-year ZipCar membership valued at \$85.00. A car-sharing space will be located either directly in front of or within one block of the PUD. The Applicant and DDOT have also agreed to designate the Property as ineligible for the residential parking permit (“RPP”) program.
43. Sustainability Features: The PUD will achieve approximately 62 LEED points, the equivalent of a LEED-Gold rating under the USGBC 2009 Version Three, which incorporates a more stringent prerequisite and rating system than the previous version. Using proven marketplace technologies, the project's sustainable features can be grouped

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into three general categories: (i) High Performance Building Envelope; (ii) Energy-Efficient Mechanical, Electrical and Plumbing Systems; and (iii) Water Conservation Measures. The PUD will achieve greater thermal efficiency of the building envelope. The project will include a high performance clear, low-E insulated glazing. Additionally, a continuous thermal break system will be incorporated with window walls and punched windows. Water conservation methods will include the use of low flow plumbing fixtures throughout the building and energy-star rated appliances. Approximately 50% of the project's site area will be covered with green roof and/or planters that will feature native plant species. Combined, these measures will reduce overall energy consumption and reduce water consumption. The project's LEED scorecard is rounded out by points that relate to an urban site redevelopment; transportation and connectivity; materials sourcing and recycled content. Perhaps the most significant aspect of LEED certification equivalency is the reuse of the existing building structure, which is suitable for adaptation to a retail base for a new apartment building. No costs or materials will be wasted in demolishing the structure, and the building's soundness obviates the need for wasting time, energy and materials replicating it. (Ex. 40.) The Commission has consistently found that LEED-Silver- and LEED-Gold-designed buildings exceed what is otherwise achievable under a matter-of-right project and thus the LEED-Gold design of this building constitutes a benefit of the PUD.

44. The Commission finds that the benefits and amenities package is a strong one and is commensurate with the level of flexibility request.

Comprehensive Plan

45. The Future Land Use Map of the Comprehensive Plan designates the Property for mixed-use development consisting of Medium-Density Residential and Moderate-Density Commercial land uses. The proposed development is consistent with that designation. The Property is also identified as a Main Street Mixed-Use Corridor on the Generalized Policy Map. Those corridors are characterized by a concentration of older storefronts along the street and feature a pedestrian-oriented environment with traditional storefronts, many with upper-story residential or office uses. This PUD site reflects this main street character.
46. The proposed development is located within the Rock Creek West Area Element of the comprehensive Plan and furthers the following policies:
- a. **Policy RCW-1.1.3: Conserving Neighborhood Commercial Centers** -- Support and sustain local retail uses and small businesses in the area's neighborhood commercial centers. These centers should be protected from encroachment by large office buildings and other non-neighborhood serving uses. Compatible new uses such as multi-family housing or limited low-cost neighborhood-serving

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office space (above local-serving ground-floor retail uses) should be considered within the area's commercial centers to meet affordable housing needs, sustain new neighborhood-serving retail and small businesses, and bring families back to the District;

- b. **Policy RCW-1.1.4: Infill Development** -- Recognize the opportunity to infill development within the areas designated for commercial land use on the Future Land Use Map. When such development is proposed, work with ANCs, residents, and community organizations to encourage projects that combine housing and commercial uses rather than projects that contain single uses. Heights and densities for such development should be appropriate to the scale and character of adjoining communities. Buffers should be adequate to protect existing residential areas from noise, odors, shadows, and other impacts;
 - c. **Policy RCW-1.1.6: Metro Station Areas** -- Recognize the importance of the area's five Metrorail stations to the land use pattern and transportation network of Northwest Washington and the entire District of Columbia. Each station should be treated as a unique place and an integral part of the neighborhood around it. The development of large office buildings at the area's metro stations should be discouraged. The preference is to use available and underutilized sites for housing and retail uses in a manner consistent with the Future Land Use Map, the Generalized Policies Map, and the policies of the Comprehensive Plan. Careful transitions from development along the avenues to nearby low-scale neighborhoods must be provided; and
 - d. **Policy RCW-2.2.2: Tenleytown Metrorail Station Area** -- Stimulate a well-planned economic activity center at the Tenleytown Metrorail station area, generally defined as the area bounded by Albemarle, Brandywine, Fort Drive, and 42nd Street. This center should: ... (b) enable merchants to upgrade existing businesses, attract new customers and new business establishments, and give residents needed services; (c) provide for the development of new housing; ... and ... (e) maintain heights and densities at appropriate levels, with architectural design that is sensitive to the area's topography relative to the District.
47. The proposed PUD will also further the following policies of the Land Use, Environmental Protection, Economic Development, and Urban Design elements of the Comprehensive Plan:
- a. **Policy LU-1.3.2: Development Around Metrorail Stations** -- Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in

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the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas;

