

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 23-0131, Window Blind and Drapery Cord Safety Notification Act of 2020
- D.C. Council passes Law 23-0135, Pregnancy as a Qualifying Event Act of 2020
- D.C. Council passes Law 23-0136, Fiscal Year 2021 Local Budget Act of 2020
- D.C. Council enacts Act 23-471, Big Brown Bat Official State Mammal Designation Act of 2020
- D.C. Council schedules a public oversight roundtable on “Unemployment Insurance Programs in the District During the COVID-19 Pandemic”
- D.C. Council schedules a public roundtable to discuss the “Return to In-person Instruction in DC Public Schools”
- Office of the State Superintendent of Education announces funding for the FY2021 Mentoring Students in the Academic Middle Grant
- Department of General Services solicits comments on the use of Sherwood Recreation Center (Ward 6) as a seasonal hypothermia shelter
- D.C. Public Schools schedules a public hearing to discuss the Fiscal Year 2022 school budget

The Mayor of the District of Columbia modifies requirements regarding self-quarantines, testing, and travel during the COVID-19 Public Health Emergency (Mayor’s Order 2020-110)

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979, D.C. Official Code § 611 *et seq.* (2012 Repl.). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents and Administrative Issuances (1 DCMR §§300, *et seq.*). The Rules of the Office of Documents and Administrative Issuances are available online at dcregs.dc.gov. Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act*, D.C. Official Code §§2-501 *et seq.* (2012 Repl.).

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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MURIEL E. BOWSER
MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW L23-0131

"Window Blind and Drape Cord Safety Notification Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0322 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0386 and was published in the edition of the D.C. Register (Vol. 67, page 9878). Act A23-0386 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0386 is now D.C. Law L23-0131, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

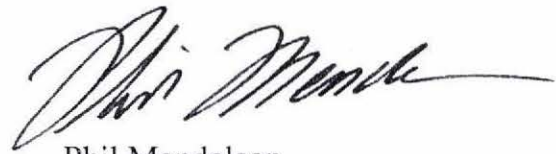
NOTICE

D.C. LAW L23-0132

"Postpartum Coverage Expansion Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0326 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0390 and was published in the edition of the D.C. Register (Vol. 67, page 9887). Act A23-0390 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0390 is now D.C. Law L23-0132, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0133

"Access to Biosimilars Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0430 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0387 and was published in the edition of the D.C. Register (Vol. 67, page 9880). Act A23-0387 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0387 is now D.C. Law L23-0133, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0134

"Hearing Aid Sales Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0565 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0388 and was published in the edition of the D.C. Register (Vol. 67, page 9883). Act A23-0388 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0388 is now D.C. Law L23-0134, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0135

"Pregnancy as a Qualifying Event Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0584 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0389 and was published in the edition of the D.C. Register (Vol. 67, page 9885). Act A23-0389 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0389 is now D.C. Law L23-0135, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0136

"Fiscal Year 2021 Local Budget Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0761 on First Reading and Final Reading, on July 7, 2020, and July 23, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0408 and was published in the edition of the D.C. Register (Vol. 67, page 10629). Act A23-0408 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0408 is now D.C. Law L23-0136, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

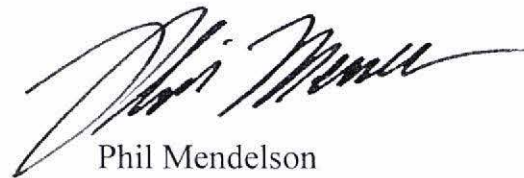
NOTICE

D.C. LAW L23-0137

"Connected Transportation Network Temporary Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0773 on First Reading and Final Reading, on June 9, 2020, and July 7, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0349 and was published in the edition of the D.C. Register (Vol. 67, page 9400). Act A23-0349 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0349 is now D.C. Law L23-0137, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

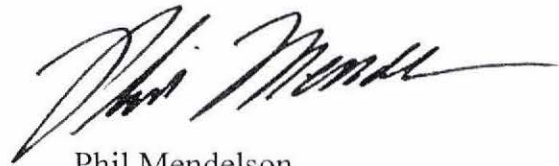
NOTICE

D.C. LAW L23-0138

"New Hospital at St. Elizabeths Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0777 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0350 and was published in the edition of the D.C. Register (Vol. 67, page 9635). Act A23-0350 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0350 is now D.C. Law L23-0138, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0139

"Black Lives Matter Plaza Designation Temporary Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0786 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0391 and was published in the edition of the D.C. Register (Vol. 67, page 9889). Act A23-0391 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0391 is now D.C. Law L23-0139, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0140

"Appraisal Management Company Regulation Temporary Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0808 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0392 and was published in the edition of the D.C. Register (Vol. 67, page 9891). Act A23-0392 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0392 is now D.C. Law L23-0140, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0141

"Investigating Maternal Mortalities Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0813 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0394 and was published in the edition of the D.C. Register (Vol. 67, page 9907). Act A23-0394 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0394 is now D.C. Law L23-0141, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0142

"Concealed Pistol Licensing Review Board Membership Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0815 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0395 and was published in the edition of the D.C. Register (Vol. 67, page 9910). Act A23-0395 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0395 is now D.C. Law L23-0142, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0143

"Commercial Insurance Claim Tolling Temporary Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0820 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0396 and was published in the edition of the D.C. Register (Vol. 67, page 9912). Act A23-0396 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0396 is now D.C. Law L23-0143, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0144

"Adams Morgan BID Tax Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0822 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0397 and was published in the edition of the D.C. Register (Vol. 67, page 9914). Act A23-0397 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0397 is now D.C. Law L23-0144, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW L23-0145

"Standby Guardian Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0824 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0398 and was published in the edition of the D.C. Register (Vol. 67, page 9916). Act A23-0398 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0398 is now D.C. Law L23-0145, effective October 20, 2020.


Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0146

"Reunion Square Tax Increment Financing Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0830 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0400 and was published in the edition of the D.C. Register (Vol. 67, page 9941). Act A23-0400 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0400 is now D.C. Law L23-0146, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW L23-0147

"Business Support Grants Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0833 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0401 and was published in the edition of the D.C. Register (Vol. 67, page 9951). Act A23-0401 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0401 is now D.C. Law L23-0147, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

COUNCIL OF THE DISTRICT OF COLUMBIA

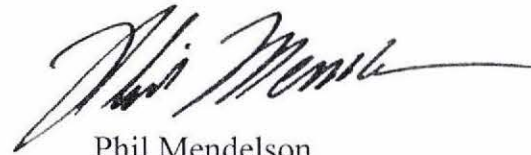
NOTICE

D.C. LAW L23-0148

"Performing Arts Promotion Temporary Amendment Act of 2020"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 23-0835 on First Reading and Final Reading, on July 7, 2020, and July 21, 2020, respectively, pursuant to Section 404(e) of the Charter, the bill became Act A23-0402 and was published in the edition of the D.C. Register (Vol. 67, page 9955). Act A23-0402 was transmitted to Congress on September 3, 2020 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act A23-0402 is now D.C. Law L23-0148, effective October 20, 2020.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
September	4,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7,8,9,13,14,15,16,19

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-445

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 28, 2020

To amend, on a temporary basis, the District of Columbia Election Code of 1955 to provide for the November 3, 2020 General Election that election workers who are District government employees are not required to be District residents or qualified electors.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Election Worker Residency Requirement Waiver Temporary Amendment Act of 2020".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 2(31) (D.C. Official Code § 1-1001.02(31)) is amended to read as follows:

"(31) For elections held in calendar year 2020, the term "polling place" shall include Vote Centers operated by the Board throughout the District."

(b) Section 5(e)(4) (D.C. Official Code § 1-1001.05(e)(4)) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase "The Board shall" and inserting the phrase "Except as provided in subparagraph (C) of this paragraph, the Board shall" in its place.

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

"(C) For the November 3, 2020 General Election, election workers, including precinct captains and polling place workers, who are District government employees are not required to be District residents or qualified electors."

Sec. 3. Section 804(a) of the Coronavirus Support Temporary Amendment Act of 2020, enacted on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

ENROLLED ORIGINAL

Sec. 5. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 28, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-454

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 4, 2020

To amend, on an emergency basis, the Rental Housing Act of 1985 to enact a one-year moratorium on applications for and the Mayor’s issuance of a certificate of assurance.

BE IT ENACTED BY THE COUNCIL DISTRICT OF COLUMBIA, That this act may be cited as the “Certificate of Assurance Moratorium Emergency Amendment Act of 2020”.

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*)), is amended by adding a new section 221a to read as follows:

“Sec. 221a. Certificate of assurance moratorium.

“Notwithstanding the requirements of section 221, no owner of a housing accommodation shall request a certificate of assurance for one year beginning on the effective date of the Certificate of Assurance Moratorium Emergency Amendment Act of 2020, passed on emergency basis on September 22, 2020 (Enrolled version of Bill 23-900) (“Act”), and the Mayor shall not issue a certificate of assurance for any request received for one year beginning on the effective date of the Act.”.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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

UNSTIGNED

Mayor
District of Columbia
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-455

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 4, 2020

To amend, on an emergency basis, the Homeless Services Reform Act of 2005 to reform the Emergency Rental Assistance Program to aid tenants in their recovery from the public health emergency, and to reduce administrative barriers to Emergency Rental Assistance Program payments for tenants in need.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Emergency Rental Assistance Reform Emergency Amendment Act of 2020”.

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“Sec. 8f. Emergency rental assistance.”.

(b) A new section 8f is added to read as follows:

“Sec. 8f. Emergency rental assistance.

“(a)(1) To qualify for emergency rental assistance funds made available pursuant to this section (“Emergency Rental Assistance Funds”), an applicant unit shall be required to meet only the following eligibility criteria:

“(A) Be living in the District of Columbia at the time of application;

“(B) Be presented with an emergency situation that he or she has no other available resources to resolve, while still meeting other basic needs; and

“(C) Have a net income, combined with the net income of any individual with whom he or she lives, that in the 30 days immediately preceding the date of application does not exceed 40% of the Area Median Income for the District of Columbia for the specified household size.

“(2) To qualify for Emergency Rental Assistance Funds, an applicant unit may be required to document or otherwise establish the following, but no other documentation or proof shall be required:

ENROLLED ORIGINAL

“(A) That he or she is living in the District of Columbia at the time of application;

“(B) The applicant unit’s household income and assets;

“(C) The number of bedrooms in the unit occupied by the applicant unit;

“(D) The number of people in the applicant unit’s household; and

“(E) Facts and circumstances surrounding rental arrearages, security or damage deposit, or first month’s rent, including that the applicant unit is responsible for payment.

“(3) An unsworn declaration made under penalty of perjury shall be considered sufficient documentation or proof for the purposes of paragraph (2) of this subsection.

“(4) To qualify for Emergency Rental Assistance Funds, an applicant unit shall not be required to provide documentation or proof that the members of his or her household are related by blood, legal adoption, marriage or domestic partnership, or legal guardianship.

“(5) Case management or other services shall not be required as a condition to qualify for Emergency Rental Assistance Funds.

“(b)(1) Emergency Rental Assistance Funds shall not be paid to the applicant unit but instead directly to a vendor providing a service to the applicant unit.

“(2) Emergency Rental Assistance Funds may be utilized to pay rent arrearage, late fees, and associated court fees if eviction is imminent or the applicant unit has a current rent arrearage at least 30 days past due.

“(3)(A) The total payment of Emergency Rental Assistance Funds on behalf of an applicant unit for rent arrearages, late fees, and associated court fees shall not exceed an amount equal to the applicable fair market rent for the Washington-Arlington-Alexandria Metropolitan area based on unit size and zip code, as established by the U.S. Department of Housing and Urban Development, multiplied by 5. This cap may be waived if one or more of the following factors are determined to exist:

“(i) The applicant unit lives with 6 or more individuals and reasonable alternatives to the existing housing arrangement are not available;

“(ii) An individual living with the applicant unit has a physical or mental disability or an extended illness such that loss of existing housing would pose a serious threat to the health or safety of the family member; or

“(iii) The applicant unit is applying for Emergency Rental Assistance Funds during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health emergency”), or within 180 days after its conclusion.

“(B) During a public health emergency and for 180 days after its conclusion, an arrearage paid with Emergency Rental Assistance Funds may be for as many months of rent as the total number of months that the public health emergency has been in effect

ENROLLED ORIGINAL

pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(4) When a payment of Emergency Rental Assistance Funds up to the amount authorized by this section would not substantially alleviate an emergency situation during the 30-day period immediately following the authorization of payment, such payment shall not be made unless the applicant unit demonstrates that a landlord will:

“(A) Accept partial payment in full satisfaction of the outstanding rent due; or

“(B) Enter into a longer-term repayment plan for the payment of the remaining balance of unpaid rent.

“(5)(A) The use of Emergency Rental Assistance Funds to cover a security or damage deposit shall only be authorized if the landlord does not waive the deposit and one of the following criteria is met:

“(i) The applicant unit is or will become homeless if assistance is not provided; or

“(ii) The purpose of the assistance is to reunite a child less than 18 years of age with his or her family or to prevent separation of a child less than 18 years of age from his or her family.

“(B) The maximum payment for a security or damage deposit shall be the actual amount of the deposit, which may not exceed more than the cost of one month’s unsubsidized rent, as specified by the landlord.

“(6)(A) Assistance may be authorized for first month’s rent if:

“(i) The applicant unit is eligible for a security deposit payment as specified in paragraph (5)(A) of this subsection;

“(ii) The first month’s rent must be paid in conjunction with the security deposit in order for the applicant unit to assume tenancy and

“(iii) The applicant unit has no other means of paying for the first month’s rent at the time it is required.

“(B) The maximum emergency assistance payment for first month’s rent under this paragraph shall not exceed the actual amount of one month’s unsubsidized rent, as specified by the landlord.

“(c) An applicant unit that has met the eligibility standards set forth in this section shall qualify for Emergency Rental Assistance Funds; except, that the agency may provide funding on a first come, first served basis and subject to availability of funds.

“(d) To the extent not explicitly superseded by the provisions of this act, the Emergency Rental Assistance Program rules (29 DCMR § 7500 *et seq.*) shall remain in effect until superseded by rules promulgated by the Mayor pursuant to the authority of this act. Upon the effective date of rules promulgated pursuant to this act, each superseded portion of the Emergency Rental Assistance Program rules shall be deemed repealed.

ENROLLED ORIGINAL

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

“(1) “Applicant unit” means an individual who is applying for Emergency Rental Assistance Funds pursuant to this section for his or her own needs or the needs of those with whom he or she lives.

“(2) “Basic needs” includes groceries, childcare, utilities, and car payments.

“(3) “Emergency situation” means a situation in which immediate action is necessary to avoid homelessness or eviction, to re-establish a home, or otherwise to prevent displacement from a home.

“(4) “Living in the District of Columbia” means that an individual is maintaining a home in the District as his or her principal residence or, if he or she is homeless, that he or she is physically present in the District and not a resident of another state.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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

UNSTIGNED

Mayor
District of Columbia
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-456

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 4, 2020

To approve, on an emergency basis, Contract No. NFPHC-20-P Modifications between the Not-for-Profit Hospital Corporation and Stryker Sales Corp to provide medical beds to the Not-for-Profit Hospital Corporation during the COVID-19 pandemic, and to authorize payment for the goods 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 “Contract No. NFPHC-20-P Modifications between Not-for-Profit Hospital Corporation and Stryker Sales Corp Approval and Payment Authorization Emergency Amendment Act of 2020”.

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 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 Contract No. NFPHC-20-P Modifications between the Not-for-Profit Hospital Corporation (“Hospital”) and Stryker Sales Corp to provide medical beds to the Hospital during the COVID-19 pandemic and authorizes payment in the amount of \$2,945,895 for the goods received and to be received under this contract .

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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

Unsigned

Mayor
District of Columbia
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-457

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 4, 2020

To approve, on an emergency basis, Contract No. NFPHC-2018-156 Modification 1 between the Not-for-Profit Hospital Corporation and Premium Critical Care Solutions LLC to provide ICU physician services to the Not-for-Profit Hospital Corporation, and to authorize payment for the 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 “Contract No. NFPHC-2018-156 Modification 1 between the Not-for-Profit Hospital Corporation and Premium Critical Care Solutions LLC Approval and Payment Authorization Emergency Amendment Act of 2020”.

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 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 Contract No. NFPHC-2018-156 Modification 1 between the Not-for-Profit Hospital Corporation (“Hospital”) and Premium Critical Care Solutions LLC to provide ICU physician services to the Hospital in response to the COVID-19 pandemic and for regular operations and authorizes payment in the amount of \$1,245,527.33 for the services received and to be received under this contract.

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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

UNSIGNED

Mayor
District of Columbia
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-458

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 4, 2020

To approve, on an emergency basis, Contract No. NFPHC-C58692 between the Not-for-Profit Hospital Corporation and Nihon Kohden America, Inc. to provide ventilators to the Not-for-Profit Hospital Corporation during the COVID-19 pandemic, and to authorize payment for the goods 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 “Contract No. NFPHC-C58692 between Not-for-Profit Hospital Corporation and Nihon Kohden America, Inc. Approval and Payment Authorization Emergency Amendment Act of 2020”.

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 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 Contract No. NFPHC-C58692 between the Not-for-Profit Hospital Corporation (“Hospital”) and Nihon Kohden America, Inc. to provide ventilators to the Hospital during the COVID-19 pandemic and authorizes payment in the amount of \$1,002,713.04 for the goods received and to be received under this contract.

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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

UNSIGNED

Mayor
District of Columbia

November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-459

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 4, 2020

To amend, on a temporary basis, the Rental Housing Act of 1985 to enact a one-year moratorium on applications for and the Mayor’s issuance of a Certificate of Assurance.

BE IT ENACTED BY THE COUNCIL DISTRICT OF COLUMBIA, That this act may be cited as the “Certificate of Assurance Moratorium Temporary Amendment Act of 2020”.

Sec. 2. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code §§ 42-3501.01 *et seq.*)), is amended by adding a new section 221a to read as follows:

“Sec. 221a. Certificate of assurance moratorium.

“Notwithstanding the requirements of section 221, no owner of a housing accommodation shall request a certificate of assurance for one year beginning on the effective date of the Certificate of Assurance Moratorium Emergency Amendment Act of 2020, passed on emergency basis on September 22, 2020 (Enrolled version of Bill 23-900) (“Act”), and the Mayor shall not issue a certificate of assurance for any request received for one year beginning on the effective date of the Act.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30 day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-460

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 4, 2020

To amend, on a temporary basis, the Grant Administration Act of 2013 to require a grantor agency to maintain records of any sole source justifications and final agency justifications related to the selection of a grantee and to make these documents available to the Mayor or to a member of the Council upon request.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Government Grant Transparency Temporary Amendment Act of 2020”.

Sec. 2. Section 1095(2)(A) of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.14(2)(A)), is amended by striking the phrase “records of any” and inserting the phrase “records of any sole source and final agency justifications related to the selection of a grantee, and any” in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia

UNSIGNED _____

Mayor
District of Columbia
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-461

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To give the Mayor, on a temporary basis, the authority to make a property ineligible for residential parking permits when it is a condition of a zoning order.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “RPP Voluntary Exclusion Temporary Act of 2020”.

Sec. 2. RPP voluntary exclusion.

(a) The Mayor may, when a condition of a zoning order, designate a property, including for its future residents, as ineligible to obtain residential parking permits.

(b) Before entering into a purchase and sales agreement or lease, an owner of a property that has been designated as ineligible to obtain residential parking permits pursuant to subsection (a) of this section shall:

(1) Provide written notice of the designation to a buyer or residential tenant; and

(2) Require the buyer or residential tenant to acknowledge receipt of the notice required by paragraph (1) of this subsection in writing.

(c) Upon designating a property pursuant to subsection (a) of this section, the Mayor shall record with the recorder of deeds a restrictive covenant identifying any such property as ineligible for a residential parking permit.

(d)(1) Failure of a property owner to provide written notice of a residential tenant’s ability to obtain a residential parking permit associated with the property shall be grounds for the tenant to be released from obligations under the rental agreement.

(2) Failure of a property owner to provide written notice of a buyer’s inability to obtain a residential parking permit associated with the property shall be considered a material breach of the purchase and sales agreement.

Sec. 3. Fiscal impact statement.

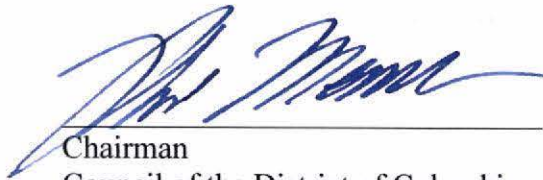
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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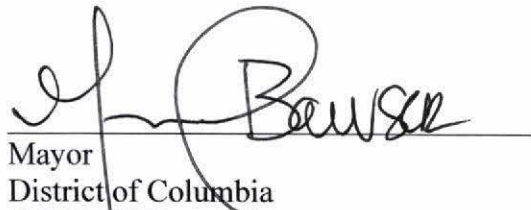
Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-462

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To provide, on a temporary basis, that expenditures on school-administered theatrical and music performances, including stipends for non-District of Columbia Public Schools employees, shall be allowable expenditures from a school’s Student Activity Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Student Activity Fund Theatrical and Music Performance Expenditures Temporary Act of 2020”.

Sec. 2. Use of Student Activity Funds for theatrical and music performances.

(a) Expenditures on school-administered theatrical and music performances, including stipends for non-District of Columbia Public Schools (“DCPS”) employees, but excluding stipends for DCPS employees, shall be an allowable expenditure from a DCPS school’s Student Activity Fund.

(b) For the purposes of this act, the term “theatrical and music performances” means the planning, rehearsal, or presentation of a musical, staged play, choral production, orchestral or band concert, variety show, improvised or sketch comedy performance, or other live performance.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).


Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,

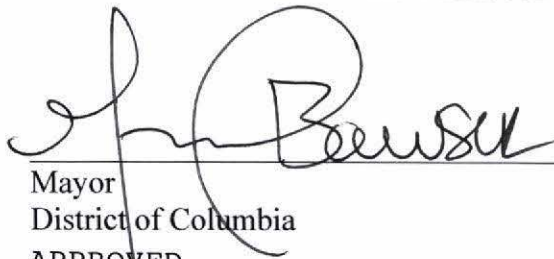
ENROLLED ORIGINAL

1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-463

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on a temporary basis, the Rental Housing Act of 1985 to prohibit housing providers from issuing notices to vacate and from engaging in actions intended to force tenants to leave their housing or otherwise give up their rights under the law for the remaining duration of the public health emergency and for 60 days thereafter.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Eviction Notice Moratorium Temporary Amendment Act of 2020”.

Sec. 2. Section 501 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01), is amended by adding a new subsection (q) to read as follows:

“(q)(1) Beginning on the effective date of the Eviction Notice Moratorium Emergency Amendment Act of 2020, passed on emergency basis on September 22, 2020 (Enrolled version of Bill 23-898), for the period of time during which there exists a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60 days thereafter, no housing provider may:

“(A) Issue to a tenant a notice to vacate pursuant to this section; or

“(B) Engage in any action that is intended to force tenants to leave their housing or otherwise give up their rights under the law, including the actions described under section 502(a).

“(2) Any person who violates paragraph (1) of this subsection shall be subject to penalties under section 901(b).”.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

ENROLLED ORIGINAL


Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-464

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To clarify, on a temporary basis, the authority of the Mayor to enter into an agreement with a Business Improvement District corporation for the maintenance and improvement of public space during a public health emergency and for 30 days thereafter.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public Space Maintenance Temporary Act of 2020".

Sec. 2. BID public space maintenance agreements.

(a) Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), and subsection (c) of the text under the heading "ASSESSMENT AND PERMIT WORK" of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved August 7, 1894 (28 Stat. 247; D.C. Official Code § 9-401.06(c)), the Mayor may enter into an agreement, excluding grant agreements, with a BID corporation, as defined in section 2(4) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), to maintain or improve public space, including sidewalks, streets, parks, plazas, signage, and public art, within the boundaries of the BID, as defined in section 2(7) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)).

(b) The Mayor shall pay or reimburse to a BID corporation the reasonably incurred expenses for maintaining or improving public space or for engaging in planning activity under this section for services customarily provided by the District to any similar geographic area pursuant to section 20(a) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20(a)).