- b. **Policy LU-1.3.4: Design to Encourage Transit Use** -- Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots;
- c. **Policy RCW-2.2.2: Tenleytown Metrorail Station Area** -- Stimulate a well-planned economic activity center at the Tenleytown Metrorail station area, generally defined as the area bounded by Albemarle, Brandywine, Fort Drive, and 42nd Street. This center should: ... (b) enable merchants to upgrade existing businesses, attract new customers and new business establishments, and give residents needed services; (c) provide for the development of new housing; ... and ... (e) maintain heights and densities at appropriate levels, with architectural design that is sensitive to the area's topography relative to the District;
- d. **Policy LU-1.3.5: Edge Conditions Around Transit Stations** -- Ensure that development adjacent to Metrorail stations is planned and designed to respect the character, scale, and integrity of adjacent neighborhoods. For stations that are located within or close to low density areas, building heights should "step down" as needed to avoid dramatic contrasts in height and scale between the station area and nearby residential streets and yards;
- e. **Policy LU-1.4.1: Infill Development** -- Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern;
- f. **Policy LU1.4.2: Long-Term Vacant Sites** -- Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other

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constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints;

- g. **Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods** -- Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commercial with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others;
- h. **Policy LU-2.1.4: Rehabilitation Before Demolition** -- In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and adaptive reuse of existing buildings rather than demolition;
- i. **Policy LU-2.1.11: Residential Parking Requirements** -- Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated;
- j. **Policy H-1.1.1: Private Sector support** -- Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives;
- k. **Policy H-1.1.3: Balanced Growth** -- Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing;
- l. **Policy H-1.1.4: Mixed Use Development** -- Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail Stations;
- m. **Policy E-1.1.1: Street Tree Planting and Maintenance** -- Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover

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has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods;

- n. **Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff** -- Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces;
- o. **Policy E-3.2.1: Support for Green Building** -- Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities;
- p. **Policy ED-2.2.3: Neighborhood Shopping** -- Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences;
- q. **Policy ED-3.1.1: Neighborhood Commercial Vitality** -- Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents;
- r. **Policy UD-1.4.1: Avenue/Boulevards and Urban Form** -- Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city; and
- s. **Policy UD-1.4.3: Avenue/Boulevard Vistas and View Corridors** -- Protect views and view corridors along avenues/boulevards, particularly along streets that terminate at important civic monuments or that frame distant landmarks. Vistas along such streets should be accentuated by creating more well-defined street walls, improving landscaping, and requiring the highest architectural quality as development takes place.

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48. The Commission finds that the proposed development is consistent with these policies and goals of the Comprehensive Plan. The PUD would provide new private-sector supplied multi-family housing in a mixed-use building within close proximity to the Tenleytown Metrorail station. A long vacant site, this development would retain the existing structure, incorporating it into the new building and renovating it for use as retail space. The new building would be six stories in height, similar to other buildings on Wisconsin Avenue. It would fill in and continue the Wisconsin Avenue streetwall. Upper floors would be set back from the rear lot line facing the lower density residential uses west of the site.

Government Agency Reports

49. By report dated October 22, 2012, OP recommended approval of the proposed PUD and related Zoning Map amendment. In its report, OP stated that the proposal would fill in a gap along the Wisconsin Avenue streetscape with an appropriately scaled and programmed building and thus supported the project. OP concluded that "[t]he proposed seven story development at an FAR of 4.8 and a mixture of residential and street level retail uses is not inconsistent with the Comprehensive Plan." (Ex. 48, at p. 14.)
50. In recommending support for flexibility from the parking requirements, OP relied on statistics from the U.S. Census, which indicate that approximately 35% of District households do not own a car. OP also cited Census Bureau statistics that found while the number of households in the District between 2006 and 2010 increased by 2,142, the number of vehicles registered decreased by 426. Federal Highway Administration statistics show that between 2000 and 2010, the number of adults between the ages of 20 and 34 without a driver's license increased from 10.4% to 15.7%. The Applicant advised OP prior to the hearing and later testified that the development would be marketed to those households. Based on this commitment, OP concluded that the PUD would expand the range of available housing choices for residents who do not wish or are not able to take on the expense of car ownership.
51. OP also noted that the cost of building below-grade parking is estimated to be between \$50,000 and \$75,000 per space, depending on the engineering constraints of the site. Based on the parking requirement of one space for every two units, OP estimated that the average cost to construct the required parking would be between \$25,000 and \$37,500 per space per unit, a cost that can be eliminated if no parking is provided. OP concluded that enabling the Applicant to reduce the cost of the units would make them more affordable than similar type units in the neighborhood that include parking, especially for those who have no need for off-street parking and thus have no need to pay for it.
52. By its report dated October 22, 2012, DDOT recommended approval of the PUD and found the Applicant's proposal to eliminate all but one parking space from the project to

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be reasonable. DDOT concluded that Applicant's transportation study demonstrated that there are sufficient on-street parking spaces and availability in commercial garages to accommodate the projected demand for parking in the building without negatively affecting the surrounding community. DDOT was satisfied with the modal split assumptions in the Applicant's study and the conclusion that the project would generate minimal automobile use. The Applicant's strong TDM program and the provision of amply bicycle parking spaces, well in excess of the requirements, further garnered DDOT's support. DDOT recommended that the Applicant increase the number of bike spaces in the building to 50 for the residents and 10 for the employees of the commercial spaces, and the provision of a shower facility for the employees. The Applicant not only agreed to this recommendation, but increased the number residential bike spaces to 60 and the employee bike spaces to 12. DDOT additionally requested the Applicant to implement performance monitoring. (Ex. 49, at p. 3.) The Applicant agreed. Finally, DDOT supported relief from the loading requirements for the building, concluding that a 30-foot loading berth is appropriate for this type of development and noted during testimony that a loading zone available to the Applicant is located across Brandywine Street. The Applicant would implement a management plan to coordinate move-in/move-out schedules with retail deliveries.