(c) An agreement with a BID corporation made pursuant to this section to complete work in public space shall contain provisions requiring adequate insurance and indemnification, and such work in public space shall be subject to applicable permits.

ENROLLED ORIGINAL

(d) An agreement with a BID corporation made pursuant to this section shall not exceed \$800,000 for a single fiscal year; provided, that a multiyear agreement shall be allowed, subject to annual appropriation.

(e) This section shall apply during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.


Sec. 3. Fiscal impact statement.

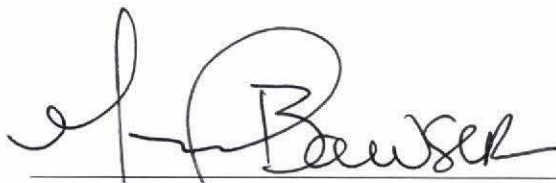
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-465

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on a temporary basis, the Commission on the Arts and Humanities Act to allow grant recipients to use grant funds to cover certain office-related rent or mortgage operating costs during Fiscal Year 2021.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Arts and Humanities Capital Funding Temporary Amendment Act of 2020”.

Sec. 2. Section 6(c-1)(2)(A) of the Commission on the Arts and Humanities Act, effective October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-205(c-1)(2)(A)), is amended to read as follows:

“(A) 17% for grants to fund capital projects in support of either the Arts and Humanities Cohort or the National Capital Arts Cohort; provided, that during Fiscal Year 2021 these grant funds may be used, if approved by the Commission, to pay:

“(i) Rent or mortgage expenses for the operation of a grant recipient’s arts-or-humanities-related home-based office in the District; and

“(ii) Rent or mortgage expenses for the operation of a grant recipient’s space in the District used to produce or publicly present arts-or-humanities-related work.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

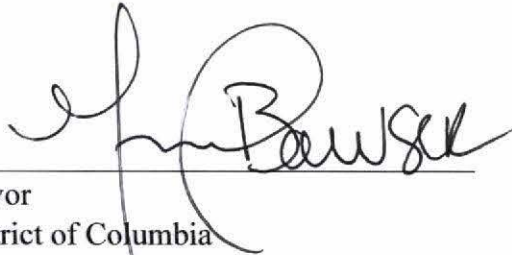
ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-466

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on a temporary basis, the Small and Certified Business Enterprise Development and Assistance Act of 2005 to require that for a business enterprise to be certified as a local business enterprise it must be independently owned, operated, and controlled; be independently owned, operated, and controlled by a District-based enterprise; or be a non-District-based business enterprise that is more than 50% owned by District residents; and to require currently certified local business enterprises that do not meet one of these requirements to be recertified.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Local Business Enterprise Clarification Temporary Amendment Act of 2020”.

Sec. 2. The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31 *et seq.*), is amended as follows:

(a) Section 2331 is amended by adding a new paragraph (1A) to read as follows:

“(1A) Is:

“(A) Independently owned, operated, and controlled;

“(B) Owned, operated, and controlled by a District-based enterprise; or

“(C) Owned by a non-District-based business enterprise that is more than

50% owned by District residents;”.

(b) A new section 2331a is added to read as follow

“Sec. 2331a. Grace period for compliance with section 2331(1A).

“(a) Except as provided in subsection (b) of this section, a business enterprise currently certified as a local business enterprise pursuant this act that does not meet the requirements of section 2331(1A) and does not submit a new application to the Department of Small and Local Business Development to be recertified as a local business enterprise within 90 days of the effective date of the Local Business Enterprise Clarification Emergency Amendment Act of 2020, passed on an emergency basis September 22, 2020 (Enrolled version of Bill 23-916), shall have its certification revoked pursuant to section 2363(a)(2)(B).

“(b) A business enterprise currently certified as a local business enterprise pursuant to this act that does not meet the requirements of section 2331(1A) but has an existing contract

ENROLLED ORIGINAL

with the District, shall be permitted to complete the term of that contract, including the base year and any option years under the contract, and receive the appropriate credit towards assisting an agency in meeting its goals pursuant to section 2341 and subcontracting points pursuant to section 2346 under its current certification. Upon completion of the term of that contract, the business enterprise must meet the requirements of section 2331(1A) and be recertified to remain a local business enterprise.”.


Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

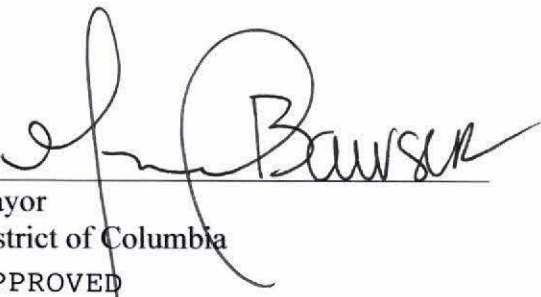
Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-467

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend the District of Columbia Act on the Aging to require the Mayor to interpret the term “greatest social need” under the federal Older Americans Act of 1965 to include LGBTQ seniors and seniors with HIV for the purpose of allocating funds provided to the District; and to amend the Human Rights Act of 1977 to establish an LGBTQ and HIV long-term care bill of rights to provide rights and legal protections for LGBTQ residents and residents with HIV in long-term care.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Care for LGBTQ Seniors and Seniors with HIV Amendment Act of 2020”.

Sec. 2. Title III of the District of Columbia Act on the Aging, effective October 29, 1975 (D.C. Law 1-24, D.C. Official Code § 7-503.01 *et seq.*) is amended by adding a new section 307a to read as follows:

“Sec. 309. LGBTQ seniors and seniors with HIV.

“(a) For the purposes of administering the provisions of the Older Americans Act of 1965, approved July 14, 1965 (Pub. L. No. 89-73; 79 Stat. 218), the Department shall interpret the term “greatest social need,” as defined in section 102(24) of the Older Americans Act of 1965, approved September 30, 1992 (106 Stat. 1199; 42 U.S.C. § 3002(24)), to include LGBTQ seniors and seniors with HIV.

“(b) 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.*), shall promulgate rules to carry out the purposes of this section. The rules shall be promulgated within 210 days of the effective date of this section.

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

“(1) “HIV” means the human immunodeficiency virus.

“(2) “LGBTQ” means an individual who identifies as lesbian, gay, bisexual, or transgender, is questioning or exploring their sexuality or sexual identity, or is concerned about applying a social label to themselves related to their sexuality or sexual identity, and who is a resident of the District of Columbia.

ENROLLED ORIGINAL

“(3) “Senior” means an individual who is 60 years of age or older.”.

Sec. 3. Title II of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.01 *et seq.*) is amended by adding a new part K to read as follows:

“PART K. Long-Term Care Facilities.

“Sec. 293. Definitions.

“For the purposes of this part:

“(1) “Caregiver” means an individual who provides medical or non-medical care to a resident of a long-term care facility.

“(2) “HIV” means the human immunodeficiency virus.

“(3) “Long-term care facility” shall have the same meaning as provided in section 101(7) of the District of Columbia Long-Term Care Ombudsman Program Act of 1988, effective March 16, 1989 (D.C. Law 7-218; D.C. Official Code § 7-701.01(7)).

“(4) “Resident” shall have the same meaning as provided in section 101(13) of the District of Columbia Long-Term Care Ombudsman Program Act of 1988, effective March 16, 1989 (D.C. Law 7-218; D.C. Official Code § 7-701.01(13)).

“(5) “Resident’s representative” shall have the same meaning as provided in section 101(14) of the District of Columbia Long-Term Care Ombudsman Program Act of 1988, effective March 16, 1989 (D.C. Law 7-218; D.C. Official Code § 7-701.01(14)).

“(6) “Staff” means an employee or contractor of a long-term care facility.

“Sec. 294. Prohibitions.

“(a) It shall be an unlawful discriminatory practice for a long-term care facility or staff to do any of the following to an individual because of an individual’s actual or perceived sexual orientation, gender identity or expression, or HIV status:

“(1) Deny an individual admission to a long-term care facility;

“(2) Refuse to transfer a resident, or forcibly transfer a resident, to another long-term care facility;

“(3) Discharge or evict a resident from a long-term care facility;

“(4) Deny a request by a resident to share a room with another resident;

“(5) Where rooms are assigned by gender, assign or reassign a transgender resident to a room that is not accordance with the resident’s gender identity or expression or refuse to assign a transgender resident to a room in accordance with that resident’s gender identity or expression, unless at the resident’s request;

“(6) Require a resident to show personal identification documentation or otherwise require a resident to provide evidence of their sex or gender to gain entrance to a restroom or other sex-segregated facility or setting that is available to other residents of the same gender identity or expression;

“(7) Knowingly refuse to use a resident’s preferred name or pronouns after being clearly informed of the resident’s preferred name or pronouns;

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“(8) Deny a resident the right to clothing, accessories, or cosmetics, or to engage in grooming practices consistent with the resident’s gender identity or expression that are permitted for other residents of the same gender identity or expression;

“(9) Deny or restrict a resident’s right to privacy or free association with other residents or visitors, including the right to consensual expressions of intimacy or sexual relations; or

“(10) Deny or restrict a resident from accessing appropriate medical or nonmedical care or refuse to provide a resident medical or nonmedical care that unreasonably demeans the resident’s dignity or causes avoidable discomfort.

“(b)(1) Staff not involved in providing direct care to a resident shall not be present during the resident’s physical examination or the provision of personal care to the resident if the resident is partially or fully unclothed without the express permission of the resident or the resident’s representative.

“(2) A long-term care facility shall use doors, curtains, screens, or other effective visual barriers to provide privacy for a resident whenever they are partially or fully unclothed.

“(3) A resident or resident’s representative shall be informed of and have the right to refuse an examination, observation, or treatment by staff when the primary purpose is educational or informational rather than due to a medical need. A refusal shall not diminish the resident’s access to care for the primary purpose of diagnosis or treatment.

“(c) Subsections (a) and (b) of this section shall not apply to the extent that they are incompatible with any professionally reasonable clinical judgment and where the staff provides written documentation of the basis for that clinical judgment to the resident or the resident’s representative.

“(d) Nothing in this section shall be construed to require or excuse noncompliance with any provision of applicable federal or District law.

“Sec. 295. Personal information.

“(a) At the time of a resident’s admission to a long-term care facility, the resident shall have the option to provide information on the resident’s gender identity or expression and preferred name and pronouns.

“(b) Long-term care facilities shall protect personally identifiable information regarding a resident’s sexual orientation, gender identity or expression, transition history, and HIV status from unauthorized disclosure as may be required by any applicable provision of federal or District law. A long-term care facility shall take reasonable steps to minimize the likelihood of inadvertent or incidental disclosure of that information to other residents, visitors, or staff, except to the extent necessary for staff to perform their duties.

“Sec. 296. Notice.

“A long-term care facility shall post in a conspicuous location a notice stating that the facility does not permit discrimination, including harassment, on the basis of actual or perceived sexual orientation, gender identity or expression, or HIV status, or based on association with an

ENROLLED ORIGINAL

individual on account of that individual's actual or perceived sexual orientation, gender identity or expression, or HIV status. The notice shall include information about a resident's right to file a complaint for discrimination with the Office.

"Sec. 297. Training.

"(a)(1) At least once every 2 years, starting 60 days after the Office certifies a list of training providers, staff employed by a long-term care facility shall receive training on preventing discrimination based on sexual orientation or gender identity or expression when caring for LGBTQ seniors and seniors with HIV. A new staff member shall receive training within 6 months of hire unless the staff member provides proof of having received training in compliance with this section within the prior 2 years.

"(2) A long-term care facility shall be responsible for arranging and paying for the training.

"(b) At a minimum, the training shall include:

"(1) Definitions of common terms associated with sexual orientation, gender identity or expression, and HIV;

"(2) Best practices for communicating with or about LGBTQ seniors or seniors with HIV, including the use of preferred pronouns for a patient;

"(3) Information on health and social challenges historically faced by LGBTQ seniors and seniors with HIV, including discrimination faced by LGBTQ seniors and seniors with HIV when seeking care in a long-term care facility and health risks associated with transgender persons from long-term hormone use and reconstructive surgery;

"(4) Strategies for creating a safe and affirming environment for LGBTQ seniors and seniors with HIV, including information on how behavior towards LGBTQ seniors and seniors with HIV by caregivers has historically impacted those communities' access to medical care; and

"(5) Best practices for communicating with or about friends, family members, or other visitors of LGBTQ seniors or seniors with HIV.

"(c) The Office shall certify a list of training providers.

"(d)(1) Every 2 years, starting 60 days after the Office certifies a list of training providers, long-term care facilities shall file a report with the Office certifying that all employees have completed the training required by this section. The Office may assess a fine of no more than \$10,000 upon failure to file such a report.

"(2) Revenue generated from the fine shall be deposited into the LGBTQ Homeless Youth Training Grant Fund, established by section 4a of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective May 3, 2014 (D.C. Law 20-100; D.C. Official Code § 2-1384).".

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Sec. 4. Applicability

(a) Section 3 shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.


(2) The date of publication of the notice of the certification shall not affect the applicability of the provision identified in subsection(a) of this section.

Sec. 5. Fiscal impact statement.


The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-468

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend the Tenant Opportunity to Purchase Act of 1980 (“TOPA”) to clarify that under certain limited circumstances, low-income housing tax credit redevelopment projects do not fall under the requirements of TOPA, and to require that a notice of transfer include certain material facts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Low Income Housing Tax Credit TOPA Exemption for Transfers of Interest Amendment Act of 2020”.

Sec. 2. Section 402 of the Tenant Opportunity to Purchase Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02), is amended as follows:

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

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

(2) Subparagraph (N) is amended by striking the period and inserting a semicolon in its place.

(3) New subparagraphs (O), (P), and (Q) are added to read as follows:

“(O) A transfer of interest in an entity that owns a housing accommodation or a transfer of title to a housing accommodation, if each of the following conditions is satisfied:

“(i) The credit period, as defined in section 42(f) of the United States Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26 U.S.C. § 42(f)) (“IRC”), for the housing accommodation has ended;

“(ii) Immediately prior to the transfer the housing accommodation is subject to:

“(I) An extended low-income housing commitment, as that term is defined in Section 42(h)(6)(B) of the IRC; or

“(II) A comparable restrictive covenant as a result of a federal or District program with occupancy, rent, and income requirements at least as restrictive as under section 42 of the IRC;

“(iii) Before and after the transfer, the owner of the housing accommodation is controlled, directly or indirectly, by the same person or entity; and

ENROLLED ORIGINAL

“(iv) Immediately following the transfer, the housing accommodation is for a term of not less than 10 years and subject to an existing or new extended low-income housing commitment or a comparable restrictive covenant as a result of a federal or District program with occupancy, rent, and income requirements at least as restrictive as under section 42 of the IRC.

“(P) The transfer of interests in a partnership or limited liability company that owns an accommodation as its sole or principal asset; provided, that the sole purpose of the transfer is to allow for the exit of one or more limited partners or investor members who have made capital contributions and received tax benefits pursuant to section 42 of the IRC or a comparable federal or District program with occupancy, rent and income requirements at least as restrictive as under section 42 of the IRC.

“(Q) A transfer of interest in an entity that owns a housing accommodation or a transfer of title to a housing accommodation, the sole purpose of which is to qualify for and enter into a new credit period, as defined in section 42 of the IRC, for purposes of the rehabilitation of the housing accommodation; provided that, before and after the transfer, the owner of the housing accommodation is controlled, directly or indirectly, by the same person or entity;”.

(b) Subsection (d)(3)(A) is amended to read as follows:

“(d)(3)(A) The Notice of Transfer shall be substantially in the form prescribed by the Mayor and shall provide at a minimum:

“(i) A statement of the rights of the tenant or the tenant organization under this act;

“(ii) An accurate description of the transfer containing all material facts, including whether the transfer will result in any changes in management, current rents, or any applicable affordability requirements for the housing accommodation;

“(iii) The date of the proposed transfer; and

“(iv) The reason, if any, why the owner asserts the transfer may not constitute a sale.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

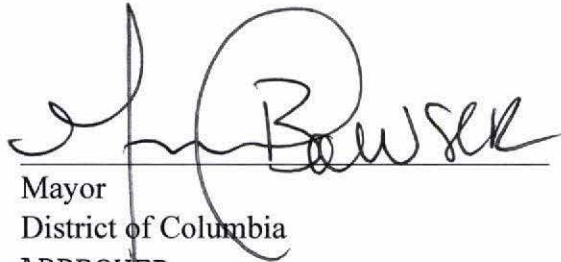
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973

ENROLLED ORIGINAL

(87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-469

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To designate the school in Lot 808 in Square 5146 as the Lorraine H. Whitlock Elementary School and to remove the designation of the Lorraine H. Whitlock Bridge.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Lorraine H. Whitlock Elementary School Designation Act of 2020”.

Sec. 2. Pursuant to sections 401 and 422 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.22), the Council designates the school in Lot 808 in Square 5146 as the “Lorraine H. Whitlock Elementary School”.

Sec. 3. The Lorraine H. Whitlock Memorial Bridge Designation Act of 2007, effective July 12, 2007 (D.C. Law 17-11; D.C. Official Code § 9-204.01, note), is repealed.


Sec. 4. Applicability.
This act shall apply as of July 1, 2022.

Sec. 5. Fiscal impact statement.
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

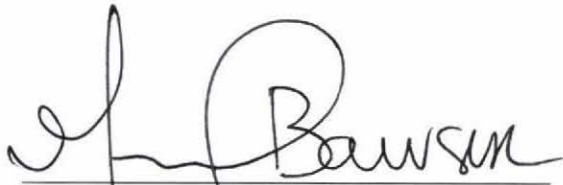
Sec. 6. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-470

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To symbolically designate the 2200 block of Mount View Place, S.E., as Hannah Hawkins Way.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Hannah Hawkins Way Designation Act of 2020”.

Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates the 2200 block of Mount View Place, S.E., as “Hannah Hawkins Way”.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

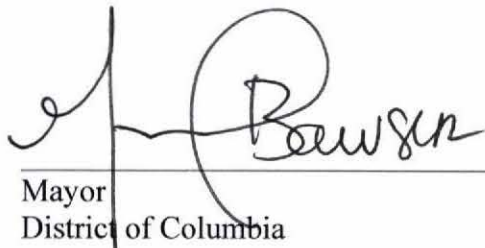
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-471

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To designate the Big Brown Bat as the official state mammal of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Big Brown Bat Official State Mammal Designation Act of 2020”.

Sec. 2. Official state mammal of the District of Columbia.

(a) The Big Brown Bat (*Eptesicus fuscus*) is a species of mouse-eared bat found throughout the United States, including the District of Columbia.

(b) Bats are the only flying mammals. The Big Brown Bat can fly up to 40 miles per hour, one of the fastest bats.

(c) The Big Brown Bat is considered large for an American bat, and has a wingspan of 12-16 inches and a weight of 14-21 grams. A big brown bat can live up to 18-20 years in the wild.

(d) The Big Brown Bat uses echolocation to forage for insects, preferring to eat beetles with its jaws that can chew through the hard exoskeletons, but also eating a variety of other insects including moths, flies, wasps, and flying ants that they capture in flight.

(e) The Big Brown Bat (*Eptesicus fuscus*) is hereby designated the official state mammal of the District of Columbia.

Sec. 3. Fiscal impact statement.

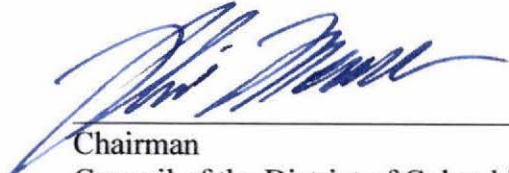
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.


This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-472

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To require the District of Columbia Retirement Board to report annually on the affirmative steps it has taken to hire diverse and emerging fund managers, and to consolidate reporting requirements for investments in Iran and Sudan.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Diverse Emerging Fund Managers and Reporting Requirements Amendment Act of 2020”.

Sec. 2. Section 5 of the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Sudan Act of 2007, effective February 2, 2008 (D.C. Law 17-106; D.C. Official Code § 1-335.04), is amended as follows:

(a) Subsection (a) is repealed.

(b) Subsection (b) is amended by striking the phrase “transmit a publicly-available report to the Council and the Mayor and send a copy of the report to the United States Presidential Special Envoy to Sudan (or an appropriate designee or successor) that includes:” and inserting the phrase “report as part of the annual report required under section 142(b)(13) of 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 § 1-909.02(b)(13)), the following:” in its place.

Sec. 3. Section 104 of the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Iran and Sudan Divestment Conformity Act of 2008, effective March 21, 2009 (D.C. Law 17-337; D.C. Official Code § 1-336.04), is amended as follows:

(a) Subsection (a) is repealed.

(b) Subsection (b) is amended by striking the phrase “send a publicly available report to the Council and the Mayor that includes:” and inserting the phrase “report as part of the annual report required under section 142(b)(14) of the Police Officers, Fire Fighters, and Teachers

ENROLLED ORIGINAL

Retirement Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code § 1-909.02(b)(14)), the following:" in its place.

Sec. 4. 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.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 1-901.02) is amended by adding a new paragraph (2B) to read as follows:

“(2B) “Diverse emerging fund manager” means an asset management firm with:

“(A) Total assets under management that do not exceed \$2 billion (subject to annual adjustment based on inflation and industry growth rates); and

“(B) Substantial diversity among its senior leadership or firm ownership, as determined by the Retirement Board.”.

(b) Section 142(b) (D.C. Official Code § 1-909.02(b)) is amended as follows:

(1) Paragraph (11) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (12) is amended by striking the phrase “of the fiscal year.” and inserting the phrase “of the fiscal year;” in its place.

(3) New paragraphs (13), (14), and (15) are added to read as follows:

“(13) The report on divestment and holdings with regard to the Government of Sudan pursuant to section 5 of the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Sudan Act of 2007, effective February 2, 2009 (D.C. Law 17-106; D.C. Official Code § 1-335.04);

“(14) The report on divestment and holdings with regard to the Government of Iran pursuant to section 104 of the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Iran and Sudan Divestment Conformity Act of 2008, effective March 21, 2009 (D.C. Law 17-337; D.C. Official Code § 1-336.04); and

“(15) A report of methods and results of the Retirement Board’s efforts to utilize diverse emerging fund managers, including data by race, gender, and fund size, and the Retirement Board’s criteria for determining whether an entity qualifies as a diverse emerging fund manager.”.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

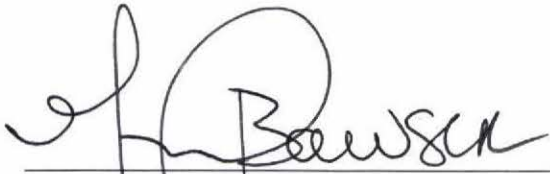
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Sec. 6. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-473

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend the Historic Landmark and Historic District Protection Act of 1978 to provide that grants available to assist homeowners with the rehabilitation of historic property under the Targeted Homeowner Grant Program may be used to rehabilitate a structure that contributes to the character of the Bloomingdale Historic District, bounded by North Capitol Street, N.W., Florida Avenue, N.W., 2nd Street, N.W., Bryant Street, N.W., 1st Street, N.W., and Channing Street, N.W., in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Bloomingdale Historic District Targeted Historic Preservation Assistance Amendment Act of 2020”.

Sec. 2. Section 11b(b) of the Historic Landmark and Historic District Protection Act of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02(b)), is amended as follows:

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

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

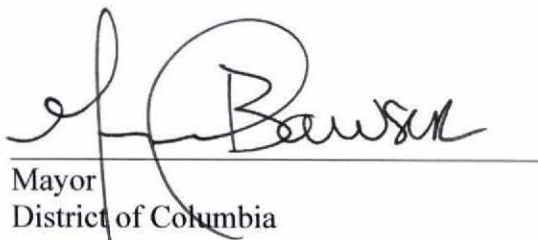
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-474

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide an abatement of real property taxes for property known for tax and assessment purposes as Lots 033, 829, 830, and 831 in Square 3065, Lot 11 in Square 3074, Lot 807 in Square 3075, Lot 52 in Square 3072, and Lot 73 in Square 3080.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “New Howard University Hospital and Redevelopment Tax Abatement Amendment Act of 2020”.

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-4673. New Howard University Hospital and Redevelopment real property tax abatement.”.

(b) A new section 47-4673 is added to read as follows:

“§ 47-4673. New Howard University hospital and redevelopment real property tax abatement.

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

“(1) “CBE Act” means the Small and Certified Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

“(2) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

“(3) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Redevelopment Property.

“(4) “New Hospital” means the teaching and research hospital constructed by the New Hospital Operator as further described in subsection (e)(4) of this section.

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“(5) “New Hospital Developer” means Howard University, or its successor approved by the Mayor.

“(6) “New Hospital Operator” means Howard University, or other entity managing the day to day operations of the New Hospital.

“(7) “New Hospital Property” has the meaning set forth in subsection (e)(4) of this section.

“(8) “Project” means the redevelopment of the real property and the buildings located on the Redevelopment Property into a mixed-use project, integrated with the surrounding neighborhoods, that includes varied uses, such as residential, including a significant component of affordable and workforce housing, market and neighborhood-serving retail, hospitality, and office uses.

“(9) “Redevelopment Property” means the real property known for tax and assessment purposes as Lots 033, 829, 830, and 831 in Square 3065, Lot 11 in Square 3074, Lot 807 in Square 3075, Lot 52 in Square 3072, and Lot 73 in Square 3080 and any improvements on that real property.

“(10) “Redevelopment Property Developer” means Howard University or its successor, or an affiliate or assignee of Howard University.

“(b) The approval of a successor to Howard University as the New Hospital Developer shall not be unreasonably withheld, conditioned, or delayed.

“(c) Subject to subsections (d) and (e) of this section, the tax imposed on the Redevelopment Property by Chapter 8 of this title shall be abated for 20 real property tax years.

“(d) The abatement provided in subsection (c) of this section shall:

“(1) Begin:

“(A) No earlier than October 1, 2024, or the opening of the New Hospital, whichever occurs later; and

“(B) At the election of the Redevelopment Property Developer, upon:

“(i) The date of issuance of the temporary certificate of occupancy of each phase of the Project for that portion of the Redevelopment Property on which the phase is located; or

“(ii) The date of transfer for development of each phase referenced in sub-subparagraph (i) of this subparagraph;

“(2) Not exceed \$11.25 million in any tax year or \$225 million in total; and

“(3) Not remain in effect later than the end of tax year 2048.

“(4) At the Redevelopment Property Developer’s election, be subject to monetization at any time before October 1, 2024.

“(e) For the Redevelopment Property to receive the abatement described in this section:

“(1) The New Hospital Developer and the Redevelopment Property Developer shall execute a First Source Agreement with the Department of Employment Services for the construction and operation of the New Hospital on the New Hospital Property and the Project on the Redevelopment Property.

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“(2) The New Hospital Developer and Redevelopment Property Developer shall execute a Certified Business Enterprise agreement with the Department of Small and Local Business Development requiring the New Hospital Developer and the Redevelopment Property Developer to, at a minimum, contract for at least 35% of the contract dollar volume of the construction and operation of the New Hospital on the New Hospital Property and the construction and operation of the Project on Redevelopment Property with business enterprises or joint ventures certified pursuant to the CBE Act.

“(4) The New Hospital Developer shall construct a new, state-of-the-art, full-service, teaching and research hospital on or adjacent to the Georgia Avenue, N.W., campus of Howard University with a level 1 trauma center and an academic affiliation with the Howard College of Medicine and its graduate medical education program.

“(5) The New Hospital Developer shall open the New Hospital by October 1, 2026, and operate the New Hospital on an ongoing basis for at least until the end of the time period of the tax abatement provided by this section.

“(6) The New Hospital Operator shall endeavor in good faith to operate the existing Howard University Hospital located on the Redevelopment Property on a continuous basis until the New Hospital is open on the New Hospital Property.

“(f)(1) The District shall provide funding to support the operational and start-up support for 6 years for the New Hospital Developer or New Hospital Operator to operate, starting on or before October 1, 2021, centers of excellence approved by the Department of Health for sickle cell disease, women’s health, substance use and co-occurring disorders, trauma care and violence prevention, and oral health. The New Hospital Developer or New Hospital Operator shall continue to operate such centers of excellence, and maintain the conditions necessary for their approval as centers of excellence by the Department of Health, until at least the end of the time period of the tax abatement provided by this section; provided, that the foregoing requirement shall not apply during a fiscal year between and including Fiscal Year 2021 and Fiscal Year 2025 when the District does not include in its operating budget at least \$3 million in the fiscal year to support the centers of excellence; provided further, that the Mayor and the New Hospital may mutually agree to modify the centers of excellence required by this paragraph.

“(2) The Redevelopment Property Developer shall submit a detailed redevelopment plan for the Redevelopment Property to the Mayor by October 1, 2021, and provide an updated redevelopment plan to the Mayor at least once every 6 months thereafter until the Redevelopment Property is fully redeveloped.

“(g)(1) The Mayor shall certify annually to the Office of Tax and Revenue the Redevelopment Property’s eligibility for the abatement provided pursuant to this section. The Mayor’s certification shall include:

“(A) A description of the Redevelopment Property by square, suffix, and lot, and the date the abatement begins and ends;

“(B) The date the issuance of the temporary certificate of occupancy or transfer referred to in subsection (d)(1)(B) of this section occurred;

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“(C) A statement that the conditions specified in subsection (e) of this section have been satisfied; and

“(D) Any other information that the Mayor considers necessary or appropriate.

“(2) If at any time the Mayor determines that the Redevelopment Property, or any portion of the Redevelopment Property, has become ineligible for the abatement provided by this section, the Mayor shall notify the Office of Tax and Revenue and specify the date that the ineligibility began. The Redevelopment Property, or portion of the Redevelopment Property, shall be ineligible for the abatement on the first day of the tax year following the date when ineligibility occurred.

“(h) The exemption provided by this section shall be in addition to, and not in lieu of, any other tax relief or assistance applicable to the Redevelopment Property or Redevelopment Development Developer from any other source permitted under the law.

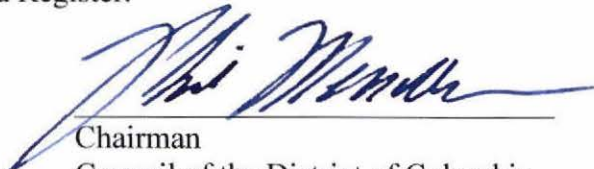
“(i) Notwithstanding any other provision of law, the Mayor is authorized to take such actions as are appropriate to execute this section.”.


Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-476

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on an emergency basis, the Small and Certified Business Enterprise Development and Assistance Act of 2005 to require that for a business enterprise to be certified as a local business enterprise it must: be independently owned, operated, and controlled; be independently owned, operated, and controlled by a District-based enterprise; or be a non-District-based business enterprise that is more than 50% owned by District residents; and to require currently certified local business enterprises that do not meet one of this requirements to be recertified.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Local Business Enterprise Clarification Emergency Amendment Act of 2020".

Sec. 2. The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31 *et seq.*), is amended as follows:

(a) Section 2331 is amended by adding a new paragraph (1A) to read as follows:

“(1A) Is:

“(A) Independently owned, operated, and controlled;

“(B) Owned, operated, and controlled by a District-based enterprise; or

“(C) Owned by a non-District-based business enterprise that is more than

50% owned by District residents;”.

(b) A new section 2331a is added to read as follow

“Sec. 2331a. Grace period for compliance with section 2331(1A).

“(a) Except as provided in subsection (b) of this section, a business enterprise currently certified as a local business enterprise pursuant this act that does not meet the requirements of section 2331(1A) and does not submit a new application to the Department of Small and Local Business Development to be recertified as a local business enterprise within 90 days of the effective date of the Local Business Enterprise Clarification Emergency Amendment Act of

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2020, passed on an emergency basis September 22, 2020 (Enrolled version of Bill 23-916), shall have its certification revoked pursuant to section 2363(a)(2)(B).

“(b) A business enterprise currently certified as a local business enterprise pursuant to this act that does not meet the requirements of section 2331(1A) but has an existing contract with the District, shall be permitted to complete the term of that contract, including the base year and any option years under the contract, and receive the appropriate credit towards assisting an agency in meeting its goals pursuant to section 2341 and subcontracting points pursuant to section 2346 under its current certification. Upon completion of the term of that contract, the business enterprise must meet the requirements of section 2331(1A) and be recertified to remain a local business enterprise.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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
November 2, 2020

ENROLLED ORIGINAL

AN ACT
D.C. ACT 23-477

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to eliminate the limit on the number of plants that a cultivation center may grow.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Plant Count Elimination Emergency Amendment Act of 2020”.

Sec. 2. Section 7(e)(2) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(e)(2)), is repealed.


Sec. 3. Applicability.
This act shall apply as of October 3, 2020.

Sec. 4. Fiscal impact.
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).


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

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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
November 2, 2020

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AN ACT

D.C. ACT 23-478

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on an emergency basis, the Coronavirus Support Temporary Amendment Act of 2020, and the Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020 to modify the expiration date of the District’s Streatery Program, to make the permitted hours of alcohol sales under the Streatery and Pop Up Locations Programs consistent with the Fiscal Year 2021 Budget Support Act of 2020, and to provide clarity to licensees and the public with regard to the requirements for operating under the Streatery and Pop Up Locations Programs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Revised Streatery and Pop Up Locations Programs Clarification Emergency Amendment Act of 2020”.

Sec. 2. The amendatory language of § 25-113(a) in section 204(a)(2) of the Coronavirus Support Temporary Amendment Act of 2020, enacted on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is amended as follows:

(1) Subparagraph (3)(D) is amended to read as follows:

“(3)(D)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered with the Board under subparagraph (C) of this paragraph may also register with the Board to sell, on a temporary basis, beer, wine, or spirits for on-premises consumption indoors and to sell beer, wine, or spirits in closed containers accompanied by one or more prepared food items for off-premises consumption from up to 2 additional locations other than the licensed premises.

“(ii) Board approval shall not be required for the additional registration under this subparagraph; provided, that:

“(I) The licensee separately registers with the Board and receives written authorization from ABRA prior to offering beer, wine, or spirits for carryout or delivery or on-premises consumption indoors at the additional location;

“(II) For carry-out and delivery, the licensee, the additional location’s owner, or a prior tenant at the additional location possesses a valid certificate of occupancy for the building used as the additional location, unless the additional location is located on outdoor private space;

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“(III) For on-premises consumption indoors, the additional location’s owner or a prior tenant at the additional location possesses a valid certificate of occupancy for a restaurant or other eating or drinking establishment;

“(IV) The licensee has been legally authorized by the owner of the building or the property utilized as the additional location to utilize the space for carryout and delivery, or indoor dining;

“(V) The licensee agrees to follow all applicable District laws, regulations, guidance documents, administrative orders, including Mayor’s Orders, and permit requirements or conditions, which may contain requirements that supersede provisions contained in this section; and

“(VI) The additional location from which the licensee intends to offer alcoholic beverages for carryout or delivery or on-premises consumption for indoor dining is located in a commercial or mixed-use zone as defined in the zoning regulations for the District.

“(iii) An on-premises retailer’s license, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, may sell, serve, and allow the consumption of beer, wine, or spirits indoors on the premises of the additional location pursuant to sub-subparagraph (i) of this paragraph; provided, that the licensee shall:

“(I) Limit its indoor capacity to no more than 50% of the lowest indoor occupancy load or seating capacity on its certificate of occupancy, excluding employees and any separately registered outdoor seating;

“(II) Place indoor tables serving separate parties at least 6 feet apart from one another;

“(III) Ensure for non-movable communal tables that parties are seated at least 6 feet apart from one another and that the communal table is marked with 6 foot divisions, such as with tape or signage;

“(IV) Ensure that all indoor dining customers are seated and place orders and are served food or alcoholic beverages at tables;

“(V) Prohibit events and activities that would require patrons to be standing, cluster, or be in close contact with one another, including dancing, playing darts, bowling, ping pong, pool, throwing axes, or indoor playgrounds;

“(VI) Prohibit patrons from bringing their own alcoholic beverages;

“(VII) Prohibit self-service buffets;

“(VIII) Have a menu in use containing a minimum of 3 prepared food items available for purchase by patrons;

“(IX) Require the purchase of one or more prepared food items per table;

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“(X) Ensure that prepared food items offered for sale or served to patrons are prepared on the licensed premises or off-premises at another licensed entity that has been approved to sell and serve food by the District of Columbia Department of Health (“DC Health”);

“(XI) Restrict its operations, excluding carry-out and delivery, and the sale, service, or the consumption of alcoholic beverages indoors for on-premises consumption to the hours between 6:00 a.m. and midnight, Sunday through Saturday, effective October 1, 2020;

“(XII) Not have more than 6 individuals seated at a table or a joined table;

“(XIII) Require patrons to wait outside at least 6 feet apart until they are ready to be seated or make an on-site reservation;

“(XIV) Not provide live music or entertainment on the registered indoor space without a waiver from the District of Columbia Homeland Security and Emergency Management Agency; except, that background or recorded music played at a conversational level that is not heard in the homes of District residents shall be permitted;

“(XV) Not serve alcoholic beverages or food to standing patrons;

“(XVI) Prohibit standing at indoor bars and only permit seating at indoor bars that are not being staffed or utilized by a bartender;

“(XVII) Require a minimum of 6 feet between parties seated at indoor bars, rail seats, or communal tables;

“(XVIII) Provide and require that wait staff wear masks;

“(XIX) Require that patrons wear masks or face coverings when waiting in line outside of the establishment or while traveling to use the restroom or until they are seated and eating or drinking;

“(XX) Implement a reservation system by phone, on-line, or on-site and consider keeping customer logs to facilitate contact tracing by DC Health;

“(XXI) Implement sanitization and disinfection protocols including the provision of single use condiment packages; and

“(XXII) Have its own clearly delineated indoor space and not share tables and chairs with another business.

“(iv) An on-premises retailer licensee shall not offer beer, wine, or spirits for carryout and delivery on public space; except, that an additional location under this subparagraph may include a sidewalk café that has been issued a public space permit by the District Department of Transportation (“DDOT”).

“(v) An on-premises retailer’s licensee who has been registered to offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph shall do so only at the additional location.

“(vi) An on-premises retailer licensee who has been registered to

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offer beer, wine, or spirits for carryout or delivery or on-premises alcohol consumption for indoor dining in accordance with this subparagraph may do so for no longer than 60 calendar days. The Board may approve a written request from an on-premises retailer’s licensee to extend carryout or delivery alcohol sales or on-premises alcohol sales and consumption for indoor dining from an additional location pursuant to this subparagraph for one additional 30 calendar-day period. A licensee shall not offer beer, wine, or spirits for carryout or delivery for off-premises consumption or on-premises alcohol sales and consumption for indoor dining from the additional location for more than 90 calendar days unless a completed application to do so has been filed with the Board with notice provided to the public in accordance with § 25-421.

“(vii) The on-premises retailer licensee may sell and deliver alcoholic beverages for carryout and delivery from an additional location in accordance with this subparagraph only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week, effective October 1, 2020.

“(viii) The Board may fine, suspend, cancel, or revoke an on-premises retailer’s license, and shall revoke its registration to offer beer, wine, or spirits for carryout or delivery or on-premises alcohol sales and consumption of the indoor location at the additional location if the licensee fails to comply with sub-subparagraphs (i) through (vi) of this subparagraph.”.

“(ix) Notwithstanding sub-subparagraph (iii) of this subparagraph, if an on-premises retailer’s license, class C or D, has a settlement agreement governing its operations, the Board shall interpret the settlement agreement language that restricts the indoor sale, service, and consumption of beer, wine, or spirits to on-premises as applying only to indoor sales, service, or consumption of beer, wine, or spirits at the licensed premises and not the additional location on a temporary basis because prior to the Coronavirus pandemic this new registration process was not available to eligible licensees.”.

(2) Paragraph (6) is amended to read as follows:

“(6)(A) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, or a manufacturer’s licensee, class A or B, with an on-site sales and consumption permit, or a Convention Center food and alcohol business may register with the Board at no cost to sell, serve, and permit the consumption of beer, wine, or spirits on new or expanded temporary ground floor or street level outdoor public or private space not listed on its existing license. Upon registration, Board approval shall not be required; provided, that the licensee:

“(i) Registers with the Board and receives written authorization from ABRA prior to selling, serving, or permitting the consumption of beer, wine, or spirits on the proposed outdoor public or private space;

“(ii) Registers with DDOT prior to operating on any proposed outdoor public space or receives written approval from the property owner prior to utilizing any proposed outdoor private space; and

“(iii) Agrees to follow all applicable District laws, regulations,

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guidance documents, administrative orders, including Mayor's Orders and permit requirements or conditions, which may contain requirements that supersede provisions contained in this section.

“(B) An on-premises retailer’s license, class C or D, or a manufacturer’s license, class A or B, with an on-site sales and consumption permit, or a Convention Center food and alcohol business that has registered with the Board to sell, serve, and permit the consumption of beer, wine, and spirits to seated patrons on outdoor public or private space not listed on its existing license in accordance with subparagraph (A) of this paragraph shall:

“(i) Place tables on the outdoor public or private space so that patrons in separate parties are at least 6 feet apart from one another;

“(ii) Ensure that all outdoor dining customers are seated and place orders and are served food or alcoholic beverages at tables;

“(iii) Prohibit events and activities that would require patrons to cluster or be in close contact with one another, including dancing, playing darts, video games, or other outdoor games;

“(iv) Prohibit patrons from bringing their own alcoholic beverages;

“(v) Prohibit self-service buffets;

“(vi) Have a menu in use containing a minimum of 3 prepared food items available for purchase by patrons;

“(vii) Require the purchase of one or more prepared food items per table;

“(viii) Ensure that prepared food items offered for sale or served to patrons are prepared on the licensed premises or off-premises at another licensed entity that has been approved to sell and serve food by DC Health;

“(ix) Ensure that the proposed outdoor public or private space is located in a commercial or mixed-use zone as defined in the District’s zoning regulations;

“(x) Restrict its operations, excluding carry-out and delivery, and the sale, service, or the consumption of alcoholic beverages outdoors for on-premises consumption to the hours between 6:00 a.m. and midnight, Sunday through Saturday, effective October 1, 2020;

“(xi) Not have more than 6 individuals seated at a table;

“(xii) Require patrons to wait outside at least 6 feet apart until they are ready to be seated or make an on-site reservation;

“(xiii) Not provide live music or entertainment, except for background or recorded music played at a conversational level that is not heard in the homes of District residents;

“(xiv) Not serve alcoholic beverages or food to standing patrons;

“(xv) Prohibit standing at outdoor bars and only permit seating at outdoor bars that are not being staffed or utilized by a bartender;

“(xvi) Abide by the terms of their public space permit with regard

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to the allowable placement of alcohol advertising, if any, in outdoor public space;

“(xvii) Provide and require that wait staff wear masks;

“(xviii) Require that patrons wear masks or face coverings while waiting in line outside of the restaurant or while traveling to use the restroom or until they are seated and eating or drinking;

“(xix) Implement a reservation system by phone, on-line, or on-site and consider keeping customer logs to facilitate contact tracing by DC Health;

“(xx) Implement sanitization and disinfection protocols including the provision of single-use condiment packages; and

“(xxi) Have its own clearly delineated outdoor space and not share tables and chairs with another business.

“(C) Registration under subparagraph (A) of this paragraph shall be valid until December 31, 2021.

“(D) The Board may fine, suspend, or revoke an on-premises retailer’s licensee, class C or D, or a manufacturer’s licensee, class A or B, with an on-site sales and consumption permit, and shall revoke the registration to sell, serve, or permit the consumption of beer, wine, or spirits on outdoor public or private space not listed on the license, if the licensee fails to comply with subparagraph (A) or (B) of this paragraph.

“(E)(i) Notwithstanding subparagraph (B) of this paragraph, the Board shall interpret settlement agreement language that restricts sidewalk cafés or summer gardens as applying only to those outdoor spaces that are currently licensed by the Board as sidewalk cafés or summer gardens.

“(ii) The Board shall not interpret settlement agreement language that restricts or prohibits sidewalk cafés or summer gardens to apply to new or extended outdoor space, the use of which is now permitted under this paragraph.

“(iii) The Board shall not interpret settlement agreement language that restricts or prohibits the operation of permanent outdoor space to mean prohibiting the temporary operation of sidewalk cafés or summer gardens.

“(iv) The Board shall require all on-premises retailer licenses, class C or D, or manufacturer licenses, class A or B, with an on-site sales and consumption permit, to delineate or mark currently licensed outdoor space from new or extended outdoor space authorized by the DDOT or the property owner.

“(v) With regard to existing outdoor public or private space, parties to a settlement agreement shall be permitted to waive provisions of settlement agreements that address currently licensed outdoor space for a period not to exceed 180 days.

“(E) For purposes of this paragraph, ground floor or street level sidewalk cafés or summer gardens enclosed by awnings or tents having no more than one side shall be considered outdoor space. Areas enclosed by retractable glass walls and other forms of operable walls shall not be considered outdoor dining. Temporary unlicensed rooftops and summer gardens not located on the ground floor or street level are not eligible for registration under

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subparagraph (A) of this paragraph.

“(F) A manufacturer’s licensee, class A or B, with an on-site sales and consumption permit or a retailer’s licensee class C/T, D/T, C/N, D/N, C/X, or D/X, may partner with a food vendor during its operating hours to satisfy the requirement of subparagraph (B)(vi) of this paragraph; provided, that patrons are seated when ordering and ordered food is delivered by the licensee or the food vendor to the seated patron.”.

Sec. 3. The amendatory language of § 25-113(a) in section 204(a)(2) of the Coronavirus Support Second Congressional Review Emergency Amendment Act of 2020, effective August 19, 2020 (D.C. Act 23-405; 67 DCR 10235), is amended as follows:

(1) Subparagraph (3)(D) is amended to read as follows:

“(3)(D)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered with the Board under subparagraph (C) of this paragraph may also register with the Board to sell, on a temporary basis, beer, wine, or spirits for on-premises consumption indoors and to sell beer, wine, or spirits in closed containers accompanied by one or more prepared food items for off-premises consumption from up to 2 additional locations other than the licensed premises.

“(ii) Board approval shall not be required for the additional registration under this subparagraph; provided, that:

“(I) The licensee separately registers with the Board and receives written authorization from ABRA prior to offering beer, wine, or spirits for carryout or delivery or on-premises consumption indoors at the additional location;

“(II) For carry-out and delivery, the licensee, the additional location’s owner, or a prior tenant at the additional location possesses a valid certificate of occupancy for the building used as the additional location, unless the additional location is located on outdoor private space;

“(III) For on-premises consumption indoors, the additional location’s owner or a prior tenant at the additional location possesses a valid certificate of occupancy for a restaurant or other eating or drinking establishment;

“(IV) The licensee has been legally authorized by the owner of the building or the property utilized as the additional location to utilize the space for carryout and delivery, or indoor dining;

“(V) The licensee agrees to follow all applicable District laws, regulations, guidance documents, administrative orders, including Mayor’s Orders, and permit requirements or conditions, which may contain requirements that supersede provisions contained in this section; and

“(VI) The additional location from which the licensee intends to offer alcoholic beverages for carryout or delivery or on-premises consumption for indoor dining is located in a commercial or mixed-use zone as defined in the zoning regulations for the District.