ANC 3E Report

53. By report dated October 18, 2012, ANC 3E recommended approval of the PUD and related map amendment with conditions. The ANC resolution in support was passed by a vote of 5-0-0 at a properly noticed meeting held on October 11, 2012, at which a quorum was present. The ANC concluded that through a carefully structured agreement with the Applicant that any potential adverse impacts by lack of parking could be mitigated. The ANC stated it would prefer to forego parking on the site in order to bring quality retail to the neighborhood. Its support was based on a detailed Memorandum of Understanding ("MOU") negotiated with and agreed to by the Applicant setting forth, among other things, incentives and penalties for reducing and eliminating, to the greatest extent possible, parking demand at the site.
54. The MOU requires the Applicant to: (i) restrict the types of commercial retail and services uses in the PUD to ensure they reflect the needs and desires of the community; (ii) insert a clause in the residential lease forbidding tenants from obtaining an RPP or using a guest RPP to park in the neighborhood; (iii) provide transit and alternative mode subsidies, including car-sharing and bike-sharing memberships to initial tenants; (iv) market the residential units to prospective tenants that wish to live a car-free lifestyle; (v) make all commercially reasonable efforts to obtain 20 offsite parking spaces available to tenants on a monthly basis for 10 years, in the unlikely event that some residents ultimately need or demand a parking space; (vi) provide validated parking for the first hour for commercial tenants with more than 3,500 square feet of space; (vii)

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"underground" utilities at a cost of up to \$600,000; (viii) design the building to LEED-Gold standards; and (ix) make numerous streetscape improvements immediately adjacent to the site and in the public park and public space across Wisconsin Avenue to the east.

55. ANC 3E submitted a supplemental report dated February 19, 2013. The report provided revisions to the draft conditions the Applicant submitted to the Commission in its submission dated February 4, 2013. The Applicant has agreed to the revised conditions.

Parties and Persons in Support

56. Ward 3 Vision, a grassroots organization that advocates for community development based on the principles of "smart growth" and transit-oriented development, testified as a party in support of the application. Ward 3 Vision concurred in the ANC's selection of quality retail over the provision of parking as the best use of the ground floor and below-grade space in the existing building, given the proximity to the Tenleytown Metrorail station and the robust TDM measures proffered for the development. Ward 3 Vision found that societal changes show that transportation choices that are no longer dominated by the automobile, particularly in an urban setting and for younger adults. Ward 3 Vision testified that because the project is relatively small at 60 residential units, the extensive TDM measures proffered by the Applicant should be successful at eliminating parking demand at the site. The organization was enthusiastic about a project that challenged the traditional assumptions about parking demand in light of numerous studies demonstrating reduced dependence on the automobile and increased reliance on alternative transportation choices in urban areas.
57. Ward 3 Vision testified that the elimination of parking at the site was fully consistent with the Comprehensive Plan, which places emphasis on transit-oriented and corridor development. Quoting from the Comprehensive Plan, Ward 3 Vision noted that to "[f]ully capitalize on the investment made in Metrorail requires better use of the land around transit stations and along transit corridors." The organization concluded that the proposed PUD explicitly fulfills the policies and goals of the Comprehensive Plan in fostering and promoting transit-oriented development near Metrorail stations.
58. Cityline at Tenley condominium, located two blocks south of the PUD site, also testified in support of the PUD as an ideal transit-oriented development and supported the concept of quality retail at the site over the provision of parking. It supported the MOU between the Applicant and the ANC. It noted that, as for the concerns about parking, the Cityline condominium could not serve as a model for what to anticipate with the PUD because it is designed to serve a different demographic. Whereas Cityline at Tenley is a condominium designed for residents with automobiles, the PUD will cater to carless renters, who wish to reduce their carbon footprint by seeking out housing that aligns with their environmental viewpoint.

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59. Several persons and organizations testifying in support of the PUD echoed these sentiments. There was general consensus that urban projects in close proximity to Metrorail stations that reduce or eliminate dependence on a car should be encouraged. They noted that the District's recent growth in population is dominated by young professionals who are far less likely to own a car, or are likely to shed a car as they move to a walkable, bikable, transit-accessible environments. The witnesses conveyed the sentiment that this project in particular takes advantage of its rich transit access and local shopping options, which make not owning a car a practical and convenient choice. They observed that the expanded choices for car sharing are making individual car ownership even less necessary, economical, or appealing. With respect to retail parking demand, supporters noted that the transportation study regarding parking availability demonstrated that there is plenty of nearby parking to support retail uses at this location. Those same studies, they argued, also suggested that there is plenty of parking for new residents, should they desire to pay the market rate for off-street parking.

Parties and Persons in Opposition

60. TNA, a 200-member organization established in 1995, testified as a party in opposition to the application.
61. TNA argued that the proposed PUD would circumvent the intent and purposes of the Zoning Regulations, in contravention of § 2400.4 of the PUD regulations. That subsection provides that while the PUD process provides "for greater flexibility in planning and design than may be possible under conventional zoning procedures, the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, nor to result in action that is inconsistent with the Comprehensive Plan." (11 DCMR 2400.4.) In TNA's view, and in the views of many other opponents, the zoning envelope of the PUD is excessive and the project's lack of all but one parking space circumvents the intent and purpose of the Zoning Regulations. TNA argued that the project failed to take into account the cumulative effects of recent developments, such as Cityline at Tenley, the relocation of the American University Law School to Tenley Circle, and the anticipated redevelopment of the Marten Volvo's site immediately north of this proposed PUD and the redevelopment of the Safeway site at Davenport Street two blocks north and west of the PUD site.
62. TNA and other opponents argued that it was unrealistic to believe that the residential tenants or patrons and employees of the retail businesses in the PUD would not have or use cars. They noted that people are multi-modal and while they may walk, bike, and use public transportation, these residents most likely also have cars that need to be "stored" somewhere. They noted that the neighborhood streets are already burdened with commuters from other parts of Ward 3 with Zone 3 stickers who drive to the Tenleytown

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Metrorail Station and park on the surrounding streets. The adjacent Friendship Animal Hospital, the nearby health and sports club, and the various restaurants and offices in the immediate vicinity also result in motorists parking in the neighborhood. The proposed PUD, they claim, will simply exacerbate the already limited on-street parking conditions.

63. While these uses certainly generate a demand for parking, the Commission finds that the only expert transportation study submitted to the record indicates that the limited number of trips generated by the PUD (21 a.m. trips and 38 p.m. trips) would have access to the 45 on-street metered parking spaces virtually bordering the PUD site. The majority of these spaces, which have an average occupancy rate of approximately 36%, would be available for use. (Ex. 36C, at pp. 14 and 31; Transcript ["Tr."] in Z.C. Case No. 10-23, November 1, 2012, at pp. 44-46).
64. With respect to residential tenants of the PUD, the Commission finds that they would likewise not burden the availability of on-street parking on the surrounding neighborhood streets. First, the PUD will be marketed specifically to the 35% of 257,000 households in the District that do not own cars. That is, the Applicant's task is to find 60 households out of the approximately 80,000 District households, or other households in the region, that don't own cars to rent units in this building. The Commission finds that goal to be a reasonable one. Even so, the Applicant has imposed additional conditions to help ensure that PUD residents will not burden neighborhood streets with cars. Lease provisions will preclude tenants from applying for or obtaining an RPP or using a visitor pass that would otherwise allow them to park in unmetered spaces for more than two hours. This is consistent with other Commission and Board of Zoning Adjustment cases where RPP restrictions have been imposed. (See Ex. 102I.) The Applicant is also implementing an extensive TDM package to discourage reliance on private automobiles for transportation. Further, even if these collective measures fail, the Applicant will make arrangements with garages in the area consistent with the MOU with the ANC to hold 20 spaces in reserve, for a period of 10 years, for residents to rent on a monthly basis for their cars. (Tr. 11/1/12 at p. 75.) In addition, the Applicant is precluding tenants in their leases from having cars in the area. Only if all these measures fail would the PUD residents resort to on-street parking and the studies show that they could easily be accommodated.
65. The conclusions of the expert traffic engineer are supported by the evaluation conducted by the Applicant's expert transportation planner, David Fields of Nelson/Nygaard, which was retained to verify the work of Mr. George. Mr. Fields noted that while the Zoning Regulations impose certain parking requirements, the actual demand for those spaces, particularly in close proximity to Metrorail stations can be substantially less. (Tr. 11/1/12 at pp. 53-57.) He concluded that the PUD would generate little demand for on-street parking based on its transit-oriented location, the restrictions to be imposed by the Applicant and the incentives for residents and employees to use non-auto transit means. DDOT also reached the same conclusions. The Commission credits the testimony of the

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Applicant's two expert witnesses and DDOT and finds that the PUD will not have any adverse impacts on traffic or parking or loading in the neighborhood. Consequently, the Commission finds that the parking and loading requirements may be appropriately reduced pursuant to § 2405.6.