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“(iii) An on-premises retailer’s license, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, may sell, serve, and allow the consumption of beer, wine, or spirits indoors on the premises of the additional location pursuant to sub-subparagraph (i) of this paragraph; provided, that the licensee shall:

“(I) Limit its indoor capacity to no more than 50% of the lowest indoor occupancy load or seating capacity on its certificate of occupancy, excluding employees and any separately registered outdoor seating;

“(II) Place indoor tables serving separate parties at least 6 feet apart from one another;

“(III) Ensure for non-movable communal tables that parties are seated at least 6 feet apart from one another and that the communal table is marked with 6 foot divisions, such as with tape or signage;

“(IV) Ensure that all indoor dining customers are seated and place orders and are served food or alcoholic beverages at tables;

“(V) Prohibit events and activities that would require patrons to be standing, cluster, or be in close contact with one another, including dancing, playing darts, bowling, ping pong, pool, throwing axes, or indoor playgrounds;

“(VI) Prohibit patrons from bringing their own alcoholic beverages;

“(VII) Prohibit self-service buffets;

“(VIII) Have a menu in use containing a minimum of 3 prepared food items available for purchase by patrons;

“(IX) Require the purchase of one or more prepared food items per table;

“(X) Ensure that prepared food items offered for sale or served to patrons are prepared on the licensed premises or off-premises at another licensed entity that has been approved to sell and serve food by the District of Columbia Department of Health (“DC Health”);

“(XI) Restrict its operations, excluding carry-out and delivery, and the sale, service, or the consumption of alcoholic beverages indoors for on-premises consumption to the hours between 6:00 a.m. and midnight, Sunday through Saturday, effective October 1, 2020;

“(XII) Not have more than 6 individuals seated at a table or a joined table;

“(XIII) Require patrons to wait outside at least 6 feet apart until they are ready to be seated or make an on-site reservation;

“(XIV) Not provide live music or entertainment on the registered indoor space without a waiver from the District of Columbia Homeland Security and

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Emergency Management Agency; except, that background or recorded music played at a conversational level that is not heard in the homes of District residents shall be permitted;

“(XV) Not serve alcoholic beverages or food to standing patrons;

“(XVI) Prohibit standing at indoor bars and only permit seating at indoor bars that are not being staffed or utilized by a bartender;

“(XVII) Require a minimum of 6 feet between parties seated at indoor bars, rail seats, or communal tables;

“(XVIII) Provide and require that wait staff wear masks;

“(XIX) Require that patrons wear masks or face coverings when waiting in line outside of the establishment or while traveling to use the restroom or until they are seated and eating or drinking;

“(XX) Implement a reservation system by phone, on-line, or on-site and consider keeping customer logs to facilitate contact tracing by DC Health;

“(XXI) Implement sanitization and disinfection protocols including the provision of single use condiment packages; and

“(XXII) Have its own clearly delineated indoor space and not share tables and chairs with another business.

“(iv) An on-premises retailer licensee shall not offer beer, wine, or spirits for carryout and delivery on public space; except, that an additional location under this subparagraph may include a sidewalk café that has been issued a public space permit by the District Department of Transportation (“DDOT”).

“(v) An on-premises retailer’s licensee who has been registered to offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph shall do so only at the additional location.

“(vi) An on-premises retailer licensee who has been registered to offer beer, wine, or spirits for carryout or delivery or on-premises alcohol consumption for indoor dining in accordance with this subparagraph may do so for no longer than 60 calendar days. The Board may approve a written request from an on-premises retailer’s licensee to extend carryout or delivery alcohol sales or on-premises alcohol sales and consumption for indoor dining from an additional location pursuant to this subparagraph for one additional 30 calendar-day period. A licensee shall not offer beer, wine, or spirits for carryout or delivery for off-premises consumption or on-premises alcohol sales and consumption for indoor dining from the additional location for more than 90 calendar days unless a completed application to do so has been filed with the Board with notice provided to the public in accordance with § 25-421.

“(vii) The on-premises retailer licensee may sell and deliver alcoholic beverages for carryout and delivery from an additional location in accordance with this subparagraph only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week, effective October 1, 2020.

“(viii) The Board may fine, suspend, cancel, or revoke an on-

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premises retailer's license, and shall revoke its registration to offer beer, wine, or spirits for carryout or delivery or on-premises alcohol sales and consumption of the indoor location at the additional location if the licensee fails to comply with sub-subparagraphs (i) through (vi) of this subparagraph.”.

“(ix) Notwithstanding sub-subparagraph (iii) of this subparagraph, if an on-premises retailer's license, class C or D, has a settlement agreement governing its operations, the Board shall interpret the settlement agreement language that restricts the indoor sale, service, and consumption of beer, wine, or spirits to on-premises as applying only to indoor sales, service, or consumption of beer, wine, or spirits at the licensed premises and not the additional location on a temporary basis because prior to the Coronavirus pandemic this new registration process was not available to eligible licensees.”.

(2) Paragraph (6) is amended to read as follows:

“(6)(A) An on-premises retailer's licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, or a manufacturer's licensee, class A or B, with an on-site sales and consumption permit, or a Convention Center food and alcohol business may register with the Board at no cost to sell, serve, and permit the consumption of beer, wine, or spirits on new or expanded temporary ground floor or street level outdoor public or private space not listed on its existing license. Upon registration, Board approval shall not be required; provided, that the licensee:

“(i) Registers with the Board and receives written authorization from ABRA prior to selling, serving, or permitting the consumption of beer, wine, or spirits on the proposed outdoor public or private space;

“(ii) Registers with DDOT prior to operating on any proposed outdoor public space or receives written approval from the property owner prior to utilizing any proposed outdoor private space; and

“(iii) Agrees to follow all applicable District laws, regulations, guidance documents, administrative orders, including Mayor's Orders and permit requirements or conditions, which may contain requirements that supersede provisions contained in this section.

“(B) An on-premises retailer's license, class C or D, or a manufacturer's license, class A or B, with an on-site sales and consumption permit, or a Convention Center food and alcohol business that has registered with the Board to sell, serve, and permit the consumption of beer, wine, and spirits to seated patrons on outdoor public or private space not listed on its existing license in accordance with subparagraph (A) of this paragraph shall:

“(i) Place tables on the outdoor public or private space so that patrons in separate parties are at least 6 feet apart from one another;

“(ii) Ensure that all outdoor dining customers are seated and place orders and are served food or alcoholic beverages at tables;

“(iii) Prohibit events and activities that would require patrons to cluster or be in close contact with one another, including dancing, playing darts, video games, or

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other outdoor games;

“(iv) Prohibit patrons from bringing their own alcoholic beverages;

“(v) Prohibit self-service buffets;

“(vi) Have a menu in use containing a minimum of 3 prepared food items available for purchase by patrons;

“(vii) Require the purchase of one or more prepared food items per table;

“(viii) Ensure that prepared food items offered for sale or served to patrons are prepared on the licensed premises or off-premises at another licensed entity that has been approved to sell and serve food by DC Health;

“(ix) Ensure that the proposed outdoor public or private space is located in a commercial or mixed-use zone as defined in the District’s zoning regulations;

“(x) Restrict its operations, excluding carry-out and delivery, and the sale, service, or the consumption of alcoholic beverages outdoors for on-premises consumption to the hours between 6:00 a.m. and midnight, Sunday through Saturday, effective October 1, 2020;

“(xi) Not have more than 6 individuals seated at a table;

“(xii) Require patrons to wait outside at least 6 feet apart until they are ready to be seated or make an on-site reservation;

“(xiii) Not provide live music or entertainment, except for background or recorded music played at a conversational level that is not heard in the homes of District residents;

“(xiv) Not serve alcoholic beverages or food to standing patrons;

“(xv) Prohibit standing at outdoor bars and only permit seating at outdoor bars that are not being staffed or utilized by a bartender;

“(xvi) Abide by the terms of their public space permit with regard to the allowable placement of alcohol advertising, if any, in outdoor public space;

“(xvii) Provide and require that wait staff wear masks;

“(xviii) Require that patrons wear masks or face coverings while waiting in line outside of the restaurant or while traveling to use the restroom or until they are seated and eating or drinking;

“(xix) Implement a reservation system by phone, on-line, or on-site and consider keeping customer logs to facilitate contact tracing by DC Health;

“(xx) Implement sanitization and disinfection protocols including the provision of single-use condiment packages; and

“(xxi) Have its own clearly delineated outdoor space and not share tables and chairs with another business.

“(C) Registration under subparagraph (A) of this paragraph shall be valid until December 31, 2021.

“(D) The Board may fine, suspend, or revoke an on-premises retailer’s

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licensee, class C or D, or a manufacturer's licensee, class A or B, with an on-site sales and consumption permit, and shall revoke the registration to sell, serve, or permit the consumption of beer, wine, or spirits on outdoor public or private space not listed on the license, if the licensee fails to comply with subparagraph (A) or (B) of this paragraph.

“(E)(i) Notwithstanding subparagraph (B) of this paragraph, the Board shall interpret settlement agreement language that restricts sidewalk cafés or summer gardens as applying only to those outdoor spaces that are currently licensed by the Board as sidewalk cafés or summer gardens.

“(ii) The Board shall not interpret settlement agreement language that restricts or prohibits sidewalk cafés or summer gardens to apply to new or extended outdoor space, the use of which is now permitted under this paragraph.

“(iii) The Board shall not interpret settlement agreement language that restricts or prohibits the operation of permanent outdoor space to mean prohibiting the temporary operation of sidewalk cafés or summer gardens.

“(iv) The Board shall require all on-premises retailer licenses, class C or D, or manufacturer licenses, class A or B, with an on-site sales and consumption permit, to delineate or mark currently licensed outdoor space from new or extended outdoor space authorized by the DDOT or the property owner.

“(v) With regard to existing outdoor public or private space, parties to a settlement agreement shall be permitted to waive provisions of settlement agreements that address currently licensed outdoor space for a period not to exceed 180 days.

“(E) For purposes of this paragraph, ground floor or street level sidewalk cafés or summer gardens enclosed by awnings or tents having no more than one side shall be considered outdoor space. Areas enclosed by retractable glass walls and other forms of operable walls shall not be considered outdoor dining. Temporary unlicensed rooftops and summer gardens not located on the ground floor or street level are not eligible for registration under subparagraph (A) of this paragraph.

“(F) A manufacturer's licensee, class A or B, with an on-site sales and consumption permit or a retailer's licensee class C/T, D/T, C/N, D/N, C/X, or D/X, may partner with a food vendor during its operating hours to satisfy the requirement of subparagraph (B)(vi) of this paragraph; provided, that patrons are seated when ordering and ordered food is delivered by the licensee or the food vendor to the seated patron.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

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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
November 2, 2020

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AN ACT

D.C. ACT 23-479

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend, on an emergency basis, Title 25 of the District of Columbia Official Code to authorize, define, and regulate games of skill.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Revised Game of Skill Machines Consumer Protections Emergency Amendment Act of 2020”.

Sec. 2. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code §§ 22-1716 to 22-1718 and 36-601.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 36-601.12) is amended as follows:

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

“Sec. 4. Lottery, Gambling, and Gaming Fund.”

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

“(a) There is established as an enterprise fund the Lottery, Gambling, and Gaming Fund (“Fund”), which shall be administered by the Chief Financial Officer. Revenue from the following sources shall be deposited into the Fund or a division of the Fund, as established by the Chief Financial Officer:

“(1) All funds generated by gambling activities operated or licensed by the Chief Financial Officer; and

“(2) All fees collected pursuant to sections 406 through 408.”

(3) Subsection (c) is amended by striking the word “gambling” and inserting the phrase “gambling and gaming” in its place.

(b) A new Title IV is added to read as follows:

“TITLE IV. GAME OF SKILL MACHINES.

“Sec. 401. Definitions

“For purposes of this title, the term:

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“(1) “ABC Board” means the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201.

“(2) “ABRA” means the Alcoholic Beverage Regulation Administration, established by D.C. Official Code § 25-202.

“(3) “CFO” means the Chief Financial Officer of the District of Columbia.

“(4) “Centralized accounting system” means the accounting system linked by a communications network as described in sections 409 and 413.

“(5) “Distributor” means a person licensed under this title to:

“(A) Buy or lease game of skill machines, or any major components or parts of a game of skill machine, from manufacturers for sale or lease and distribution to retailers; or

“(B) To maintain or service a retailer’s game of skill machine, or any major component or part of a game of skill machine.

“(6) “Game of skill machine” means a mechanical or electronic gaming device that rewards the winning player or players with cash, a gift card, or a voucher that can be redeemed for cash. A mechanical or electronic gaming device shall not be considered a game of skill machine if:

“(A) The ability of a player to succeed at the game is impacted by the number or ratio of prior wins to prior losses of players playing the game;

“(B) The outcome of the game can be controlled by a source other than a player playing the game;

“(C) The success of a player is or may be determined by a chance event that cannot be altered by the player’s actions;

“(D) The ability of a player to succeed at the game is impacted by game features not visible or known to a reasonable player; or

“(E) The ability of a player to succeed at the game is impacted by the exercise of skill that no reasonable player could exercise.

“(7) “Game of skill machine gross revenue” means the total of cash or cash equivalents received from a game of skill machine minus the total of:

“(A) Cash or cash equivalents paid to players as a result of a game of skill machine;

“(B) Cash or cash equivalents paid to purchase annuities to fund prizes payable to players over a period of time as a result of a game of skill machine; and

“(C) The actual cost paid by the license holder for personal property distributed to a player as a result of a game of skill machine, excluding travel expenses, food, refreshments, lodging, and services.

“(8) “Licensed establishment” means an on-premises retail establishment licensed by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

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“(9) “Licensed premises” means the physical location of a licensed establishment that is authorized by the Office to offer game of skill machines.

“(10) “Licensee” means a person who possesses a game of skill manufacturer, distributor, or retailer license issued by the Office.

“(11) “Manufacturer” means a person that is licensed under this title that manufactures or assembles game of skill machines for sale or lease to distributors or provides to distributors major components or parts of game of skill machines for the repair or maintenance of game of skill machines.

“(12) “Office” means the Office of Lottery and Gaming.

“(13) “Retailer” means a person that is licensed under this title to offer game of skill machines on its licensed premises.

“Sec. 402. Authorization of game of skill machines.

“The operation of game of skill machines shall be lawful in the District if conducted in accordance with this title and the rules issued pursuant to this title.

“Sec. 403. Game of skill machine license requirements; prohibition.

“(a) No person may carry out a function of a manufacturer, distributor, or retailer after March 31, 2021, unless the person has obtained the applicable license or licenses required by this title, or by rules issued pursuant to this title.

“(b)(1) The Office shall issue the following categories of game of skill machine licenses:

“(A) Manufacturer;

“(B) Distributor; and

“(C) Retailer.

“(2) The Office shall not grant a license listed in paragraph (1) of this subsection until it has determined that each person that possesses 10% or greater beneficial or proprietary interest in the applicant has been approved for licensure in accordance with this title and rules issued pursuant to this title; provided, that the Office shall not be required to make such a determination with respect to a person that is an institutional investor unless the institutional investor possesses 25% or greater beneficial or proprietary interest in the applicant.

“(c)(1) An applicant for an initial manufacturer or distributor license shall be subject to District and national criminal history background checks.

“(2) The applicant shall submit an application to the Office, in a form determined by the Office, for fingerprints for a national criminal records check by the Metropolitan Police Department and the Federal Bureau of Investigation of all individuals required to be named in the application and a signed authorization of each individual submitting fingerprints for the release of information by the Metropolitan Police Department and the Federal Bureau of Investigation.

“(3) In the case of an application for license renewal, the Office may require additional background checks.

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“(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-102.08 of an applicant for a license pursuant to this title and may, in addition, require certification that the Citywide Clean Hands Database indicates that the proposed licensee is current with its District taxes.

“(e) Proprietary information, trade secrets, financial information, and personal information about a person in an application submitted to the Office pursuant to this title shall not be a public record and shall not be made available under the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any other law.

“(f)(1) A retailer shall display its license as required by section 410(e) and shall make the license immediately available for inspection upon request by an employee of the Office, the Metropolitan Police Department, or ABRA.

“(2) When present at a licensed establishment, an employee of a distributor shall carry a copy of its license and make it readily available for inspection by an employee of the Office, the Metropolitan Police Department, or ABRA.

“Sec. 404. License prohibitions; suspensions and revocation of licenses.

“(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office shall define disqualifying offenses by a rule issued pursuant to this title.

“(b) No employee of the Office or ABRA or member of the ABC Board, or immediate family member of an employee of the Office or ABRA or member of the ABC Board, may be an applicant for, have an interest in, or obtain a license issued pursuant to this title.

“(c) Failure of an applicant or licensee to notify the Office of a change to the information provided in its application for license or renewal within 10 days after the change may result in the Office suspending or revoking the licensee’s license, denying the applicant’s license, and issuing a fine.

“(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a license previously granted, if evidence satisfactory to the Office exists that the applicant or licensee has:

“(A) Knowingly made a false statement of a material fact to the Office;

“(B) Had a license revoked by a governmental authority responsible for regulation of games of skill;

“(C) Been convicted of a felony and has not received a pardon or been released from parole or probation for at least 5 years; or

“(D) Been convicted of a gambling-related offense or a theft or fraud offense.

“(2) The Office may deny a license to an applicant or suspend or revoke a license of a licensee if the applicant or licensee:

“(A) Has not demonstrated, to the satisfaction of the Office, financial responsibility sufficient to adequately meet the requirement of the proposed activity;

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“(B) Is not the true owner of the licensed business or has not disclosed the existence or identity of another individual or entity that has an ownership interest in the business; or

“(C) Is an entity that sells more than 10% of a licensee’s voting interests, more than 10% of the voting interests of an entity that controls the licensee, or sells a licensee’s assets to an individual or entity not already determined by the Office to have met the qualifications of a licensee pursuant to this title.

“Sec. 405. Conflicts of interest.

“(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the Office shall determine that the applicant is not disqualified because of a conflicting interest in another license.

“(b) In making a determination regarding a conflicting interest, the following standards shall apply:

“(1) No licensee under a distributor’s license shall hold a license in another license issued under this title; except, that the holder of a distributor’s license may also hold a manufacturer’s license.

“(2) No licensee under a manufacturer’s license shall hold another license issued under this title; except, that the holder of a manufacturer’s license may also hold a distributor’s license.

“Sec. 406. Manufacturer licensure.

“(a)(1) A person may not, after March 31, 2021, manufacture a game of skill machine in the District or manufacture and cause to be delivered into the District a game of skill machine, unless the person has a valid manufacturer’s license issued under this title.

“(2) A manufacturer may, after March 31, 2021, only sell or lease game of skill machines for use in the District to persons having a valid distributor’s license.

“(b) A person applying for a manufacturer’s license shall do so on a form prescribed by the Office. The form shall require:

“(1) The name of the applicant;

“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

“(3) A report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Such other information as the Office may require by rule.

“(c) In considering whether to approve an application for a manufacturer’s license, the Office may consider, among such other evidence as may come before the Office, evidence of the applicant’s licensure, conduct, and activities in another jurisdiction.

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“(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee of \$10,000 with the application.

“(e) A manufacturer’s license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a \$5,000 renewal fee.

“Sec. 407. Distributor licensure.

“(a) A person may not, after March 31, 2021, engage in any of the following activities unless the person has a valid distributor’s license issued by the Office:

“(1) Buy or lease from a manufacturer a game of skill machine for distribution in the District;

“(2) Sell, lease, or distribute a game of skill machine in the District or market for sale, lease, or distribution a game of skill machine in the District; or

“(3) Repair, replace, maintain, or service a game of skill machine or a major component or part of a game of skill machine in the District or market the repair, replacement, or maintenance of a game of skill machine or a major component or part of a game of skill machine in the District.

“(b) A licensed distributor may sell, lease, or distribute a game of skill machine, or repair, replace, maintain, or service a game of skill machine or any major component or part of a game of skill machine in the District to a licensed establishment that possesses a game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e), and after March 31, 2021, a retailer’s license from the Office. No distributor may give anything of value, including a loan or financing agreement, to a licensed establishment as an incentive or inducement to locate a game of skill machine in the establishment; provided, that a distributor may provide funding to a licensed establishment for the payment of winnings to players of the distributor’s game of skill machines in the licensed establishment.

“(c) A person applying for a distributor’s license shall do so on a form prescribed by the Office. The form shall require:

“(1) The name of the applicant;

“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

“(3) A report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Such other information as the Office may require by rule.

“(d) In considering whether to approve an application for a distributor’s license, the Office may consider, among such other evidence that may come before the Office, evidence of the applicant’s licensure, conduct, and activities in another jurisdiction.

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“(c) An applicant for a distributor’s license shall demonstrate that the equipment, system, or device that the applicant plans to offer to retailers conforms to standards established pursuant to this title, the rules issued pursuant to this title, and other applicable law.

“(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of \$10,000 with the application.

“(g) A distributor’s license shall be renewed annually; provided, that the licensee has continued to comply with all statutory and regulatory requirements and pays upon submission of its renewal application a \$5,000 renewal fee.

“(h) A distributor shall submit to the Office, at such times as are established by the Office by rule, a list of all models and versions of game of skill machines sold, delivered, or offered to a retailer. All such equipment shall be tested and approved by an independent testing laboratory approved as provided in section 409.

“Sec. 408. Retailer licensure.

“(a) A person may not offer or allow for play a game of skill machine at the location in the District unless the location:

“(1) Is a licensed establishment;

“(2) Possesses a game of skill machine endorsement from ABRA in accordance with D.C. Official Code § 25-113.01(e), and, after March 31, 2021, a retailer’s license from the Office; and

“(3) Has entered into a written use agreement with a licensed distributor (or before April 1, 2021, with a distributor) for the placement or installation of a game of skill machine or machines on the licensed premises.

“(b) A person shall apply for a retailer’s license on a form prescribed by the Office. The form shall require:

“(1) The name of the applicant;

“(2) The mailing address of the applicant and, if the applicant is a corporation, the name of the state in which it is incorporated, the location of its principal place of business, and the names and addresses of its directors;

“(3) At the discretion of the Office, a report of the applicant’s financial activities, including evidence of financial stability, such as bank statements, business and personal income and disbursement schedules, and tax returns; and

“(4) Any other information the Office considers necessary.

“(c) An applicant for a retailer’s license shall pay a nonrefundable application fee of \$300 with the application.

“(d) A retailer’s license shall be renewed annually; provided, that the licensee continued to comply with the statutory and regulatory requirements and pays upon submission of its renewal application a \$300 renewal fee.

“(e) The Office may require a retailer to be bonded, in such amounts and in such manner as determined by the Office.

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“(f) Game of skill machines shall not be offered or allowed to be played in the District other than at an establishment licensed as a retailer.

“Sec. 409. Minimum requirements of game of skill machines.

“(a)(1)) No model or version of a game of skill machine shall be offered for distribution or play in the District unless the model or version of the game of skill machine has first been tested and approved as a game of skill machine pursuant to this title and the rules issued pursuant to this title; except, that:

“(A) A model or version of a game of skill machine for which an endorsement was approved by the ABC Board under D.C. Official Code § 25-401 before October 1, 2020, shall not be subject to testing or approval under this section unless required by the Office by rule; provided, that each such game of skill machine shall be required to comply with subsection (b)(12) of this section.

“(B) A model or version of a game of skill machine may be approved by the Office before January 1, 2021, if it meets the requirements of subsection (b)(1) through (12) of this section, regardless of whether the Office has issued minimum standard rules pursuant to subsection (b) of this section, and the game of skill machine shall not be required to come into compliance with the minimum standard rules issued by the Office pursuant to subsection (b) of this section until such date as shall be set forth by the Office in such rules.

“(2) The Office, or the applicant at the direction of the Office, shall utilize the services of an Office-approved independent outside testing laboratory to test and assess the model or version of the game of skill machine.

“(3) The applicant shall be responsible for paying the costs associated with testing the model or version of the game of skill machines.

“(b) Except as otherwise provided in subsection (a)(1)(A) and (B) of this section, every game of skill machine offered in the District shall meet the minimum standards established by the Office by rule. The minimum standards shall include the following:

“(1) The game of skill machine shall conform to all requirements of federal law and regulations, including the Federal Communications Commission’s Class A emissions standards.

“(2) The game of skill machine shall display an accurate representation of the game outcome.

“(3) The game of skill machine shall not automatically alter pay tables or any function of the game of skill machine based on an internal computation of a hold percentage or have a means of manipulation that affects the random selection process or probabilities of winning a game.

“(4) The game of skill machine shall not be negatively affected by static discharge or other electromagnetic interference.

“(5) The game of skill machine shall be capable of displaying the following during idle status: “power reset”; “door open”; or “door closed”.

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“(6) The game of skill machine shall be able to detect and display the game’s complete play history and winnings for the previous 10 games.

“(7) The theoretical payback percentage of a game of skill machine shall not be capable of being changed without making a hardware or software change in the machine itself.