66. TNA and other opponents also argued that the size of the project was excessive in comparison to other area developments and that it was inconsistent with the Comprehensive Plan, which "down-zoned" the property from C-3-A to C-2-A in 1988 in Z.C. Order No. 530.
67. They noted that no map amendments were included for the Tenleytown area in the recent Comprehensive Plan Amendment cycle in 2010, and that approval of these zoning applications would create precedent for taller buildings than currently exist in Tenleytown. According to TNA and other opponents, the project would change the lower scale historic character of the area by permitting a building that is 21 feet higher than what the current C-2-A zoning permits.
68. According to Mr. Sher, the Applicant's land use and zoning expert, however, the policy direction of the District today is substantially different than it was in 1988. (Tr. 11/1/12 at pp. 78-81.) He testified that there were subsequent changes to the Comprehensive Plan that encourage higher density development around Metrorail stations. He cited the policies and actions for transit-oriented development that provide, among other things, that an "important objective has been to accommodate the growth of the city in a way that minimizes the number and length of auto trips generated, and to reduce household expense on transportation by providing options for 'car-free' (or one car) living." (10A DCMR § 306.3.) He also referred to the numerous principles in the management of land around Metrorail stations under § 306.4, 306.5, 306.8, 306.9, and 306.15 of the Comprehensive Plan. Moreover, the Comprehensive Plan Land Use Map designation is consistent with the C-3-A zoning category. The Commission finds the report and testimony of Mr. Sher persuasive and the proposed rezoning to the C-3-A Zone District not inconsistent with the Comprehensive Plan. The OP report and testimony also support this finding of the Commission.
69. With respect to the size of the building, the Commission notes that it approved PUDs in the immediate vicinity of this site that are comparable to the proposed development. For example, under Z.C. Order No. 904, the Commission approved a mixed-use residential building with ground-floor retail at 4717-27 Wisconsin Avenue, N.W., with a height of 65 feet and a density of 4.5 FAR. The property was rezoned from C-2-A to C-2-B to permit the development. At 5200 Wisconsin Avenue, N.W., the Commission approved a PUD and related map amendment from R-5-B to C-2-B with a density of 5.25 FAR and a height of 79 feet (Z.C. Order No. 06-31). The proposed PUD in these applications falls precisely within these parameters: it will be constructed to a height of 71 feet and a

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density of 4.8 FAR. Moreover, as shown on the architectural drawings, the building fits in with the scale of buildings in the immediate vicinity and steps down appropriately from the building to the south, creating a descending progression of heights moving north along Wisconsin Avenue, particularly with the lower penthouse. (See Ex. 36A1 at p. A9; Ex. 102A.) The Commission accordingly finds the height, density and design of the building to be appropriate for this location.

70. TNA and other opponents also raised concerns about the enforceability of the MOU between the ANC and the Applicant, particularly with respect to the RPP restrictions and eviction of residential tenants. The Commission finds the enforceability of the MOU, a private agreement between the parties, to be beyond the scope of its jurisdiction.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project “offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience.” (11 DCMR § 2400.2.)
2. Under the PUD process of the Zoning Regulations, the Commission has the authority to consider this application as a consolidated PUD. The Commission may impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking and loading, or for yards and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.
3. Development of the property included in this application carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments, which will offer a project with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
4. The PUD seeks a 15% waiver of the minimum area requirements of § 2401.1 of the Zoning Regulations. Whereas 15,000 square feet of land area is required, the PUD site has only 12,671 square feet. The Commission may grant up to a 50% waiver of the minimum area requirements provided the Applicant meets the standards of § 2401.1. The Commission concludes that the Applicant has met its burden. The development is in the best interests of the city: an apartment house with ground-floor retail is responsive to the direct desire of the city for new residential with ground-floor retail along "Main Street" mixed-use corridors such as this one. At least 80% of the gross floor area will be devoted

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- to dwelling units and accessory uses. The record reflects the project will devote 80.31% of its gross floor area to dwelling units and accessory uses.
5. The PUD, as approved by the Commission, complies with the applicable height, bulk, and density standards of the Zoning Regulations. The residential and retail/service uses for this project are appropriate for the PUD site. The impact of the project on the surrounding area is not unacceptable. Accordingly, the project should be approved.
 6. The applications can be approved with conditions to ensure that any potential adverse effects on the surrounding area from the development will be mitigated.
 7. The Applicant's request for flexibility from the Zoning Regulations is consistent with the Comprehensive Plan. The Commission concludes that the elimination of all but one parking space and a reduction in the loading facilities is supported by the evidence of record and may be approved pursuant to the Commission's authority under § 2405.6 of the regulations. The Commission also concludes that the project benefits and amenities are reasonable trade-offs for the requested development flexibility in accordance with § 2400.3 and 2400.4.
 8. Approval of this PUD is appropriate because the proposed development is consistent with the present character of the area, and is not inconsistent with the Comprehensive Plan. In addition, the proposed development will promote the orderly development of the site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
 9. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2001)), to give great weight to OP recommendations. The Commission carefully considered the OP report and, as explained in this decision, finds its recommendation to grant the applications persuasive.
 10. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give great weight to the issues and concerns raised in the written report of the affected ANC. The Commission has carefully considered the ANC 3E's recommendation for approval and concurs in its recommendation.
 11. The application for a PUD is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

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DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the applications for consolidated review and approval of a planned unit development and related map amendment from the C-2-A to the C-3-A Zone District for the property located at Lots 800 and 817 in Square 1732. For the purposes of these conditions, the term "Applicant" shall mean the person or entity then holding title to the Property. If there is more than one owner, the obligations under this Order shall be joint and several. If a person or entity no longer holds title to the Property, that party shall have no further obligations under this Order; however, that party remains liable for any violation of these conditions that occurred while an Owner. The approval of this PUD is subject to the guidelines, conditions, and standards set forth below.

A. Project Development

1. The PUD shall be developed in accordance with the plans and materials submitted by the Applicant, dated October 12, 2012, and marked as Exhibits 36A1 and 102A in the record, as modified by the guidelines, conditions, and standards of this Order.
2. In accordance with the Plans, the PUD shall be a mixed-used project consisting of approximately 60,815 square feet of gross floor area. Approximately 48,838 square feet of gross floor area will be devoted to residential uses at approximately 60 units, and 11,977 square feet of gross floor area will be devoted to retail and service uses.
3. The Applicant shall have design flexibility with the PUD in the following areas:
 - a. To vary the number of residential units from 55 to 65 units;
 - b. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration of the structure;
 - c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction; and
 - d. To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings and trim, or any changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit.
4. The Applicant shall have zoning flexibility with the PUD in the following areas:

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- a. From the minimum area requirements to allow a PUD with a land area of 12,671 square feet in lieu of 15,000 square feet;
- b. To provide one vehicle parking space designated as a handicap space to be located in the area of the loading facilities, instead of the 78 vehicle parking spaces (48 for the retail and services use and 30 for the apartment units) required for the PUD;
- c. To reduce the number of loading facilities by providing one berth at 12 feet x 30 feet, in lieu of 12 feet x 55 feet; one platform at 100 square feet in lieu of 200 square feet; and to eliminate the required service/delivery loading space; and
- d. To allow a roof structure not meeting the one-to-one setback requirements, consistent with the roof plan marked as Exhibit 102A.

B. Public Benefits

1. **Restricted Uses.** *For the life of the PUD*, the Applicant shall prohibit the following retail and service uses or sales in the PUD, unless otherwise agreed to by the Applicant and ANC, as evidenced by a formal vote at a duly noticed ANC meeting:
 - a. The sale of pornographic material;
 - b. Check-cashing establishment;
 - c. Pawnbroker;
 - d. Night club;
 - e. Drycleaners;
 - f. Bank;
 - g. Mattress store;
 - h. Convenience store;
 - i. Professional office;
 - j. A "chain" store that has five or more of the same-named establishments in the District of Columbia;
 - k. A drug store; and
 - l. Any store that sells products that weigh 40 or more pounds each, unless the store makes such products available by shipping or delivery to the customer.
2. **Public Space Improvements.** Prior to issuance of a certificate of occupancy for the PUD, and subject to approval by DDOT, which the Applicant will make all reasonable attempts to obtain, the PUD shall provide public space improvements along the street frontage of the building, which shall include the following:

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- a. Special entrance pavement;
 - b. Street edging border of mixed ground covers and perennials;
 - c. Four new street trees on Brandywine Street, N.W.;
 - d. Five new street trees on Wisconsin Avenue, N.W.;
 - e. Four bike racks on Wisconsin Avenue, N.W.;
 - f. Streetscape furniture, including four-foot bench and trash can, and table with two seats;
 - g. An outdoor patio/seating area along Brandywine Street, N.W., for the adjacent retain/service use space; and
 - h. A new fountain wall and planter at the ground level of the building.
3. **Burying of Utility Lines.** Prior to the issuance of the Certificate of Occupancy for the PUD, the Applicant shall pay up to \$600,000 to PEPCO or its designated entity to fund the "undergrounding" of all utility lines along the Brandywine Street and Wisconsin Avenue frontages of the PUD ("Utility Pledge"). "Undergrounding" means the construction of underground vaults; installation of the utility lines presently located above ground on existing utility poles, and other appurtenant equipment in those vaults; and removal of all utility poles, in cooperation and coordination with PEPCO and other utility providers using the poles, such as cable and internet service providers. If 36 months have passed after issuance of the PUD order and PEPCO is not ready to commence the Undergrounding work, the ANC may, after consultation with the Applicant, designate an alternative community benefit or benefits ("Alternative") for a fixed amount of \$500,000. The Applicant shall promptly seek a modification of the PUD to redirect the \$500,000 fixed amount to the Alternative. Similarly, if the Utilities Pledge can be performed for less than \$400,000, then the ANC may, after consultation with the Applicant, designate an Alternative for the difference between the actual cost of performing the Utilities Pledge and \$400,000, and the Applicant shall promptly seek a modification of the PUD to redirect these funds to the Alternative. Within 12 months after issuance of the PUD or prior to the issuance of a certificate of occupancy for the project, whichever is sooner, the Applicant shall purchase a performance bond in the amount of \$600,000 for the benefit of the District of Columbia to guarantee the promises in this condition, provided that if an appeal is filed, the bond shall be purchased upon the sooner of the resolution of the appeal or issuance of a certificate of occupancy.
4. **Transportation Demand Management ("TDM") Measures.** Prior to issuance of a certificate of occupancy for the PUD, the Applicant shall implement the following TDM measures at the PUD:
- a. **Resident Transportation Coordinator:** The Applicant shall designate one site management employee as the Resident Transportation Coordinator ("RTC"). The RTC will be responsible for providing information to residents (particularly those incoming residents) regarding transit opportunities and schedules, as well as the

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location of Bike Share stations within the area, and bicycle parking provisions within the building. The RTC will generally encourage non-private auto usage and will have related information prominently displayed in the offices, community rooms, and other appropriate common space;