“(8) The game of skill machine shall be designed so that the replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters.

“(9) The game of skill machine shall contain a non-resettable meter, which shall be located in a locked area of the machine that is accessible only by a key.

“(10) The game of skill machine shall be capable of storing the meter information required by paragraph (9) of this subsection for a minimum of 180 days after a power loss to the machine.

“(11) The game of skill machine shall have accounting software that keeps an electronic record that includes:

“(A) Total cash or other value inserted into the game of skill machine;

“(B) The value of winning tickets awarded to players by the game of skill machine;

“(C) The total credits played on the game of skill machine;

“(D) The total credits awarded by the game of skill machine; and

“(E) The payback percentage credited to players of the game of skill machine.

“(12) The game of skill machine shall be connected to a centralized accounting system in accordance with section 413 for the purposes set forth in section 413; except, that a game of skill machine that has been approved for operation or distribution in the District by ABRA or the Office before the date designated by the Office pursuant to section 413(a)(2)(B) shall be allowed until the date designated by the Office pursuant to section 413(a)(2)(B) to come into compliance with this paragraph.

“(c) The Office may issue rules to establish additional licensing and registration requirements for the purposes of preserving the integrity and security of game of skill machines in the District, including by prohibiting game of skill machines that approximate the look or feel of a gambling device.

“Sec. 410. Registration; display of registration sticker, license, and warning sign; locations of game of skill machines.

“(a) After March 31, 2021, no distributor shall distribute a game of skill machine to a retailer or allow the continued distribution of its game of skill machine at a retailer’s licensed establishment, and no retailer shall allow the distribution of a game of skill machine to the retailer or allow the installation or operation of a game of skill machine at its licensed establishment, unless:

“(1) The game of skill machine is registered with the Office; and

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“(2) A registration sticker issued by the Office is affixed to and maintained on the game of skill machine.

“(b) The Office shall issue to a distributor or retailer, after approval of an application for registration of a game of skill machine filed by the distributor or retailer with the Office, a registration sticker for placement on the registered game of skill machine. The registration fee for each game of skill machine shall be \$100. If the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office \$75 for a replacement registration sticker.

“(c)(1) A distributor shall not distribute more than 5 game of skill machines to a licensed establishment at any time.

“(2) A retailer shall not allow more than 5 game of skill machines to be operated or located on a licensed premises at any time.

“(d) A retailer shall locate its game of skill machines for play only in specific locations approved by ABRA within the retailer’s licensed establishment.

“(e) A retailer shall post a warning sign and, after March 31, 2021, its retailers license, both maintained in good repair and in a place clearly visible at the point of entry to the designated areas where the game of skill machines are located. The warning sign shall include:

“(1) The minimum age required to play a game of skill machine;

“(2) The contact information for the District’s gambling hotline; and

“(3) The contact information for the Office of Lottery and Gaming for purposes of filing a complaint against the manufacturer, distributor, or retailer.

“(f) Failure to display the registration sticker, license, or warning sign may result in the Office revoking or suspending the license or issuing a fine against the licensed establishment pursuant to section 415.

“Sec. 411. Cash award.

“(a) A game of skill machine shall not directly dispense cash awards to a player. If, at the conclusion of the game, a player is entitled to a cash award, the game of skill machine shall dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

“(1) The total amount of the cash award;

“(2) The time of day that the cash award was issued in a 24-hour format showing hours and minutes, the date, the terminal serial number, and the sequential number of the ticket or voucher; and

“(3) An encrypted validation number from which the validity of the cash award may be determined.

“(b) A retailer shall allow a player to take the ticket or voucher to the owner of the licensed establishment or the owner’s designee, who shall be located at the licensed establishment, for payment of the cash award.

“Sec. 412. Game of skill machine use by minors prohibited.

“(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill machine.

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“(b) The Office may suspend or revoke a license and issue a fine, in accordance with section 415, against a licensee that knowingly allows a person under the age of 18 to use or play a game of skill machine.

“Sec. 413. Centralized accounting system.

“(a)(1) Within 365 days after the effective date of this title, the Office shall procure a centralized accounting system for games of skill machines, which shall be linked to a communications networks. All games of skill machines registered in the District shall connect to the centralized accounting system through the communications network. The centralized accounting system shall be administered by the Office and shall allow for the accounting, reporting, monitoring, and reading of game of skill machine activities by the District for the purposes of assisting the Office in determining compliance with, and enforcing, the provisions of this title and the rules issued pursuant to this title. The centralized accounting system shall also allow for game of skill machines to be activated and deactivated remotely by the Office.

“(2) When the Office is satisfied with the operation of the centralized accounting system, it shall:

“(A) Certify the effective status of the system; and

“(B) Notify all retailers of the date by which the distributor’s and retailer’s game of skill machines must be linked to the centralized accounting system, which date shall not be less than 90 days after the date of the effective status of the centralized accounting system.

“(b) The centralized accounting system shall not provide for the monitoring or reading of personal or financial information concerning patrons of game of skill machines.

“(c) An employee or agent of a contractor or subcontractor of the Office who is engaged in building, operating, maintaining, or contracting to build, operate, or maintain the centralized accounting system, and the immediate family members of such employee or agent, shall be prohibited from obtaining a license under this title.

“(d) Unless a retailer’s license is canceled, suspended, or revoked, nothing in this section shall authorize the Office to limit or eliminate a registered game of skill from the centralized accounting system.

“Sec. 414. Insurance.

“The Office may require by rule, issued pursuant to this title, that a distributor maintain liability insurance on the game of skill machines that it places in licensed establishments or that a retailer maintain liability insurance on the game of skill machines that are located in its licensed establishment.

“Sec. 415. Penalties.

“(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office may:

“(1) Impose a fine of not more than \$50,000;

“(2) Revoke a licensee’s license; or

“(3) Suspend the licensee’s license for up to one year.

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“(b) A person that has been fined or whose application has been denied, revoked, or suspended pursuant to this section shall have a right to a hearing before the Office and, in the event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal the decision of the Office to the Superior Court of the District of Columbia.

“(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a retailer’s license.

“Sec. 416. Authority of the Office.

“(a) The Office may enforce the provisions of this title with respect to licensees and with respect to any individual or entity not holding a license and offering a game of skill machine in violation of the provisions of this title or rules issued pursuant to this title.

“(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police Department may issue citations for civil violations of this title as set forth in rules issued pursuant to this title.

“(c) A citation for a violation for which the penalty includes the suspension or revocation of a license shall be issued by the Office as a result of an investigation carried out by the Office.

“(d) The Office, ABRA, or Metropolitan Police Department may request and check the identification of a person who has played, is playing, or is attempting to play a game of skill machine. The Office or Metropolitan Police Department may seize evidence that substantiates a violation under this title, which may include seizing the tickets, vouchers, or cash awards issued to a person under the age of 18 and fake identification documents used by a person under the age of 18.

“(e) The Office may seize a game of skill machine license from an establishment if:

“(1) The game of skill machine license has been suspended, revoked, or cancelled by the Office;

“(2) The business is no longer in existence; or

“(3) The business has been closed by another District government agency.

“Sec. 417. Investigations and inspections.

“(a) The Office may conduct investigations, searches, seizures, and perform other duties authorized by this title and rules issued pursuant to this title.

“(b) An applicant for a license and each licensee shall allow an authorized member of the Office, an ABRA investigator, or any member of the Metropolitan Police Department full opportunity to examine at any time during business hours:

“(1) The location on the premises where game of skill machines are available to play; and

“(2) The books and records of the licensee or applicant.

“Sec. 418. Unlawful acts; action by the Attorney General.

“(a)(1) No manufacturer, distributor, licensed establishment, or employee or agent of a manufacturer, distributor, or licensed establishment shall intentionally make a false or

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misleading representation concerning an individual's chances, likelihood, or probability of winning at playing a game of skill machine.

“(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false or misleading statement by a licensee shall have a cause of action in a court of competent jurisdiction for damages and any legal or equitable relief as may be appropriate.

“(b) The Attorney General for the District of Columbia, in the name of the District of Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an individual or entity or to seek a civil penalty of up to \$50,000 for a violation of this title or rule issued pursuant to this title.

“Sec. 419. Taxation of game of skill machines.

“(a) A tax shall be imposed on all persons owning a game of skill machine located in the District for the privilege of operating a game of skill machine in the District.

“(b) The rate of tax shall be 10% of the game of skill machine gross revenue from each game of skill machine in the District.

“(c) On or before the 20th calendar day of each month, each owner of a game of skill machine located in the District shall file a return with the CFO, on forms and in the manner prescribed by the CFO, indicating the amount of game of skill machine gross revenue for the owner's game of skill machines for the preceding calendar month and the amount of tax for which the owner is liable.

“(d) All funds owed to the District under this section shall be held in trust for the District in federally insured depository institution that maintains an office in the District until the funds are paid to the District of Columbia Treasurer.

“(e) Each owner of a game of skill machine located in the District shall keep a record of the game of skill machine gross revenue, awards, and net income of each game of skill machine in such form as the CFO may require.

“(f) An owner of a game of skill who fails to pay the tax imposed by this section shall be subject to all collection, enforcement, and administrative provisions applicable to unpaid taxes or fees, as provided in Chapters 41, 42, 43, and 44 of Title 47 of the District of Columbia Official Code.

“(g) Notwithstanding D.C. Official Code § 47-4406, the CFO may disclose the total amount of game of skill machine gross revenue collected in the periodic estimates and reports of revenues.

“Sec. 420. Deposit of license fees.

“All fees collected under sections 406 through 408 shall be deposited in the Lottery, Gambling, and Gaming Fund, established by section 4 (D.C. Official Code § 36-601.12).

“Sec. 421. Rules and regulations governing game of skill machines.

“(a) The CFO, 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.), shall by January 2021, issue rules to implement the provisions of this title.

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- “(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:
- “(1) Minimum standards under section 409(b);
 - “(2) Standards for conducting inspections of game of skill machines for compliance with industry standards;
 - “(3) Standards for inspecting licensed establishments for compliance with this title;
 - “(4) Minimum and maximum payment amounts for playing game of skill machines;
 - “(5) The maximum amount of allowable winnings per game;
 - “(6) Requirements relating to how fees and taxes are to be remitted;
 - “(7) The method of accounting to be used by a licensed establishment where a game of skill machine is authorized;
 - “(8) Methods of age verification;
 - “(9) Types of records that shall be required to be maintained by a licensee;
 - “(10) Posting requirements;
 - “(11) Advertising guidelines, including specific language concerning individuals under the age of 18;
 - “(12) Penalties for a violation of this title or rule issued pursuant to this title; and
 - “(13) Internal control standards for game of skill machines.”.

Sec. 3. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) Section 25-101 is amended as follows:

(A) A new paragraph (22B) is added to read as follows:

“(22B) “Game of skill machine” has the meaning set forth in section 401(6) of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, passed on emergency basis on October 6, 2020 (Enrolled version of Bill 23-944).”.

(B) A new paragraph (53A) is added to read as follows:

“(53A) “Voucher” means a ticket issued by a game of skill machine that is redeemable for cash winnings.”.

(2) Section 25-113a is amended as follows:

(A) The section is redesignated as § 25-113.01.

(B) The section heading is amended to read as follows:

“§ 25-113.01. License endorsements.”.

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

“(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T,

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D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in order to offer a game of skill machine on the licensed premises.

“(2)(A) A game of skill machine shall not be placed on outdoor public or private space; except, that the Board, in its discretion, may allow for the placement of a game of skill machine on outdoor public or private space if, in the Board’s determination, activity associated with the game of skill machine is:

- “(i) Not visible from a public street or sidewalk;
- “(ii) Adequately secured against unauthorized entrance; and
- “(iii) Accessible only by patrons from within the establishment.

“(B) Subparagraph (A) of this paragraph shall not apply to a licensee operating a passenger-carrying marine vessel in accordance with § 25-113(h).”.

(b) Section 25-401 is amended by adding a new subsection (e) to read as follows:

“(c) An applicant for a game of skill machine endorsement shall submit to the Board with its application:

“(1) A diagram of where the game of skill machines will be placed on the licensed premises; and

“(2) The name of the manufacturer and distributor of the game of skill machines and documentation reflecting that the manufacturer and distributor are licensed to do business and pays taxes in the District of Columbia.”.

(c) Section 25-508 is amended to read as follows:

“§ 25-508. Minimum fee for permits, and manager’s license, and endorsement.

“The minimum fees for permits, manager’s license, and endorsement shall be as follows:

“Tasting permit for class A licensees	\$100/year
“Importation permit	\$5
“Manager’s license	\$100/year
“On-site sales and consumption permit	\$1,000/year
“Game of skill machine endorsement	\$200”.

(d) Chapter 7 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

“§ 25-786. Game of skill machine operating requirements.”.

(2) Section 25-763 is amended by adding a new subsection (g) to read as follows:

“(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed establishment.”.

(3) Section 25-765 is amended by adding a new subsection (c) to read as follows:

“(c) Advertisements related to game of skill machines shall not be placed on the interior or exterior of a window or on the exterior of a door that is used to enter or exit the licensed establishment.”.

(4) A new section 25-786 is added to read as follows:

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“§ 25-786. Game of skill machine operating requirements.

“A licensee with a game of skill machine endorsement shall:

“(1) Not allow or permit a person under 18 years of age to play a game of skill machine and shall designate an employee to regularly monitor the designated area where game of skill machines are played to ensure that no person under 18 years of age is playing or attempting to play a game of skill machine;

“(2) Verify that each person playing a game of skill machine is lawfully permitted to do so by checking the person’s government-issued identification document upon entry into either the licensed establishment or the designated area where the game of skill machines are located and where the person seeks to cash out his or her winnings, if any; except, that the failure of a licensee to verify a person’s identification shall not be a violation of this paragraph if the person whose identification was not checked is 18 years of age or older;

“(3) Not allow or permit a person that appears intoxicated or under the influence of a narcotic or other substance to play a game of skill machine;

“(4) Not share revenue from the licensee’s sale of alcohol with a manufacturer or distributor of a game of skill machine, unless approved by the Board as an owner of the license;

“(5) Not allow or permit the placement of a game of skill machine on an outdoor public or private space that has not been approved by the Board;

“(6) Not allow or permit the placement of a game of skill machine outside of the designated areas contained on the applicant’s diagram provided as part of the license application or outside the areas approved by the Board;

“(7) Not have more than 5 game of skill machines on the licensed premises; and

“(8) Install security cameras that are operational and record for 30 days, in the areas designated for game of skill machines, near the cash register or terminal where cash winnings of game of skill machines are processed, and where the licensee’s money is stored.”.

(e) Section 25-801 is amended by adding a new subsection (h) to read as follows:

“(h) An ABRA investigator may request and check the identification of a person who has played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may seize fake identification used by a person under 18 years of age and may seize such records related to a game of skill machine as the investigator considers appropriate to investigate the playing of a game of skill machine by a person under 18 years of age.”.

Sec. 4. Section 865 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

(a) The existing text is designated as subsection (a).

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

“(b) It shall be unlawful to install or operate a game of skill machine in the District except as permitted by Title IV of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo Raffles for Charitable Purposes in the District of Columbia, passed on emergency basis on

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October 6, 2020 (Enrolled version of Bill 23-944) (“Title IV”). Whoever shall install or operate a game of skill machine in the District in violation of Title IV shall be guilty of a misdemeanor and, upon conviction thereof, shall be imprisoned for not more than 180 days or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code-§ 22-3571.01), or both.”.

Sec. 5. Repealers.

(a) The Games of Skill Machines Consumer Protection Emergency Amendment Act of 2020, enacted on August 28, 2020 (D.C. Act 23-404; 67 DCR 10098), is repealed.

(b) The Games of Skill Machines Consumer Protection Amendment Act of 2020, enacted on August 31, 2020 (D.C. Act 23-407; 67 DCR 10493), is repealed.

Sec. 6. Applicability.

This act shall apply as of October 1, 2020.

Sec. 7. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. 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

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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
November 2, 2020

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A RESOLUTION

23-553

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 20, 2020

To declare the sense of the Council that the Council supports efforts to reconsider the name of Woodrow Wilson High School and, more broadly, the names of all public schools, and that the District of Columbia Public Schools should act quickly to update its school naming protocol, and to call on the District of Columbia Public Schools to convene community meetings to consider whether the name of Woodrow Wilson High School should be changed, and, if so, what name should be selected.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council Woodrow Wilson High School Renaming Protocol Resolution of 2020”.

Sec. 2. The Council finds that:

(1) On May 25, 2020, George Floyd, an African American, was murdered by Minneapolis police during an arrest. Within days, protests arose across the globe to demand an end to police violence against Black men and women, and to demand local and federal reforms to address racial injustices and inequities built into the functioning of our justice systems. These calls for reform, however, are not limited to our police departments, courts, and penal system. Jurisdictions have been called on to engage in a top-to-bottom, ongoing review of their laws, regulations, operations, and programs to identify and address where these policies and practices have a disparate impact on persons of color.

(2) In addition to elevating the need to broadly assess existing policies and practices for any racially disparate impact, the recent protests have drawn attention to the buildings, monuments, and statues across the country that honor historical figures who benefited from or supported white supremacy and discrimination against persons of color. A number of jurisdictions have taken action to rename buildings and remove statues and monuments in recognition of the very real harm caused to persons and communities of color by honoring individuals who supported and enabled racial prejudice. Honoring such individuals also sends a harmful and wrong message to the broader community that racial discrimination is acceptable and even laudatory.

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(3) In December 2017, the District of Columbia Public Schools (“DCPS”) promulgated a protocol for school naming that includes procedures for residents to petition DCPS to rename a particular school. According to the protocol, one key factor in DCPS’s decision to name a school after a particular person is whether the individual “[r]epresents the DCPS mission, vision, and values.” However, the protocol does not contemplate a proposal including information on why the legacy of an individual for whom a school building is currently named represents—or does not represent—the mission, vision, and values of DCPS.

(4) Woodrow Wilson High School is a DCPS secondary school located in the Tenleytown neighborhood of Ward 3. The high school’s catchment area is the largest of all DCPS schools and includes portions of Wards 1, 2, 3, and 4. Even with such a large catchment area, the school’s student body includes students from all 8 wards; for school year 2018-2019, 38% of Woodrow Wilson High School students were considered out-of-boundary. The school also boasts one of the most diverse student bodies in the District. For school year 2018-2019, the school’s student body was 31% Black, 21% Hispanic or Latino, 37% White, 6% Asian, 1% Native American or Alaskan Native, and 4% mixed-race.

(5) Woodrow Wilson High School is named after President Woodrow Wilson. President Wilson is most often remembered for his leadership during World War I and his role in the creation of the League of Nations. As president, however, Wilson instituted efforts to segregate government offices and engage in racially discriminatory hiring practices. Wilson and his administration oversaw the segregation, demotion, and firing of Black employees throughout the federal government for the sole reason that they were Black. This, in turn, facilitated destruction of the growing black middle class in the District of Columbia.

(6) For a number of years, advocates have petitioned DCPS to change the name of Woodrow Wilson High School and to honor another individual whose legacy reflects and celebrates the school’s diversity and history. In addition, students, faculty, and staff have engaged in school-wide discussions about the changing of the school’s name, including holding a community forum in 2019. Although advocates and members of the community have suggested a number of new names for the school, neither the advocates nor DCPS have come to consensus on a new name, nor initiated a formalized process to select or approve one.

(7) Under DCPS’s school naming protocol, a proposal to rename a school must include not only the request to change the existing name, but also a specific recommendation for the new name. After receiving a complete proposal, DCPS will decide whether to move forward with the name change. Under the protocol, only then will DCPS begin community engagement, which may include direct communication with the school community, school surveys and petitions, and public meetings with the relevant Local School Advisory Team, Advisory Neighborhood Commission (“ANC”), and Community Civic Association.

(8) By requiring that a specific name be selected before the start of any community engagement, DCPS does not provide a formal opportunity for the community to propose or consider additional potential new names for a school.

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(9) In Spring 2020, DCPS initiated a review of its school naming protocol. During this review, which is ongoing, DCPS can update the protocol to provide for community engagement prior to selection of a particular name for consideration; such a change would help facilitate the high school and Tenleytown communities coming to consensus on a new name for the Wilson High School. However, it is unclear how long the review of the protocol will take, and advocates have raised concerns that it could be months before the new protocol is finalized, significantly delaying efforts to identify a new name for Woodrow Wilson High School.

Sec. 3. It is the sense of the Council that:

(1) The Council supports efforts to change the name of Woodrow Wilson High School and, more broadly, to consider whether other public schools in the District of Columbia should be renamed to remove honorifics no longer acceptable to today's community that comprises the District of Columbia.

(2) The name of a school should honor a person, event, or place for a clearly articulated reason and should preferably be a source of inspiration for its students or integrally relate to the history of the school.

(3) DCPS must act quickly to update its school naming protocol, which should enable procedures for DCPS to seek community input on potential new names prior to a specific name being proposed or otherwise selected, and include procedures that permit a proposal to provide information on how the current name of a school does not represent community values or fulfill a valuable purpose, such as being inspirational.

(4) DCPS should immediately convene virtual community meetings, at least one each with the school's Local School Advisory Team, ANC 3E, and the Tenleytown Neighbors Association, to consider whether the name of Woodrow Wilson High School should be changed, and, if so, what name should be selected, and, following those meetings, DCPS should provide the Council with a summary of the discussion, including any recommendations made.

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Deputy Mayor for Education, the Chancellor of DCPS, the principal of Woodrow Wilson High School, and the Chairpersons of ANC 3E, the Tenleytown Neighbors Association, and the Woodrow Wilson High School Local School Advisory Team.

Sec. 5. This resolution shall take effect immediately.

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 <http://www.dccouncil.us>.

COUNCIL OF THE DISTRICT OF COLUMBIA**PROPOSED LEGISLATION**

PR23-1007 Metropolitan Washington Airports Authority Board of Directors Thom Pozen
Confirmation Resolution of 2020

Intro. 11-02-2020 by Chairman Mendelson and referred to the Committee of the
Whole

PR23-1008 Contract No. CFOPD-11-C-024, Banking Services Approval Resolution of 2020

Intro. 11-04-2020 by Chairman Mendelson and referred to the Retained by the
Council with comments from the Committee on Business and Economic
Development

PR23-1009 Contract No. CFOPD-11-C-023, Banking Services Approval Resolution of 2020

Intro. 11-04-2020 by Chairman Mendelson and referred to the Retained by the
Council with comments from the Committee on Business and Economic
Development

PR23-1018 Public Service Commission Lorna John Confirmation Resolution of 2020

Intro. 11-05-2020 by Chairman Mendelson and referred to the Committee on Business and Economic Development

PR23-1019 Green Finance Authority Board Priya Jayachandran Confirmation Resolution of 2020

Intro. 11-06-2020 by Chairman Mendelson and referred to the Committee on Transportation and the Environment

PR23-1020 Green Finance Authority Board Monica Ray Confirmation Resolution of 2020

Intro. 11-06-2020 by Chairman Mendelson and referred to the Committee on Transportation and the Environment

PR23-1021 Health Benefit Exchange Authority Executive Board Ramon Richards Confirmation Resolution of 2020

Intro. 11-06-2020 by Chairman Mendelson and referred to the Committee on Health

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRPERSON ELISSA SILVERMAN
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

Unemployment Insurance Programs in the District During the COVID-19 Pandemic

Wednesday, December 9, 2020, 9:00 a.m. - 12:00 p.m.

**Virtual roundtable via Zoom
Broadcast on DC Cable Channel 13 and online at www.dccouncil.us**

Councilmember Elissa Silverman, Chairperson of the Committee on Labor and Workforce Development, announces a public oversight roundtable before the Committee on the District's unemployment compensation program. The roundtable will consider the challenges District workers continue to face in applying for unemployment insurance benefits under expanded programs available during the COVID-19 pandemic.