- b. Digital Multimodal Display: The Applicant shall install a digital multimodal display in the lobby of the residential building that provides schedule information of Metrobus and Metrorail service, and locations of bike share and car share stations, among other transportation related information. This display is being developed by DDOT, and is referred to as "NextBus" Display. The installation at the PUD will be dependent on the progress made by the District on the display, its costs and its availability for installation;
- c. Bicycle Usage Program: The Applicant shall provide 60 bicycle parking spaces in a secure, convenient location in the PUD that will be accessible to residents at all times. Another 12 bike storage spaces will be located inside the building for use by retail employees. A secure shower facility will also be provided for the employees' use. The Applicant shall provide a one-time Capital Bikeshare annual membership fee for each initial tenant of the building;
- d. Car Sharing: The Applicant shall provide a one-time Zipcar membership and application fee (totaling \$85.00) to each initial residential tenant of the PUD. The Applicant shall also secure at least one car-sharing parking space, either directly in front of or within one block of the Property. Such space shall be on a street not subject to rush hour or other restrictions;
- e. Transit Subsidies: The Applicant shall provide a one-time \$100.00 transit fare card to each initial tenant and employee in the building to encourage non-auto mode usage;
- f. Residential Parking Permit Program Exclusion: The Applicant shall take such steps as are necessary to ensure that Residents do not receive a residential parking permit ("RPP"), including without limitation (i) placing a clause in emphasized typeface in all leases for residential units prohibiting any resident from applying for or obtaining a RPP, or using an RPP guest pass within one mile of the PUD, upon pain of mandatory lease termination, to the full extent permitted by law; (ii) ensuring that DDOT removes the Property from the list of properties eligible for RPPs, or if presently not on the list, classifying it as ineligible for RPP, and the Applicant shall obtain from DDOT written confirmation that it will not grant RPPs to residents of the PUD; (iii) should the Applicant sell any units at the Property, adding a covenant that runs with the land to the deed for the units prohibiting residents from applying for or obtaining RPPs, to the full extent

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permitted by law; and (iv) executing a covenant that runs with the land for the Property generally that embodies the provisions of this condition. The Applicant has entered into an agreement with the ANC providing that in the event DDOT does not remove the Subject Property from the RPP list or classify it as ineligible for RPPs, any resident of ANC 3E may take legal action ("Suit") as a third-party beneficiary of the MOU to compel the Applicant to terminate the lease of any Resident who violates the RPP prohibition, if Douglas has failed promptly to take such action on its own initiative. A resident of ANC 3E that substantially prevails in a Suit shall be entitled to an award of its reasonable attorney's fees. Furthermore, if the Applicant loses three or more Suits, it shall be required to donate \$10,000 to a non-profit organization identified by the ANC for each subsequent Suit it loses;

- g. Unlawful Parking/Stopping: The Applicant will place a provision in the leases for all commercial tenants requiring them to actively discourage visitors to their establishments from unlawfully stopping or parking automobiles in front of the establishment or elsewhere in the neighborhood in connection with visits to the establishment. The provisions shall note, without limitation: (i) that a pattern of unlawful stopping or parking in connection with visits to the establishment may, in the Applicant's discretion, be cause for lease termination; and (ii) that should the ANC receive complaints about unlawful stopping or parking in connection with visits to the establishment, the ANC may send a written notification to the establishment concerning same, and the establishment shall ensure that a senior representative thereof will attend the next ANC meeting to address such complaints; and
 - h. Metered Parking Demand: The Applicant shall work with DDOT to match the supply of and restrictions on metered parking spaces adjacent to the building to the parking demand.
5. TDM Performance Monitoring: The Applicant shall implement the following TDM performance monitoring measures:
- a. Annual surveys to document trip generation and modal split for a period to DDOT's satisfaction where the PUD-generated trips and parking demand are believed to have stabilized;
 - b. Annual monitoring and documentation of registration/usage of the bikeshare program by the tenants of the PUD;
 - c. Annual monitoring and documentation of the registration/usage of the carshare program by the tenants of the PUD;

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- d. A mechanism to monitor the number of vehicles owned by tenants to determine the actual parking demand in the vicinity;
 - e. Annual parking occupancy surveys for the metered parking spaces along the roadways that are included in the Applicant's Transportation Impact Study ("TIS") to compare the baseline results submitted in the TIS to the results after the PUD is built and occupied; and
 - f. Documentation showing the implementation of the proposed TDM measures and any others that were not initially proposed.
6. **Reserved Residential Parking Spaces; Validated Parking for Business Patrons:** Prior to the issuance of a certificate of occupancy for the PUD, the Applicant shall have in place agreements with parking facilities within a 500-yard radius to make available 20 off-site parking spaces to residents of the PUD to rent for a fee. Such agreements shall have at least an annual duration and the Applicant will make all commercially reasonable efforts to renew or replace them annually or on some other term for a period of up to 10 years from the date the certificate of occupancy issues. The Applicant will not market the residential units to prospective tenants who have automobiles. The Applicant shall record all requests by residents for parking spaces, and shall notify the ANC in writing within 30 days of its inability to provide the requested parking space. In the event the Applicant is not able to provide the required parking, the Applicant shall pay annually to a non-profit organization designated by the ANC an amount of 150% of the market rate cost per parking space not provided. If there is no demand for some or all of such spaces as determined by the ANC and the Applicant, then this requirement shall be reduced accordingly. The Applicant shall also arrange for validated parking for patrons of any commercial business or businesses at the PUD with 3,500 square feet of space or more at a facility within 500 yards of the PUD, prior to the issuance of a certificate of occupancy for that commercial business. Such validated parking shall permit patrons to park for free for the first hour of parking.
7. **Construction Hours:** *During construction of the PUD*, the Applicant, its tenants, and contractors will not engage in any construction activities, other than emergency repairs, before 7:00 a.m. and after 8:00 p.m., Monday through Friday, or before 8:00 a.m. and after 8:00 p.m. on Saturday. The Applicant and its contractors will not engage in any construction work, other than repairs, on Sunday.
8. **Trash Removal:** *During the life of the PUD*, the Applicant will promptly remove all trash and debris from the public space located between the property line and the adjacent curb.