Witnesses may use their phone or computer to participate in this virtual roundtable. Those who wish to testify must sign up no later than 5:00 p.m. on Monday, December 7, 2020, by providing their information using the following link: <https://forms.gle/NLW2GGfgtfmVQxLs6>. Witnesses must provide their name, email address, telephone number, organizational affiliation (if any), and job title (if any), as well whether they require language interpretation or sign language interpretation. Witnesses who require language interpretation or sign language interpretation are asked to complete the form linked above or email the Labor Committee at labor@dccouncil.us as soon as possible, but no later than 5:00 p.m. on Wednesday, December 2, 2020, stating their need for interpretation and requested language. The Council's Office of the Secretary will fulfill timely requests for language interpretation services; however, requests received later than December 2 may not be able to be fulfilled due to vendor availability.

On Tuesday, December 8, the Committee will email witnesses who signed up by 12:00 pm in order to provide them with details about how to participate in the roundtable via the Zoom platform. Only witnesses who have signed up by the Monday, December 7, 5:00 pm deadline will be permitted to participate. Those planning to testify are encouraged to submit an electronic copy of written testimony by 3:00 p.m. on Tuesday, December 8 so that staff may distribute testimonies to Committee members and staff before the hearing.

If anyone is unable to testify at the roundtable, written statements will be made a part of the official record. Written statements should be submitted by email to labor@dccouncil.us. Additionally, the public may provide testimony by voice mail by calling (202) 455-0153, stating and spelling the witness's name, stating any organizational affiliation, and speaking slowly to provide a statement to be transcribed and included in the record. The record will close at 5:00 p.m. on Wednesday, December 23, 2020.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE ON EDUCATION
NOTICE OF JOINT PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
&
COUNCILMEMBER DAVID GROSSO
COMMITTEE ON EDUCATION
ANNOUNCE A JOINT ROUNDTABLE**

on

Return to In-person Instruction in DC Public Schools

On

Wednesday, December 2, 2020 at 3:00 p.m.
Live via Zoom Video Conference Broadcast
Council Channel 13 (Cable Television Providers)
DC Council Website (www.dccouncil.us)
Office of Cable Television Website (entertainment.dc.gov)

Chairman Phil Mendelson and Councilmember David Grosso announce the scheduling of a joint roundtable of the Committee of the Whole and the Committee on Education on the Return to In-person Instruction in the District of Columbia Public Schools (DCPS). The roundtable will be held on **Wednesday December 2, 2020 at 3:00 p.m.** via Zoom Video Conference Broadcast.

The purpose of this roundtable is to hear from DCPS parents, guardians, and other educational stakeholders on DCPS' proposed plan to return to in-person instruction safely. Previously, DCPS announced that a total of 21,000 students would be offered the opportunity to either receive live, in-person instruction from a teacher or in-person support on their distance learning for Term 2. After pushback, DCPS then announced the delay of in-person instruction and are revising their plans to offer in-person supports for students with no date yet set for when students can return. This roundtable will be an opportunity for DCPS leadership to provide clarity on the continuation of distance learning and improvements as well as updates being made to the return-to-school plans for DCPS students.

Those who wish to testify can sign up online at <http://bit.do/educationhearings> or by calling the Committee on Education at (202) 724-8061 by 5:00 p.m. on Friday, November 27, 2020 and include your name, organization affiliation (if any), and title. Persons wishing to testify are encouraged to submit an electronic copy of their written testimony via email. Witnesses should limit their testimony to 3 minutes. The witness list will be limited to 30 public witnesses and will close at the deadline or once it reaches the maximum number of witnesses, whichever comes first. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements should be submitted by email to astrange@dccouncil.us. The record will close at 5:00 p.m. on Friday December 16, 2020.

Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform Education Committee of the need as soon as possible but no later than five (5) business days before the proceeding. We will make every effort to fulfill timely requests, however requests received in less than five (5) business days may not be fulfilled, and alternatives may be offered.

COUNCIL OF THE DISTRICT OF COLUMBIA
CONSIDERATION OF TEMPORARY LEGISLATION

B23-992, Gail Cobb Way Designation Temporary Act of 2020, **B23-994**, Capital Gains Deduction Clarification Temporary Act of 2020, and **B23-999**, Public Space Maintenance Arts Clarification Temporary Act of 2020 adopted on first reading on November 10, 2020. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on November 17, 2020.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

A GBM 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 GBM 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, NW, Room 5 Washington, D.C. 20004. Copies of the GBMs are available in the Legislative Services Division, Room 10.
Telephone: 724-8050

GBM 23-111

FY 2020 Grant Budget Modifications as of October 26, 2020

RECEIVED: 2-day review begins November 4, 2020

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date: **November 13, 2020
Protest Petition Deadline: **January 19, 2021
Roll Call Hearing Date: **February 8, 2021
Protest Hearing Date: **April 21, 2021

License No.: ABRA-117404
Licensee: Treehouse 2473 LLC
Trade Name: Air Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 2473 18th Street, N.W.
Contact: Lyle M. Blanchard, Esq: (202) 452-1400

WARD 1

ANC 1C

SMD 1C07

Notice is hereby given that this licensee has applied for a new 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 on **February 8, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009.** Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on ****April 21, 2021 at 4:30 p.m.**

NATURE OF OPERATION

A new Retailer’s Class C Restaurant with a seating capacity of 120 and Total Occupancy Load of 355. Summer Garden with 25 seats. Requesting an Entertainment Endorsement that includes Dancing to provide live entertainment inside the premises only.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN

Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am

****HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES**

Sunday through Thursday 5pm – 1:45am, Friday and Saturday 5pm – 2:45am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date: **November 6, 2020
Protest Petition Deadline: **January 11, 2021
Roll Call Hearing Date: **February 1, 2021
Protest Hearing Date: **April 7, 2021

License No.: ABRA-117404
Licensee: Treehouse 2473 LLC
Trade Name: Air Restaurant
License Class: Retailer’s Class “C” Restaurant
Address: 2473 18th Street, N.W.
Contact: Lyle M. Blanchard, Esq: (202) 452-1400

WARD 1

ANC 1C

SMD 1C07

Notice is hereby given that this licensee has applied for a new 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 on **February 1, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009.** Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on ****April 7, 2021 at 4:30 p.m.**

NATURE OF OPERATION

A new Retailer’s Class C Restaurant with a seating capacity of 120 and Total Occupancy Load of 355. Summer Garden with 25 seats. Requesting an Entertainment Endorsement that includes Dancing to provide live entertainment inside the premises only.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN

Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am

****HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES**

Sunday and Thursday 5pm to 1:45am, Friday and Saturday 5pm – 2:45am (No entertainment Monday-Wednesday)

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-112748

License Class/Type: C Tavern

Applicant: Yegna Restaurant and Lounge, Inc.

Trade Name: Asefu's Palace

ANC: 1B02

Has applied for the renewal of an alcoholic beverage license at the premises:

1920 9TH ST NW, WASHINGTON, DC 20001

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
1/19/2021

A HEARING WILL BE
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC

ENDORSEMENT(S): Cover Charge Dancing Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of
Sunday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Monday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Thursday:	10 am - 2 am	10 am - 2 am	6 pm - 2 am
Friday:	10 am - 3 am	10 am - 3 am	6 pm - 3 am
Saturday:	10 am - 3 am	10 am - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: November 13, 2020
Protest Petition Deadline: January 19, 2021
Roll Call Hearing Date: February 8, 2021
Protest Hearing Date: April 21, 2021

License No.: ABRA-116730
Licensee: Dwarkadhis, LLC
Trade Name: BR Fine Wine & Spirits
License Class: Retailer's Class "A" Liquor Store
Address: 801 Virginia Avenue, S.E.
Contact: Eugene J. Mark, Jr., Esq: (301) 237-7850

WARD 6

ANC 6B

SMD 6B04

Notice is hereby given that this licensee has applied for a new 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 on February 8, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on April 21, 2021 at 4:30 p.m.

NATURE OF OPERATION

A new Retailer's Class A Liquor Store.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 9am - 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-078727

License Class/Type: B / Retail - Grocery

Applicant: SMJ & Capitol Hill, Inc.

Trade Name: Capitol Hill Market

ANC: 6C02

Has applied for the renewal of an alcoholic beverage license at the premises:

241 MASSACHUSETTS AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 10 pm	7 am - 10 pm
Monday:	7 am - 10 pm	7 am - 10 pm
Tuesday:	7 am - 10 pm	7 am - 10 pm
Wednesday:	7 am - 10 pm	7 am - 10 pm
Thursday:	7 am - 10 pm	7 am - 10 pm
Friday:	7 am - 10 pm	7 am - 10 pm
Saturday:	7 am - 10 pm	7 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-021260

License Class/Type: B / Retail - Grocery

Applicant: Solneb, Incorporated

Trade Name: 14th Mini-market

ANC: 4C04

Has applied for the renewal of an alcoholic beverage license at the premises:

3904 14TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-089668

License Class/Type: B / Retail - Grocery

Applicant: Hyun, Inc.

Trade Name: Mimi's Convenience

ANC: 3D04

Has applied for the renewal of an alcoholic beverage license at the premises:

5435 MacArthur BLVD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	CLOSED -	CLOSED -
Monday:	6:30 am - 10 pm	9 am - 10 pm
Tuesday:	6:30 am - 10 pm	9 am - 10 pm
Wednesday:	6:30 am - 10 pm	9 am - 10 pm
Thursday:	6:30 am - 10 pm	9 am - 10 pm
Friday:	6:30 am - 10 pm	9 am - 10 pm
Saturday:	6:30 am - :10 pm	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-090082

License Class/Type: B / Retail - Grocery

Applicant: Glen's Garden Market, LLC

Trade Name: Glen's Garden Market

ANC: 2B01

Has applied for the renewal of an alcoholic beverage license at the premises:

2001 S ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 10 pm	8 am - 10 pm
Monday:	8 am - 10 pm	8 am - 10 pm
Tuesday:	8 am - 10 pm	8 am - 10 pm
Wednesday:	8 am - 10 pm	8 am - 10 pm
Thursday:	8 am - 10 pm	8 am - 10 pm
Friday:	8 am - 10 pm	8 am - 10 pm
Saturday:	8 am - 10 pm	8 am - 10 pm

ENDORSEMENT(S): Tasting

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-094127

License Class/Type: B / Retail - Grocery

Applicant: Bella Market LLC

Trade Name: Economy Market

ANC: 6A08

Has applied for the renewal of an alcoholic beverage license at the premises:

1804 D ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 8 pm	9 am - 8 pm
Monday:	9 am - 10 pm	9 am - 10 pm
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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-103124

License Class/Type: B / Retail - Class B

Applicant: Four Brothers, LLC

Trade Name: Rioja Market

ANC: 1C03

Has applied for the renewal of an alcoholic beverage license at the premises:

1824 COLUMBIA RD NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	9 am - 12 am
Monday:	7 am - 12 am	9 am - 12 am
Tuesday:	7 am - 12 am	9 am - 12 am
Wednesday:	7 am - 12 am	9 am - 12 am
Thursday:	7 am - 12 am	9 am - 12 am
Friday:	7 am - 12 am	9 am - 12 am
Saturday:	7 am - 12 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-108250

License Class/Type: B / 25 Percent

Applicant: Noma Hospitality LLC

Trade Name: Homewood Suites by Hilton Washington, D.C./New York Avenue and Ham
ANC: 5D01

Has applied for the renewal of an alcoholic beverage license at the premises:

501 New York AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	7 am - 12 am	7 am - 12 am
Monday:	7 am - 12 am	7 am - 12 am
Tuesday:	7 am - 12 am	7 am - 12 am
Wednesday:	7 am - 12 am	7 am - 12 am
Thursday:	7 am - 12 am	7 am - 12 am
Friday:	7 am - 12 am	7 am - 12 am
Saturday:	7 am - 12 am	7 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-108370 License Class/Type: B / Retail-Full Service Grocery

Applicant: Moran Foods, LLC

Trade Name: Save-A-Lot, LTD Store #8044

ANC: 5E02

Has applied for the renewal of an alcoholic beverage license at the premises:

528 RHODE ISLAND AVE NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	9 am - 8 pm	9 am - 8 pm
Monday:	9 am - 9 pm	9 am - 9 pm
Tuesday:	9 am - 9 pm	9 am - 9 pm
Wednesday:	9 am - 9 pm	9 am - 9 pm
Thursday:	9 am - 9 pm	9 am - 9 pm
Friday:	9 am - 9 pm	9 am - 9 pm
Saturday:	9 am - 9 pm	9 am - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-108439

License Class/Type: B / Retail - Class B

Applicant: BGS International, LLC

Trade Name: Gee's Market

ANC: 1A08

Has applied for the renewal of an alcoholic beverage license at the premises:

3583 WARDER ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	8 am - 12 am	9 am - 10 pm
Monday:	8 am - 12 am	9 am - 10 pm
Tuesday:	8 am - 12 am	9 am - 10 pm
Wednesday:	8 am - 12 am	9 am - 10 pm
Thursday:	8 am - 12 am	9 am - 10 pm
Friday:	8 am - 12 am	9 am - 10 pm
Saturday:	8 am - 12 am	9 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-111519

License Class/Type: B / 25 Percent

Applicant: W-W Madison OpCo VIII, LLC

Trade Name: The Madison Washington, D.C., a Hilton Hotel

ANC: 2F05

Has applied for the renewal of an alcoholic beverage license at the premises:

1177 15TH ST NW

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	10 am - 2 am	10 am - 12 am
Monday:	9 am - 2 am	9 am - 12 am
Tuesday:	9 am - 2 am	9 am - 12 am
Wednesday:	9 am - 2 am	9 am - 12 am
Thursday:	9 am - 2 am	9 am - 12 am
Friday:	9 am - 3 am	9 am - 12 am
Saturday:	9 am - 3 am	9 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ON
11/13/2020

Notice is hereby given that:

License Number: ABRA-114571

License Class/Type: B / Internet

Applicant: The Natural Wine Shoppe, LLC

Trade Name: The Natural Wine Shoppe, LLC

ANC: 5E01

Has applied for the renewal of an alcoholic beverage license at the premises:

2800 8TH ST NE

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR
BEFORE:
1/19/2021

A HEARING WILL BE HELD ON:
2/8/2021

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service
Sunday:	12 am - 11:59 pm	7 am - 11:59 pm
Monday:	12 am - 11:59 pm	7 am - 11:59 pm
Tuesday:	12 am - 11:59 pm	7 am - 11:59 pm
Wednesday:	12 am - 11:59 pm	7 am - 11:59 pm
Thursday:	12 am - 11:59 pm	7 am - 11:59 pm
Friday:	12 am - 11:59 pm	7 am - 11:59 pm
Saturday:	12 am - 11:59 pm	7 am - 11:59 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: November 13, 2020
Protest Petition Deadline: January 19, 2021
Roll Call Hearing Date: February 8, 2021
Protest Hearing Date: April 21, 2021

License No.: ABRA-117427
Licensee: 1000 K, LLC
Trade Name: Embassy Suites Hotel
License Class: Retailer's Class "B" (25%)
Address: 900 10th Street, N.W.
Contact: Stephen J. O'Brien, Esq: (202) 625-7700

WARD 2

ANC 2C

SMD 2C01

Notice is hereby given that this licensee has applied for a new 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 on February 8, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on April 21, 2021 at 1:30 p.m.

NATURE OF OPERATION

A new Retailer's Class B (25%) beer and wine store license located entirely inside of a hotel. This location will have no street access.

HOURS OF OPERATION

Sunday through Saturday 12am to 12am (24-Hour Operations)

HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 7am - 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: November 13, 2020
Protest Petition Deadline: January 19, 2020
Roll Call Hearing Date: February 8, 2020

License No.: ABRA-099454
Licensee: Seldar DC Holding LLC
Trade Name: St. Regis Hotel
License Class: Retailer's Class "C" Hotel
Address: 923 16th Street N.W.
Contact: Donald J. Fetch: (202) 879-6979

WARD 2

ANC 2B

SMD 2B05

Notice is hereby given that this licensee has requested a Substantial Change to their 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 on February 8, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests to add a Summer Garden endorsement with 50 seats.

CURRENT HOURS OF OPERATION INSIDE PREMISES

Sunday through Saturday 12am to 12am (24-Hour Operations)

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION INSIDE PREMISES

Sunday 10am - 2am, Monday through Thursday 8am - 2am, Friday and Saturday 8am - 3am

PROPOSED HOURS OF OPERATION FOR SUMMER GARDEN

Sunday through Saturday 12am to 12am (24-Hour Operations)

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR SUMMER GARDEN

Sunday 10am - 2am, and Monday through Saturday 8am - 2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: November 13, 2020
Protest Petition Deadline: January 19, 2021
Roll Call Hearing Date: February 8, 2021

License No.: ABRA-102372
Licensee: Ever Yang Inc.
Trade Name: Sunny's Liquor
License Class: Retailer's Class "A" Liquor Store
Address: 2400 Martin Luther King Jr. Ave S.E
Contact: Yang Suk Hong: (240) 401-1242

WARD 8 ANC 8A SMD 8A06

Notice is hereby given that this licensee has requested a Substantial Change to their 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 on January 8, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Request to change hours of operation and alcoholic beverage sales.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday Closed, and Monday through Saturday 9am – 10pm

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 9am – 12am

DISTRICT OF COLUMBIA PUBLIC SCHOOLS**PUBLIC HEARING NOTICE****FISCAL YEAR 2022 BUDGET**

Monday, November 23, 2020; 5:30PM – 7:30PM
via Zoom <http://bit.ly/dcpsbudgethearing22>
or call (929) 205-6099; Meeting ID: 831 9739 1446

The District of Columbia Public Schools (DCPS) will convene a public budget hearing on Monday, November 23, 2020 from 5:30PM – 7:30PM via Zoom. The purpose of the hearing is to gather input from the public about the upcoming Fiscal Year 2022 (School Year 2021-2022) budget.

Members of the public are invited to provide testimony at the hearing. Individuals or groups wishing to testify should register online at <https://bit.ly/dcpsbudget>. Testimony will be limited to three minutes during the hearing. Witnesses should provide their documents, including a written copy of their testimony and any supplemental information, by email to ceo.info@k12.dc.gov. All documents will be included as part of the official record.

The registration deadline is 3:00PM on Thursday, November 19, 2020. If an individual or group is unable to register online, please email ceo.info@k12.dc.gov.

The official record of this hearing will be transmitted to the Mayor and Council of the District of Columbia pursuant to DC Official Code § 38-917(1).

Interpretation services are available upon request. Please include any requests for interpretation services during the registration process.

Any additional questions or concerns should be directed to the School Funding Team at 202-431-2879 or dcps.schoolfunding@k12.dc.gov.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, JANUARY 27, 2021
VIRTUAL HEARING via WEBEX**

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.

TIME: 9:30 A.M.

WARD ONE

20352 **Application of 426 MANOR PLACE. LLC** , pursuant to 11 DCMR,
ANC 1A Subtitle X, Chapter 9, for special exceptions under the residential
conversion requirements of Subtitle U § 320.2, and under Subtitle C §
703.2, from the minimum parking requirements of Subtitle C § 701.5,
to convert an existing principal dwelling unit to a three-unit apartment
house at in the RF-1 Zone at premises 426 Manor Place, N.W. (Square
3036, Lot 67).

WARD EIGHT

20355 **Application of T-Mobile Northeast, LLC**, pursuant to 11 DCMR
ANC 8C Subtitle X, Chapter 9, for a special exception under Subtitles C §§
1304.2 and 1312 from the roof mounted antenna height requirements of
Subtitle C § 1304.1(b), to modify an existing rooftop antenna in the
PDR-1 Zone at premises 2633 Barry Road S.E. (Square 5864, Lot
807).

WARD FIVE

20359 **Application of 1301 West Virginia, LLC**, pursuant to 11 DCMR
ANC 5D Subtitle X, Chapter 9, for special exceptions under the residential
conversion requirements of Subtitle U § 320.2, including a waiver from
the rear addition requirement of Subtitle U § 320.2(e), from the
penthouse requirements of Subtitle C § 1500.4, and pursuant to Subtitle
X, Chapter 10, for an area variance from the residential conversion
requirements of Subtitle U § 320.2(d), to convert the existing principal
dwelling unit into a five-unit apartment house in the RF-1 Zone at
premises 1301 West Virginia Avenue N.E. (Square 4064, Lot 75).

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WARD SIX

20360 **Application of 555 E Street SW, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the loading berth minimum vertical clearance requirements of Subtitle C § 905.2, to permit an existing loading berth in the D-5 Zone at premises 555 E Street SW (Square 494, Lot 36).

ANC 6D

WARD SEVEN

20361 **Application of G3, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 10, for area variances from the lot subdivision requirements of Subtitle C § 302.1, the minimum side yard requirements under Subtitle D § 206.3, and the minimum lot dimension requirements of Subtitle D § 302.1, to subdivide a vacant lot and construct two semi-detached, principal dwelling units in the R-2 zone, at premises 5135 Lee Street NE (Square 5200, Lot 113).

ANC 7C

WARD TWO

20362 **Application of Tirzah Lollar and John R Lollar**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 205.5 and 5201, from the rear yard requirements of Subtitle E § 205.4, to construct a rear addition and to replace an existing rear deck addition to an existing flat in the RF-1 zone, at premises 1327 Q Street NW (Square 240, Lot 73).

ANC 2F

WARD SIX

20363 **Application of Peter and Karen Byrne**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the residential use provisions of Subtitle U § 601.1(d), from the alley lot use requirements of Subtitle U § 600.1(f), and under Subtitle E § 5201.3, from the side yard requirements Subtitle E § 5105.1, and from the alley centerline setback requirements of E § 5106.1, to convert an existing residential parking garage to a two-story, attached, principal dwelling unit in the RF-1 Zone at premises 514 Archibald Walk SE (Square 877, Lot 845).

ANC 6B

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WARD SIX

20365 **Application of Kari McCarron and Jesse Leifert**, pursuant to 11
ANC 6A DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E
 § 5201, from the lot occupancy requirements of Subtitle § 304.1, to
 construct a two-story rear addition to an existing principal dwelling
 unit in the RF-1 Zone, at premises 903 11th Street, NE (Square 980,
 Lot 24).

WARD FIVE

20366 **Application of Colleen A Slattery, Trustee**, pursuant to 11 DCMR
ANC 5E Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201,
 from the lot occupancy requirements of Subtitle E § 304.1, to expand
 two existing rear balconies, on the second and third stories of an
 existing flat, in the RF-1 Zone, at premises 2026 North Capitol Street,
 NW (Square 3117, Lot 78).

PLEASE NOTE:

This public hearing will be held virtually through WebEx. Information for parties and the public to participate, view, or listen to the public hearing will be provided on the Office of Zoning website and in the case record for each application or appeal by the Friday before the hearing date.

The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11, including the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on May 11, 2020, in Z.C. Case No. 20-11.

Individuals and organizations interested in any application may testify at the public hearing via WebEx or by phone and are strongly encouraged to sign up to testify 24 hours prior to the start of the hearing on OZ's website at <https://dcoz.dc.gov/> or by calling Robert Reid at 202-727-5471. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board may impose time limits on the testimony of all individuals and organizations.

Individuals and organization may also submit written comments to the Board by uploading submissions via IZIS or by email to bzsubmissions@dc.gov. Submissions are strongly encouraged to be sent at least 24 hours prior to the start of the hearing.

Do you need assistance to participate?

**Note that party status is not permitted in Foreign Missions cases.*

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Do you need assistance to participate?

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202)
727-6311.

**FREDERICK L. HILL, CHAIRPERSON
LORNA L. JOHN, VICE-CHAIRPERSON
VACANT, MEMBER
CHRISHAUN SMITH, MEMBER,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
CLIFFORD W. MOY, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF VIRTUAL PUBLIC HEARING**

TIME AND PLACE: **Monday, January 11, 2021, @ 4:00 p.m.**
WebEx or Telephone – Instructions will be provided on the OZ website by Noon of the Hearing Date¹

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 18-04A (Office of Planning - Text Amendment to Subtitle A to Authorize Construction of Playing Fields and Accessory Structures on Unzoned Land (Parcel 149, Lots 65-66))

THIS CASE IS OF INTEREST TO ANCs 6A, 7D, and 7F

On October 19, 2020, the Office of Planning (“OP”) filed a petition to the Zoning Commission (the “Commission”) proposing the following amendments to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references herein refer unless otherwise specified):

- Subtitle A, Authority and Applicability - § 209.2.

OP proposed the text amendment to authorize a second restroom to support the playing fields authorized at land adjacent to the Robert F. Kennedy Stadium by the text amendment in Z.C. Case No. 18-04.

At its October 29, 2020 public meeting, the Commission voted to grant OP’s request to set down the proposed text amendment for a public hearing and authorized flexibility for OP to work with the Office of the Attorney General to refine the proposed text and add any conforming language as necessary.

The complete record in the case can be viewed online at the Office of Zoning’s Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

PROPOSED TEXT AMENDMENT

The proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text).

Amendments to Subtitle A, AUTHORITY AND APPLICABILITY

Section 209, RESTRICTIONS ON UNZONED LAND, of Chapter 2, ADMINISTRATIVE AND ZONING REGULATIONS, of Subtitle A, AUTHORITY AND APPLICABILITY, is proposed to be amended by amending paragraph (c) of § 209.2, to read as follows:

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record. (See p. 3, *How to participate as a witness – written statements.*)

- 209.1 No building permit or certificate of occupancy shall be issued nor proceeding instituted before the Board of Zoning Adjustment, nor shall any property in private ownership be used for any purpose until after the Zoning Commission has designated zoning for the property, except as may otherwise be authorized by the Zoning Commission as a map or text amendment.
- 209.2 Nothing in this chapter shall prevent ~~either~~ any of the following:
- (a) Minor repairs and alterations to buildings and structures ...
 - (b) A caretaker from residing on property ...
 - (c) Installation and use of playing fields and associated accessory structures to support such fields on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, more specifically known as Parcel 149, Lots 65 and 66, subject to the following:
 - (i) ~~Three (3)~~ Four (4) accessory structures shall be permitted: a visitor building, a storage building, and ~~two (2)~~ restroom facilities. Each permitted accessory structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of one thousand square feet (1,000 sq. ft.);
 - (ii) Three (3) shade structures ...²
 - (iii) In addition to the ~~three~~ four (4) accessory structures listed in subparagraph ~~209.2(e)(i)~~ of this paragraph, and the shade structures listed in subparagraph ~~209.2(e)(ii)~~ of this paragraph, an unenclosed pavilion shall be permitted and used provided the Zoning Commission finds that said structure, as designed, meets the standard of Subtitle X, Chapter 6, other than Subtitle X § 604.8. The pavilion shall be either covered or uncovered, and ~~shall~~ have a footprint no greater than ~~a~~ six thousand square feet (6,000 sq. ft.) ~~footprint~~. If covered, a canopy no greater than thirty feet (30 ft.) in height may be installed.

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01, *et seq.* (2018 Repl.)).

² The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

This public hearing will be conducted in accordance with the rulemaking case provisions of Subtitle Z, Chapter 5, as well as the text adopted by the Commission on October 25, 2020, in Z.C. Case No. 20-11, as published in the Notice of Final Rulemaking, published in the October 30, 2020, *D.C. Register*.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is **required that all written testimony be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record, **provided that all written comments be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

“Great weight” to written report of ANC

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, 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.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

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Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሉ ሰዓታት ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እንኳን አገልግሎቶች የሚሰጡት በነጻ ነው።

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF VIRTUAL PUBLIC HEARING**

TIME AND PLACE: **Thursday, January 7, 2021, @ 4:00 p.m.**
**WebEx or Telephone – Instructions will be provided on
the OZ website by Noon of the Hearing Date¹**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

**Z.C. Case No. 20-25 (Office of Planning - Text Amendment to Subtitles C, U, and X to Clarify
Conforming Use Status of Lawfully Constructed Apartment Houses in the RF zones)**

THIS CASE IS OF INTEREST TO ALL ANCs

Setdown

On October 27, 2020, the Office of Planning (“OP”) filed a petition to the Zoning Commission (the “Commission”) proposing the following amendments to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references herein refer unless otherwise specified):

- Subtitle C, General Rules - § 204²
- Subtitle U, Use Permissions - § 301
- Subtitle X, General Procedures - § 1001

OP proposed the text amendment to clarify that:

- Existing, legally constructed apartment houses in the RF zones are conforming uses that may be renovated and expanded as a matter-of-right, provided that there is 900 square feet of land area for each existing and new dwelling unit or that the number of existing units are not increased if there is less than 900 square feet of land area for each existing unit; and
- Variance relief from the 900 square feet per unit rule is an area variance.

OP requested that the Commission:

- Consider taking emergency action to adopt the text amendment;
- Set the petition down for a public hearing;
- Authorize an immediate publication of proposed rulemaking for the text amendment; and
- Authorize a 30-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the 40-day requirement of Subtitle Z § 502.1 for good cause because the conforming status of these lawfully existing apartment houses had been unintentionally affected by the amendment of the regulations on nonconforming uses as part of the 2016 rewrite of the Zoning Regulations.

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record. (See p. 5, *How to participate as a witness – written statements.*)

² All references are made to the text adopted by the Commission in Z.C. Case No. 19-21 as published in the Notice of Final Rulemaking in the November 13, 2020, *D.C. Register*.

Emergency & Proposed Action

At its October 29, 2020, public meeting, the Commission heard testimony from OP in favor of the amendment. At the close of the meeting, the Commission voted to grant's OP's requests to:

- Take emergency action to adopt the text amendment;
- Set the petition down for a public hearing;
- Authorize an immediate publication of proposed rulemaking for the text amendment; and
- Authorize a 30-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the 40-day requirement of Subtitle Z § 502.1 for good cause as detailed below.

The Commission concluded that taking emergency action to adopt the proposed text amendment is necessary for the “immediate preservation of the public ... welfare,” as authorized by § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)(2016 Repl.)), because it corrects the unintended consequences of a change in the regulations on nonconforming uses adopted in the Zoning Regulations adopted by the Commission in 2016.

The emergency rule is effective as of the Commission's October 29, 2020 vote and will expire on February 26, 2021, which is the 120th day after the adoption of this rule, or upon publication of a Notice of Final Rulemaking in the *D.C. Register* that supersedes this emergency rule, whichever occurs first.

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

PROPOSED TEXT AMENDMENT

The proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text).

I. Amendments to Subtitle C, GENERAL RULES

Subsection 204.7 of § 204, NONCONFORMING USE, of Chapter 2, NONCONFORMITIES, of Subtitle C, GENERAL RULES, is proposed to be amended, to read as follows:

- 204.7 Ordinary repairs, alterations, or modernizations may be made to a structure or portion of a structure devoted to a nonconforming use. Structural alterations shall not be allowed, except those required by other municipal law or regulation; provided that structural alterations shall be permitted to a lawfully existing, nonconforming flat or apartment house located in a Residential House (R) zone, ~~or to a lawfully existing, nonconforming apartment house located in a Residential Flat (RF) zone.~~

II. Amendments to Subtitle U, USE PERMISSIONS

Subsections 301.1 and 301.5 of § 301, MATTER-OF-RIGHT USES (RF), of Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, of Subtitle U, USE PERMISSIONS, is proposed to be amended, to read as follows:

301.1 The following uses shall be permitted as a matter of right in an RF zone subject to any applicable conditions:

- (a) Any use permitted in the R zones ...³
- (b) Residential **flats uses** with a maximum number of principal dwelling units **per lot** as follows:

TABLE U § 301.1(b): MAXIMUM NUMBER OF PRINCIPAL DWELLING UNITS

RF Zone	Number of Principal Dwelling Units
RF-1	2
RF-2	2
RF-3	2
RF-4	3
RF-5	4

- (c) A permitted dwelling unit ...
- ...

301.5 An apartment house in an RF-1, RF-2, or RF-3 zone that **was constructed prior to May 12, 1958, or that was lawfully constructed prior to August 7, 1981, in compliance with the then-applicable zoning regulations, shall be considered a conforming use and may renovate or expand, provided that:**

- (a) **The apartment house** has not been:
 - (a) **(1)** Converted prior to September 6, 2016;
 - (b) **(2)** Converted pursuant to Subtitle U §§ 301.2 or 320.2; or
 - (c) **(3)** Expanded pursuant to Subtitle U §§ 301.4, 320.2, or 320.4;
- (b) **An apartment house with less than nine hundred square feet (900 sq. ft.) of lot area per existing dwelling unit does not increase the number of dwelling units; and**

³ The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

- (b) An apartment house with more than nine hundred square feet (900 sq. ft.) of lot area per existing dwelling unit may only add additional dwelling units if the apartment house has ~~may not renovate or expand so as to increase the number of dwelling units provided that there shall~~ be a minimum of nine hundred square feet (900 sq. ft.) of lot area for each existing and new dwelling unit.

III. Amendments to Subtitle X, GENERAL PROCEDURES

Paragraph (f) of § 1001.3 of § 1001, VARIANCE TYPES, of Chapter 10, VARIANCES, of Subtitle X, GENERAL PROCEDURES, is proposed to be amended, to read as follows:

1001.3 Examples of area variances are requests to deviate from:

- (a) Requirements that affect the size ...
...
- (f) Preconditions to the establishment of a special exception use ~~including, but not limited to, the minimum nine hundred square feet (900 sq. ft.) of land area per dwelling unit required by Subtitle U § 320.2(b) applicable to the conversion of a building to an apartment house as permitted by Subtitle U § 320.2;~~ provided, that the variance would not cause the proposed use to meet the definition of a more intense use; and
- (g) Notwithstanding paragraph (f) of this section, the minimum nine hundred square feet (900 sq. ft.) of land area per dwelling unit required by Subtitle U §§ 301.2(b), 301.5, and 320.2(b).

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01, *et seq.* (2018 Repl.)).

This public hearing will be conducted in accordance with the rulemaking case provisions of Subtitle Z, Chapter 5, as well as the text adopted by the Commission on October 25, 2020, in Z.C. Case No. 20-11, as published in the Notice of Final Rulemaking, published in the October 30, 2020, *D.C. Register*.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most

important points. The Commission must base its decision on the record before them. Therefore, it is **required that all written testimony be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record, **provided that all written comments be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

“Great weight” to written report of ANC

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, 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.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗? 如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሰተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

ZONING COMMISSION OF THE DISTRICT OF COLUMBIA**NOTICE OF FINAL RULEMAKING****Z.C. CASE NO. 19-21¹****(Text Amendment – Subtitles D, E, U, & X of Title 11 DCMR)****(Roof Top or Upper Floor Elements Regulations)****September 14, 2020**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797), as amended; D.C. Official Code § 6-641.01 (2018 Repl.), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its amendment of the following sections of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the specific text at end of this notice:

- Subtitle D: Residential House (R) Zones - §§ 208, 5207
- Subtitle E: Residential Flats (RF) Zones - §§ 201, 206, 5203, 5207
- Subtitle U: Use Permissions - §§ 301, 320
- Subtitle X: General Procedures - § 1001.3

Setdown

On October 11, 2019, the Office of Planning (OP) filed a petition to the Commission proposing the text amendment to expand the application of solar energy system protections to the R zones, clarify standards, and eliminate duplicative provisions that apply to the protection of roof top solar energy systems in certain zones.

At its October 21, 2019, regular public meeting, the Commission voted to grant OP's request to set down the proposed text amendment for a public hearing, with flexibility to work with the Office of the Attorney General (OAG).

On December 3, 2019, OP submitted a request to modify the proposed text amendment to exclude properties subject to review by the Historic Preservation Review Board (HPRB) or the U.S. Commission on Fine Arts (CFA) from regulation by the text amendment.

At its December 9, 2019, regular public meeting, the Commission accepted OP's proposed modification.

Public Hearing

OP filed a February 3, 2020, hearing report recommending approval of the proposed text amendment attached to the hearing report, which included revisions based on:

¹ For Office of Zoning tracking only, this Notice of Final Rulemaking shall also be known as Z.C. Order No. 19-21.

- OP's review of the issues raised by Advisory Neighborhood Commission (ANC) 6C in Z.C. Case No. 19-14 that applied to this proposed text amendment; and
- OP's consultation with the Department of Consumer and Regulatory Affairs (DCRA), the Department of Energy and Environment (DOEE), and OAG.

ANC 6C Report

ANC 6C filed a February 11, 2020, report expressing support for the proposed text amendment. In addition to proposing several corrections and minor edits, ANC 6C's support was provided with the following concerns:

- Objecting to the standards of relief from the five percent (5%) maximum interference with existing operative solar systems on abutting property based on the standard special exception criteria, and instead proposing that such relief only be available as a variance; (Subtitle E § 5207.)
- Objecting to the proposed removal of the prohibition on additions blocking or impeding an existing operative chimney or vent on an abutting property although acknowledging that this prohibition copies the one that included in the Construction Codes; (Subtitle E §§ 206 & 5203.) and
- Proposing alternate language for exemptions from the requirement for special exception relief to significantly alter or replace an existing protected roof top element. (Subtitle E § 206.2)

At its February 13, 2010, public hearing, the Commission heard testimony from OP in support of the proposed text amendment and from the public and ANC 6C. The public comments raised the following concerns:

- The proposed deletion of the 10-foot limitation on rear wall extensions; (Subtitle U §§ 301.2 and 320.2.)
- The proposed exemption for properties subject to historic preservation review from the limitations on altering roof top architectural elements;
- The consolidation of provisions governing roof top architectural elements into the specific subtitles authorizing special exception relief from all roof top architectural element provisions; and
- The proposed deletion of the prohibition on additions impeding chimneys or vents.

ANC 6C testified in support of the proposed text amendment, noting that the current regulations already authorize special exception relief from all roof top architectural elements, that the proposed amendments to Subtitle E § 5203 in particular were needed to address current ambiguities. However, ANC 6C noted that the proposed relief standards for solar shading limitations did not address the impact of the shading, that the duplicative provisions prohibiting the impeding of chimneys and vents should not be deleted, and that the language governing replacement in kind of architectural elements should be refined. The ANC 6C representative also noted, in his individual capacity, that the provisions in Subtitle U §§ 301.2 and 320.2 governing the expansion of existing apartment houses are inconsistent with regards to the requirement of 900 square feet per dwelling unit.

OP First Supplemental Report

OP filed a March 19, 2020, supplemental report that responded to the comments raised at the public hearing and in submissions to the record and clarified the intent and purpose of the proposed text amendment. The OP supplemental report emphasized that the current Subtitle U provisions that limit rear wall extensions to 10-feet in conversions, and the alteration or removal of original roof top architectural elements, are proposed to be deleted because they are duplicative of the same provisions in Subtitle E which remain in effect. The OP supplemental report responded to ANC 6C's concerns as follows:

- Relief from the solar shading limitations - proposing revisions to Subtitle D § 208.2 and E § 206.4 requiring that an applicant for special exception relief demonstrate “good cause” and that the shading impacts had been mitigated to the extent possible; and
- Proposed removal of current prohibitions on impeding chimneys or vents – continuing to support this proposed change with detailed citation of the relevant provisions of the Construction Codes that the zoning provision duplicates and sometimes contradicts.

OP accepted several of the corrections.

At its April 27, 2020, virtual public meeting, the Commission expressed concern that the “good cause” and “mitigation to the extent possible” standard for relief from the solar shading limitation proposed in OP's supplemental report was too vague and asked OP to refine further in consultation with OAG.

OP Second Supplemental Report

OP filed a May 4, 2020, second supplemental report that responded to the Commission's concerns with the “good cause” standard for relief from the solar shading limitations and proposed revisions to Subtitle D § 208.2 and Subtitle E § 206.4.²

Proposed Action

At the close of its May 11, 2020, public hearing, the Commission voted to take **PROPOSED ACTION** and to authorize the publication of a Notice of Proposed Rulemaking:

VOTE (May 11, 2020): **5-0-0** (Robert E. Miller, Michael G. Turnbull, Anthony J. Hood, Peter A. Shapiro, and Peter G. May to **APPROVE**)

National Capital Planning Commission (“NCPC”)

The Commission referred the proposed amendment to the NCPC on May 12, 2020, for the thirty-(30) day review period required by § 492 of the District Charter.

NCPC did not file a response to the proposed text amendment within this thirty- (30) day period.

Notice of Proposed Rulemaking

² Pursuant to the Commission's grant of flexibility requested by OP to work with OAG on the final language, this language was moved to Subtitle D § 5207.1 and Subtitle E § 5207.2 without any substantive change for organizational consistency and clarity because specific special exception criteria are located in Chapter 52 of each Subtitle.

The Commission published the proposed amendment as a Notice of Proposed Rulemaking (NOPR) in the *D.C. Register* (67 DCR 7909, *et seq.*) on June 26, 2020.

The Commission received thirty-two (32) comments to the NOPR in the thirty (30)-day period required by Section 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206, as amended; D.C. Official Code § 2-505 (2013 Repl.)) – twenty-eight (28) comments in opposition to part or all of the proposed text amendment with proposed revisions; two (2) in support, including ANC 6C; and OP’s third supplemental report.

Comments in Opposition

Impact on Solar Systems on Abutting Properties

Numerous comments welcomed the extension to the R zones of limitations on additions impacting solar energy systems on properties abutting but sought increased protection for these solar systems, including:

- Opposition to any special exception relief from limits on shading impacts so that variance relief would be required;
- Opposition to any loosening of the current special exception requirements;
- A proposal for a maximum cap on amount of shading impact permitted by special exception;
- A proposal for a sliding scale of permissible shading based on the number of stories proposed for the addition;
- A request that OP research clearer and more effective special exception criteria to evaluate shading impacts;
- A request to separate special exception criteria for relief from shading impacts from limits on altering or removing original rooftop architectural features;
- A request to limit impact of the proposed text amendment, if adopted, to solar energy systems accepted by DCRA after the effective date of the text amendment; and
- Opposition to removing specific special exception criteria of Subtitle U § 320.2(i)-(k) for conversions of residential buildings to apartment houses.

Protection of Original Rooftop Architectural Elements

Multiple comments supported the proposed text amendment’s authorization to replace an original rooftop architectural element provided the replacement is visually indistinguishable from the original element but opposed any special exception relief from the limit on altering or removing original architectural elements so that variance relief would be required.

The Committee of 100 on the Federal City (C100) submitted a comment that criticized the rulemaking process in this case, asserting that:

- The insufficient public notice was provided because the proposed text amendment proposed a major substantive change by allegedly removing a “blanket” prohibition on alteration of original rooftop architectural features;
- The NOPR gave too much attention and consideration to the ANC 6C Report vis-à-vis other opposition comments, asserting that the “great weight” to issues and concerns of an ANC

should not outweigh the comments of other residents and organizations in a text amendment that would apply citywide; and

- The NOPR should be withdrawn and revised for further public comment.

Comments in Support

One resident submitted a comment in support to remove limits on owner's ability to construct on roofs and to streamline regulations limiting housing production and renovation.

ANC 6C Supplemental Letter

ANC 6C submitted a July 27, 2020, letter reaffirming its support for the proposed text amendment. The ANC appreciated the efforts of OP and the Commission to clarify the applicable specific special exception criteria in response so the ANC's concerns (shared by other comments), including adopting some of the ANC's proposed revisions to the proposed text amendment. The ANC noted its preference to only allow relief from shading impacts by a variance, instead of the current special exception as clarified by the proposed text amendment but understood the Commission's decision to adopt the special exception instead of variance relief.

OP Third Supplemental Report

OP filed a September 4, 2020, report that responded to the various public comments, as follows:

- Opposed expanding the scope of the text amendment to address broader concerns about conversions in the RF zone and noted that OP is working on a text amendment to address rear wall extensions.

Impact on Solar Systems on Abutting Properties

- Opposed eliminating current special exception relief from limits on shading impacts because the text amendment proposed to provide clearer criteria for current special exception relief;
- Opposed limiting special exception relief to a maximum shading impact or to a sliding scale based on number of stories added because of the many variables in cases, including the different impacts of shading on different types of solar panels and shading from trees, that are best addressed by allowing the Board of Zoning Adjustment (Board) to consider specific circumstances of individual cases based on applicant providing illustrations of shading impacts;
- Noted that the text amendment will only apply to construction authorized by permits issued after the effective date of the text amendment;
- Agreed that would monitor relief requests from the solar shading provisions and provide an update to Councilmember Nadeau after a year;

Protection of Original Rooftop Architectural Elements

- Opposed eliminating current special exception relief to remove or alter original architectural rooftop elements because intent was to exempt properties subject to historic preservation review and approval; and
- Noted that the text amendment retains the current provisions in Subtitle E § 5207 that apply to all RF buildings, including conversions, and deletes the same redundant provisions in Subtitle U § 320 that apply only to conversions, which will be subject to general special exception criteria of Subtitle X § 901 and not the specific special exception criteria applicable to development standards of Subtitle E § 5207.

Final Action

The Commission considered all of the comments in response to the NOPR and notes that it fully complied with the APA by providing notice of the proposed text amendment prior to a hearing and NOPR, as well as by delaying final deliberations to fully consider the comments submitted to the record. As detailed below, District law requires the Commission to give “great weight” to both the recommendations of OP and to the “issues and concerns” of all properly filed ANC reports – but that does not mean that the Commission ignores other public comments or blindly follows either OP or an ANC. The Commission in this case requested OP to revise the initial proposed text, with the revised text responding to the request for more detailed and refined special exception criteria for relief from the solar shading limits; and accepted only some of the suggestions proposed by ANC 6C in its reports.

“Great Weight” to the Recommendations of OP

The Commission must give “great weight” to the recommendations of OP pursuant to § 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 (2018 Repl.) and Subtitle Z § 405.8. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).)

The Commission finds OP’s recommendation that the Commission adopt the proposed text amendment persuasive and concurs in that judgment. The Commission acknowledges the comments in opposition, or proposing revisions to the proposed text amendment, but upon careful consideration finds persuasive OP’s specific recommendations that:

- The scope of this text amendment remains focused on solar shading impacts and alterations or removal of original rooftop architectural elements and that rear wall extensions and conversions should be addressed in future text amendments;
- Relief from limits on shading impacts on solar energy systems on abutting properties should remain by special exception, although with clearer specific special exception criteria that address shading impacts;
- Special exception relief from the shading impact limits should not be constrained by a maximum cap or by a fixed sliding scale based on number of stories proposed to be added, as proposed by various public comments, because the multiple variables, including different performances of solar panel types, tree shading, and the specific circumstances of individual properties, are better evaluated by the Board on a case-by-case basis considering the specific circumstances of each application;
- The proposed specific special exception criteria for solar shading impacts, which are now distinct from those for rooftop architectural element relief and which OP improved in response to the Commission’s concerns, did not require additional research by OP, which would monitor and report on how relief was reviewed under these criteria;
- No special vesting for the solar shading provisions is needed because any shading impact over five percent (5%) will protect owners of existing solar energy system by requiring an applicant seeking to build within its otherwise matter-of-right building envelope to demonstrate to the Board’s satisfaction that it has made its best efforts to mitigate and minimize the shading impact as is reasonably practical, based on illustrations showing the

impact of various possible layouts of the proposed addition, and so balance the District's need for housing with its sustainability goals;

- The limit on altering or removing original rooftop architectural elements should extend the protection of these elements to the R zones, with an exemption for properties that are otherwise subject to historic preservation review, and should remain subject to the current special exception relief; and
- The specific special exception criteria of Subtitle U § 320.2(i)-(k) are appropriate for relief from the original rooftop architectural features limits and so should be moved to the new Subtitle E § 5207.1(a)-(c), while conversions under Subtitle U § 320.2 should remain subject to the general special exception criteria of Subtitle X § 901.

“Great Weight” to the Written Report of the ANCs

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 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) (2012 Repl.) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016); see *Kopff v. Alcoholic Beverage Control Board*, 381 A.2d 1372, 1380-1381 (D.C. 1977) (“great weight” to ANC issues and concerns applies to both legislative and adjudicative cases).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)

ANC 6C was the only ANC to respond to the proposed text amendment. The Commission welcomes ANC 6C's support for the proposed text amendment, as reaffirmed by ANC 6C's supplemental letter, and finds persuasive ANC 6C's concern that the standards for relief from the solar shading limitations address the shading impact, which the Commission believes are addressed by OP's proposed revisions. However, the Commission is not persuaded by ANC 6C's concerns to retain the current prohibition on impeding chimneys and vents, because this prohibition is duplicative, as the ANC agreed, based on the OP Supplemental Report's detailed citations to the various Construction Code provisions that overlap and potentially conflict with the zoning provisions. The Commission is also not persuaded by ANC 6C's concern that the provision governing replacement in kind of architectural roof top elements needed to be further refined as the Commission believes that the proposed language clearly defines the parameters of this provision. The Commission appreciates ANC 6C's supplemental letter reaffirming its support of the proposed text amendment as revised by OP, which the Commission believes demonstrates that the issues raised by ANC 6C have been addressed, even if the Commission did not adopt all of ANC 6C's proposed revisions.