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9. **LEED Qualification**: The Applicant commits that the resulting building will qualify for a LEED-Gold rating subject to scoring by a qualified party unaffiliated with the project selected by the ANC ("Qualified Party"). A "Qualified Party" would include an architectural or engineering firm or other professionals as agreed to by the ANC with LEED-certified personnel at a cost of up to \$10,000.00. Prior to the issuance of a certificate of occupancy, the Applicant agrees to deposit into an escrow account an amount equal to two percent of the construction costs for the PUD, such construction cost amount being that identified on the building permit application. At the same time, Applicant will deliver to the ANC and Zoning Commission a statement of its total construction cost for the PUD, executed under oath by an officer of Applicant. When the Qualified Party certifies the PUD would qualify for LEED-Gold Certification, the security will be released to the Applicant. In the event that the Applicant does not demonstrate to the satisfaction of the Qualified Party that the project would qualify for LEED-Gold Certification within 24 months after the date the certificate of occupancy for the PUD is issued, the security will be released to the District of Columbia ("District"), unless the District Department of Environment or another agency designated by the Mayor determines that the sustainable features, as built, provide value substantially equivalent to or exceeding the environmental value of sustainable features that would qualify for LEED Gold status. If such finding is made, the District, in its sole discretion, shall determine whether the security shall be released in part to the District and in part to the Applicant.
10. **Improvements to Parks on the East Side of Wisconsin Avenue**. Prior to the issuance of a certificate of occupancy for the PUD, the Applicant shall undertake landscape improvements to the south portion of the triangular park known as Reservation 503 and to the public space at the northeast corner of Brandywine Street and Wisconsin Avenue, N.W., as shown on the drawing marked as Exhibit 36A2 to the record, and subject to obtaining any necessary governmental approvals or permits. If the necessary governmental approvals or permits are delayed or otherwise not issued through no fault of the Applicant, the certificate of occupancy for the PUD may still be issued to the Applicant. The Applicant shall maintain the landscaping for a period of five years. The landscape improvements at the corner of Brandywine Street and Wisconsin Avenue will include a concrete pad to allow for the future installation of a Capital Bikeshare station by DDOT. If DDOT does not commit funds to install the bikeshare station within 24 months after issuance of the PUD order, and prior to the issuance of a certificate of occupancy for the PUD, the Applicant shall pay for the installation itself.

C. **Miscellaneous**

1. No building permit shall be issued for the PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant and the District of Columbia, that is satisfactory to the Office of the Attorney General and the

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Zoning Division, Department of Consumer and Regulatory Affairs. Such covenant shall bind the Applicant and all successors in title to construct and use the property in accordance with this order, or amendment thereof by the Commission. The Applicant shall file a certified copy of the covenant with the records of the Office of Zoning.

2. The PUD shall be valid for a period of two years from the effective date of Z.C. Commission Order No. 10-23. Within such time, an application must be filed for a building permit for the construction of the project as specified in 11 DCMR § 2409.1; the filing of the building permit application will vest the Order. Construction of the project must commence within three years of the effective date of Z.C. Order No. 10-23.
3. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (“Act”) the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish grounds for the denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this Order.

On January 14, 2013, upon the motion of Commissioner Miler, as seconded by Commissioner May, the Zoning Commission **APPROVED** the applications by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, and Peter G. May to approve; Michael G. Turnbull, not present, not voting).

On February 25, 2013, upon the motion of Vice Chairman Cohen, as seconded by Commissioner Miller, this Order was **ADOPTED** by the Zoning Commission at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt.)

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on April 12, 2013.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF CLOSED MEETINGS**

TIME AND PLACE: **Thursday, April 18, 2013, @ 6:00 p.m.**
Office of Zoning Conference Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

In accordance with § 406 of the District of Columbia Administrative Procedure Act (“Act”)(D.C. Official Code § 2-576), on April 8, 2013, the Zoning Commission voted 5-0-0 to hold a closed meeting and hereby provides notice it will hold said closed meeting either in person or by telephone conference call, at the time and place noted above, regarding cases noted on the April 18, 2013 agenda in order to receive legal advice from its counsel, per § 405(b)(4), and to deliberate, but not voting, on the contested cases, per § 405(b)(13) of the Act (D.C. Official Code § 2-575(b)(4) and (13)).

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY,
AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT
OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN,
SECRETARY TO THE ZONING COMMISSION.**

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