At the close of its September 14, 2020, virtual public hearing, the Commission voted to take **FINAL ACTION** and to authorize the publication of a Notice of Proposed Rulemaking:

VOTE (September 14, 2020): 5-0-0 (Michael G. Turnbull, Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, and Peter G. May to **APPROVE**)

The complete record in the case, including the OP and ANC reports and transcript of the public hearings, can be viewed online at the Office of Zoning website, through the Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

The following amendments to the text of the Zoning Regulations are hereby adopted.

I. Amendments to Subtitle D, RESIDENTIAL HOUSE (R) ZONES

A new § 208 is added to Chapter 2, GENERAL DEVELOPMENT STANDARDS (R), of Subtitle D, RESIDENTIAL HOUSE (R) ZONES, to read as follows:

208 ROOF TOP OR UPPER FLOOR ELEMENTS

208.1 Any new semi-detached or row building, or an alteration or addition to an existing semi-detached or row building, including a roof structure or penthouse (the “proposed construction”), at the time of application, shall not be designed or constructed such that it will significantly interfere with the operation of a solar energy system on an abutting property, subject to the following:

- (a) “Time of application” shall mean the earlier of either:
 - (1) the Department of Consumer and Regulatory Affairs officially accepts as complete the application for the building permit for the proposed construction; or
 - (2) the Office of Zoning officially accepts as complete an application for zoning relief for the proposed construction;
- (b) “Solar energy system” shall mean a solar energy system of at least 2kW in size that, at the time of application, is either:
 - (1) Legally permitted, installed, and operating; or
 - (2) Authorized by an issued permit; provided that the permitted solar energy system is operative within six (6) months after the issuance of the solar energy system permit not including grid interconnection delays caused solely by a utility company connecting to the solar energy system;

- (c) “Significantly interfere” shall mean that the proposed construction increases the shading incident on the solar energy system by more than five percent (5%) as determined by a comparative solar shading study acceptable to the Zoning Administrator; and
- (d) All applications for the proposed construction, whether for a building permit or for zoning relief, must include one of the following:
 - (1) An affidavit by the applicant stating that there is no solar energy system on an abutting property;
 - (2) A comparative solar shading study which meets the minimum standard established by the Zoning Administrator for the purpose of determining the increased annual incident solar shading by percent; or
 - (3) A written agreement executed by the owner of the impacted solar energy system accepting the interference with the solar energy system.

208.2 Relief from the requirements of Subtitle D § 208.1 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, and subject to the conditions of Subtitle D § 5207.

A new § 5207 is added to Chapter 52, RELIEF FROM REQUIRED DEVELOPMENT STANDARDS (R), of Subtitle D, RESIDENTIAL HOUSE (R) ZONES, to read as follows:

5207 SPECIAL EXCEPTION CRITERIA ROOF TOP OR UPPER FLOOR ELEMENTS

5207.1 The Board of Zoning Adjustment may grant relief from the requirements of Subtitle D § 208.1 as a special exception under Subtitle X, Chapter 9, and subject to the following conditions:

- (a) The application demonstrates the applicant has made its best efforts to minimize and mitigate the potential shading impact to solar energy systems on abutting properties to the extent reasonably practical, including possible design alternatives to the application’s proposed construction and potential solar access easements;
- (b) The application shall include illustrations of the shading impact on solar energy systems on abutting properties
 - (1) as proposed by the application,

- (2) as allowed as a matter of right, and
- (3) of possible design alternatives considered by the applicant; and
- (c) The Board may require special treatment and impose reasonable conditions as it deems necessary to mitigate shading impacts identified in the consideration of the application.

II. Amendments to Subtitle E, RESIDENTIAL FLATS (RF) ZONES

Subsection 201.7 of § 201, DENSITY – LOT DIMENSIONS, of Chapter 2, GENERAL DEVELOPMENT STANDARDS (RF), of Subtitle E, RESIDENTIAL FLATS (RF) ZONES, is deleted in its entirety.

The title of § 206, ROOF TOP OR UPPER FLOOR ADDITIONS, of Chapter 2, GENERAL DEVELOPMENT STANDARDS (RF), of Subtitle E, RESIDENTIAL FLATS (RF) ZONES, is amended as follows:

206 ROOF TOP OR UPPER FLOOR ELEMENTS

Section 206, ROOF TOP OR UPPER FLOOR ELEMENTS, of Chapter 2, GENERAL DEVELOPMENT STANDARDS (RF), of Subtitle E, RESIDENTIAL FLATS (RF) ZONES, is amended as follows:

- 206.1 Except for properties subject to review by the Historic Preservation Review Board or their designee, or the U.S. Commission of Fine Arts, a roof top architectural element original to a principal building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size; provided that:
 - (a) For interior lots, not including through lots, the roof top architectural elements shall not include identified roof top architectural elements facing the structure’s rear lot line; and
 - (b) For all other lots, the roof top architectural elements shall include identified roof top architectural elements on all sides of the structure.
- 206.2 For the purposes of Subtitle E § 206.1, ordinary repairs to a roof top architectural element shall be permitted. Ordinary repairs may include the replacement of an original roof top architectural element when the Zoning Administrator has determined, based on photographs provided by the owner and other evidence acceptable to the Zoning Administrator, that:

- (a) the original roof top architectural element is substantially eroded or damaged due to no overt actions of the owner or affiliates, and
- (b) the replacement will be visually indistinguishable from the original in style, dimensions, profile, and appearance when viewed from a public right of way.

206.3 Any new building, or alteration or addition to an existing building, including a roof structure or penthouse (the “proposed construction”) at the time of application, shall not significantly interfere with the operation of a solar energy system on an abutting property, subject to the following:

- (a) “Time of application” shall mean the earlier of either:
 - (1) the Department of Consumer and Regulatory Affairs officially accepts as complete the application for the building permit for the proposed construction; or
 - (2) the Office of Zoning officially accepts as complete an application for zoning relief for the proposed construction;
- (b) “Solar energy system” shall mean a solar energy system of at least 2kW in size that, at the time of application, is either:
 - (1) Legally permitted, installed, and operating; or
 - (2) Authorized by an issued permit; provided that the permitted solar energy system is operative within six (6) months after the issuance of the solar energy system permit not including grid interconnection delays caused solely by a utility company connecting to the solar energy system;
- (c) “Significantly interfere” shall mean that the proposed construction increases the shading incident on the solar energy system by more than five percent (5%), as determined by a comparative solar shading study acceptable to the Zoning Administrator; and
- (d) All applications for the proposed construction, whether for a building permit or for zoning relief, must include one of the following:
 - (1) An affidavit by the applicant stating that there is no solar energy system on an abutting property;

- (2) A comparative solar shading study that meets the minimum standard established by the Zoning Administrator for the purpose of determining the increased annual incident solar shading by percent; or
- (3) A written agreement executed by the owner of the impacted solar energy system accepting the interference with the solar energy system.

206.4 Relief from the requirements of Subtitle E §§ 206.1 and 206.2 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, and subject to the conditions of Subtitle E § 5207.

The title of § 5203, BUILDING HEIGHT, of Chapter 52, RELIEF FROM DEVELOPMENT STANDARDS (RF), of Subtitle E, RESIDENTIAL FLATS (RF) ZONES, is amended to read as follows:

5203 SPECIAL EXCEPTION CRITERIA BUILDING HEIGHT

Section 5203, SPECIAL EXCEPTION CRITERIA BUILDING HEIGHT, of Chapter 52, RELIEF FROM DEVELOPMENT STANDARDS (RF), of Subtitle E, RESIDENTIAL FLATS (RF) ZONES, is amended as follows:

5203.1 The Board of Zoning Adjustment may grant as a special exception under Subtitle X, Chapter 9, and subject to the conditions of this subsection, a maximum building height of up to forty feet (40 ft.) for a principal residential building and any additions thereto located on a non-alley lot subject to the following conditions:

- (a) The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
 - (1) The light and air available to neighboring properties shall not be unduly affected;
 - (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and
 - (3) The proposed construction, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street or alley;

- (b) In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed construction's height to adjacent buildings and views from public ways; and
- (c) The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block.

A new § 5207 is added to Chapter 52, RELIEF FROM DEVELOPMENT STANDARDS, of Subtitle E, RESIDENTIAL FLATS (RF) ZONES, to read as follows:

5207 SPECIAL EXCEPTION CRITERIA ROOF TOP OR UPPER FLOOR ELEMENTS

5207.1 The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 206.1 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:

- (a) The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
 - (1) The light and air available to neighboring properties shall not be unduly affected;
 - (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and
 - (3) The proposed construction, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage;
- (b) In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways; and
- (c) The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block.

5207.2 The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 206.3 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:

- (a) The application demonstrates the applicant has made its best efforts to minimize and mitigate the potential shading impact to solar energy systems on abutting properties to the extent reasonably practical, including possible design alternatives to the application’s proposed construction and potential solar access easements;
- (b) The application shall include illustrations of the shading impact on solar energy systems on abutting properties:
 - (1) as proposed by the application;
 - (2) as allowed as a matter of right; and
 - (3) of possible design alternatives considered by the applicant; and
- (c) The Board may require special treatment and impose reasonable conditions as it deems necessary to mitigate shading impacts identified in the consideration of the application.

III. Amendments to Subtitle U, USE PERMISSIONS

Section 301, MATTER-OF-RIGHT USES (RF), of Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, of Subtitle U, USE PERMISSIONS, is amended by revising §§ 301.2 and adding new §§ 301.3, 301.4, and 301.5, to read as follows:

- 301.1 The following uses shall be permitted as a matter of right ...³
- 301.2 The conversion of an existing non-residential building or structure to an apartment house shall be permitted as a matter of right in an RF-1, RF-2, or RF-3 zone subject to the following conditions:
 - (a) The building or structure to be converted is in existence on the property at the time the building permit application for the conversion is accepted as complete by the Department of Consumer and Regulatory Affairs; and

³ The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

- (b) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.

301.3 An apartment house in an RF-1, RF-2, or RF-3 zone converted from a non-residential building prior to June 26, 2015, shall be considered a conforming use and structure, but shall not be permitted to expand, either structurally or through increasing the number of units, except as provided by Subtitle U § 320.4.

301.4 An apartment house in an RF-1, RF-2, or RF-3 zone that was converted from a residential building either prior to June 26, 2015, or pursuant to Subtitle A §§ 301.9, 301.10, or 301.11, shall be considered a conforming use and structure, but shall not be permitted to expand either structurally or through increasing the number of units, except as provided by Subtitle U § 320.2.

301.5 An apartment house in an RF-1, RF-2, or RF-3 zone that has not been:

- (a) Converted prior to September 6, 2016;
- (b) Converted pursuant to Subtitle U §§ 301.2 or 320.2; or
- (c) Expanded pursuant to Subtitle U §§ 301.4, 320.2, or 320.4;

may renovate or expand so as to increase the number of dwelling units provided that the apartment house has a minimum of nine hundred square feet (900 sq. ft.) of lot area for each existing and new dwelling unit.

Section 320 SPECIAL EXCEPTION USES (RF), of Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, of Subtitle U, USE PERMISSIONS, is amended by revising §§ 320.2 and 320.3 and by adding a new § 320.4, to read as follows:

320.1 The uses in this section shall be permitted as a special exception ...

320.2 The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use under Subtitle U § 301.4 that increases the number of units, shall be permitted as a special exception in an RF zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the following conditions:

- (a) The building to be converted or expanded is in existence on the property at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion or expansion;

- (b) The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.6; and
- (c) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.

320.3 The conversion of a non-residential building or other structure to an apartment house and not compliant with Subtitle U § 301.2(b), shall be permitted as a special exception in an RF zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the following provisions:

- (a) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
 - (1) The light and air available to neighboring properties shall not be unduly affected;
 - (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and
 - (3) The conversion and any associated additions, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street or alley;
- (b) In demonstrating compliance with Subtitle U § 320.3(a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways; and
- (c) The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block.

320.4 An existing apartment house deemed a conforming use under Subtitle U § 301.3 shall be permitted to renovate or expand so as to increase the number of dwelling units as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions of Subtitle U §§ 320.3(a), (b), and (c).

IV. Amendments to Subtitle X, GENERAL PROCEDURES

Subsection 1001.3 of § 1001, VARIANCE TYPES, of Chapter 10, VARIANCES, of Subtitle X, GENERAL PROCEDURES, is amended by revising paragraph (f), to read as follows:

1001.3 Examples of area variances are requests to deviate from:

- (a) Requirements that affect the size ...
- (b) Minimum parking or loading requirements ...
- (c) Limitations on the extent to which the gross floor area ...
- (d) Limitations on the alteration or conversion of certain structures on alley lots ...
- (e) The prohibition against certain enlargements ...
- (f) Preconditions to the establishment of a special exception use including, but not limited to, the minimum nine hundred square feet (900 sq. ft.) of land area per dwelling unit required by Subtitle U § 320.2(b) applicable to the conversion of a building to an apartment house as permitted by Subtitle U § 320.2; provided, that the variance would not cause the proposed use to meet the definition of a more intense use.

In accordance with the provisions of Subtitle Z § 604.9, this Notice of Final Rulemaking shall become final and effective upon publication in the *D.C. Register*; that is, on November 13, 2020.

ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING**Z.C. CASE NO. 20-15****Office of Planning****(Text Amendment to Subtitle C - for Green Area Ratio Requirements for Certified Landscape Expert Requirements)**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797), as amended; D.C. Official Code § 6-641.01 (2018 Repl.), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its intent to amend the following sections of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the specific text at end of this notice:

- Subtitle C: General Rules - § 604.2.

Setdown

On July 17, 2020, the Office of Planning (“OP”) filed a petition (Petition) to the Commission proposing to amend Subtitle C § 604.2 to recognize D.C.-certified landscape architects as “Certified Landscape Experts” and limit recognition of Maryland- and Virginia-certified landscape architects until September 1, 2021.

At its July 27, 2020, public meeting, the Commission voted to grant OP’s request to set down the Petition for a public hearing and authorized flexibility for OP to work with the Office of the Attorney General to refine the proposed text and add any conforming language as necessary.

Public Hearing

At its November 2, 2020 public hearing, the Commission heard testimony from OP in support of the Petition.

“Great Weight” to the Recommendations of OP

The Commission must give “great weight” to the recommendations of OP pursuant to § 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 (2018 Repl.) and Subtitle Z § 405.8. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).)

The Commission finds persuasive OP’s recommendation that the Commission take proposed action to adopt the Petition and concurs in that judgment.

“Great Weight” to the Written Report of the ANCs

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 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) (2012 Repl.) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)

As no ANC has filed a report in response to the Petition, there is nothing to which the Commission can give “great weight.”

Proposed Action

At the close of its November 2, 2020, public hearing, the Commission voted to take **PROPOSED ACTION** to grant OP’s petition to authorize the publication of a Notice of Proposed Rulemaking:

VOTE (November 2, 2020): 5-0-0 (Michael G. Turnbull, Peter A. Shapiro, Robert E. Miller, Anthony J. Hood, and Peter G. May to **APPROVE**)

The complete record in the case can be viewed online through the Office of Zoning’s Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by e-mail at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice of proposed rulemaking in the *D.C. Register*.

PROPOSED TEXT AMENDMENT

The proposed amendment to the text of the Zoning Regulations are as follows (text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text).

Proposed Amendment to Subtitle C, GENERAL RULES

Subsection 604.2 of § 604, SUBMITTAL REQUIREMENTS FOR GREEN AREA RATIO, of Chapter 6, GREEN AREA RATIO, of Subtitle C, GENERAL RULES, is proposed to be reorganized in alphabetical order to read as follows:

- 604.2 For the purposes of this section, the term “Certified Landscape Expert” means a person who ~~is a~~ **holds one (1) of the following licenses or certifications that is current, valid, and in good standing:**
- (a) ~~Commonwealth of Virginia certified landscape architect~~ **Landscape Architect licensed by the District of Columbia or, until September 1, 2021, by either the Commonwealth of Virginia or the State of Maryland;**
 - ~~(b) State of Maryland certified landscape architect;~~
 - ~~(e) (b)~~ International Society of Arboriculture Certified Arborist;
 - ~~(d) (c)~~ ~~Maryland’s certified~~ **Maryland Certified** Professional Horticulturist; or
 - ~~(e) (d)~~ Landscape Contractors Association MD-DC-VA ~~Certified~~ **Industry Certified** Technician.

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01, *et seq.* (2018 Repl.)).

DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health pursuant to the authority set forth in § 6(c) of the District of Columbia Smoking Restriction Act of 1979, effective September 28, 1979 (D.C. Law 3-22; D.C. Official Code, § 7-1705(c) (2018 Repl.)), § 4921 of the Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-741.07 (2018 Repl.)), and Mayor's Order 2007-63, dated March 8, 2007, hereby gives notice of the adoption of the following amendments, on an emergency basis, to Title 20 (Environment), Chapter 21 (Smoking Regulations) of the District of Columbia Municipal Regulations, (DCMR). The Director also gives notice of the intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The emergency rulemaking was adopted on November 5, 2020 and became effective immediately on that date. The emergency rule will expire one hundred and twenty (120) days from the date of adoption, March 3, 2021, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

This emergency action is necessary to immediately protect the health, safety, and welfare of the residents and visitors to prevent smoking that occurs in violation of the statutory definition of "smoking" on the misbelief that the regulatory definition of "smoking" would permit the smoking.

The emergency rulemaking changed the definition of the term "smoking" from the current definition of "the act of burning a cigar, cigarette, pipe, or any other matter or substance that contains tobacco" to "the same definition as stated in Section 4915 of the Department of Health Functions Clarification Act of 2001, effective April 4, 2006 (D.C. Law 16-90; D.C. Official Code § 7-741.01)." The Electronic Cigarette Parity Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-189; D.C. Official Code § 7-741.01) amended Section 4915 to define "smoking" as "the inhaling, exhaling, burning, or carrying of a lighted or heated cigar, cigarette, pipe, electronic smoking device, or any other tobacco or plant product intended for human consumption through inhalation, in any manner or in any form." The emergency rulemaking aligns the regulatory definition of "smoking" with the amended statutory definition of "smoking" to avoid possible enforcement issues. The Director considered only deleting the current regulatory definition of "smoking" as a solution but concluded that deletion of the current regulatory definition of "smoking" without a cross reference to the statutory definition could lead to confusion in the public.

The proposed rulemaking would make the same definition change on an ongoing basis. Pursuant to § 4921 of the Department of Health Functions Clarification Act of 2001, the proposed rules must be transmitted to the Council of the District of Columbia, and the proposed rules will not become effective until the expiration of the sixty (60) day period of Council review or upon approval by Council resolution, whichever occurs first, and publication of a Notice of Final Rulemaking in the *D.C. Register*. Publication of a Notice of Final Rulemaking before the expiration of the emergency rulemaking shall supersede the emergency rulemaking.

Chapter 21, SMOKING REGULATIONS, of Title 20 DCMR, ENVIRONMENT, is amended as follows:

Section 2199, DEFINITIONS, is amended as follows:

Delete the following text: “**Smoking** - the act of burning a cigar, cigarette, pipe, or any other matter or substance that contains tobacco.”

Add the following text: “**Smoking** – has the same definition as stated in Section 4915 of the Department of Health Functions Clarification Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-741.01 (2018 Repl.)).

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6th 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. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at Angli.Black@dc.gov, (202) 442-5977.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING****Z.C. Case No. 20-25****Office of Planning****(Text Amendment to Subtitles C, U, and X to Clarify Conforming Use Status of
Lawfully Constructed Apartment Houses in the RF zones)****October 29, 2020**

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2018 Repl.)), and pursuant to § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its amendment on an emergency basis, as well as its intent to amend on a permanent basis, the following provisions of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning Regulations of 2016, to which all references are made unless otherwise specified) (specific text at end of this notice):

- Subtitle C, General Rules - § 204¹
- Subtitle U, Use Permissions - § 301
- Subtitle X, General Procedures - § 1001

Setdown

On October 27, 2020, the Office of Planning (OP) filed a petition to the Commission proposing the text amendment to clarify that:

- Existing, legally constructed apartment houses in the RF zones are conforming uses that may be renovated and expanded as a matter-of-right, provided that there is nine hundred square feet (900 sq. ft.) of land area for each existing and new dwelling unit or that the number of existing units are not increased if there is less than nine hundred square feet (900 sq. ft.) of land area for each existing unit; and
- Variance relief from the nine hundred square feet (900 sq. ft.) per unit rule is an area variance.

OP requested that the Commission:

- Consider taking emergency action to adopt the text amendment;
- Set the petition down for a public hearing;
- Authorize an immediate publication of proposed rulemaking for the text amendment; and
- Authorize a thirty (30)-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the forty (40)-day requirement of Subtitle Z § 502.1 for good cause because the conforming status of these lawfully existing apartment houses had been unintentionally affected by the amendment of the regulations on nonconforming uses as part of the 2016 rewrite of the Zoning Regulations.

¹ All references are made to the text adopted by the Commission in Z.C. Case No. 19-21 as published in the Notice of Final Rulemaking in the November 13, 2020 *D.C. Register*.

Emergency & Proposed Action

At its October 29, 2020 public meeting, the Commission heard testimony from OP in favor of the amendment. At the close of the meeting, the Commission voted to grant's OP's requests to:

- Take emergency action to adopt the text amendment;
- Set the petition down for a public hearing;
- Authorize an immediate publication of proposed rulemaking for the text amendment; and
- Authorize a thirty (30)-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the forty (40)-day requirement of Subtitle Z § 502.1 for good cause as detailed below.

The Commission concluded that taking emergency action to adopt the proposed text amendment is necessary for the “immediate preservation of the public ... welfare,” as authorized by § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)(2016 Repl.)), because it corrects the unintended consequences of a change in the regulations on nonconforming uses adopted in the Zoning Regulations adopted by the Commission in 2016.

VOTE (October 29, 2020): **5-0-0** Anthony J. Hood, Peter G. May, Robert E. Miller, Peter A. Shapiro, and Michael G. Turnbull to **APPROVE**)

Emergency Action

The emergency rule is effective as of the Commission's October 29, 2020, vote and will expire on February 24, 2021, which is the one hundred-twentieth (120th) day after the adoption of this rule, or upon publication of a Notice of Final Rulemaking in the *D.C. Register* that supersedes this emergency rule, whichever occurs first.

Proposed Action

The Commission hereby also gives notice of its intent to adopt on a permanent basis the following text amendment to the Zoning Regulations in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

EMERGENCY AND PROPOSED TEXT AMENDMENT

The following amendments to the Zoning Regulations are adopted on an emergency basis, and are proposed for the Commission’s final consideration (additions are shown in **bold** and underlined text and deletions are shown in **bold** and ~~strikethrough~~ text):

I. Amendments to Subtitle C, GENERAL RULES

Subsection 204.7 of § 204, NONCONFORMING USE, of Chapter 2, NONCONFORMITIES, of Subtitle C, GENERAL RULES, is proposed to be amended, to read as follows:

204.7 Ordinary repairs, alterations, or modernizations may be made to a structure or portion of a structure devoted to a nonconforming use. Structural alterations shall not be allowed, except those required by other municipal law or regulation; provided that structural alterations shall be permitted to a lawfully existing, nonconforming flat or apartment house located in a Residential House (R) zone, ~~or to a lawfully existing, nonconforming apartment house located in a Residential Flat (RF) zone.~~

II. Amendments to Subtitle U, USE PERMISSIONS

Subsections 301.1 and 301.5 of § 301, MATTER-OF-RIGHT USES (RF), of Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, of Subtitle U, USE PERMISSIONS, is proposed to be amended, to read as follows:

301.1 The following uses shall be permitted as a matter of right in an RF zone subject to any applicable conditions:

- (a) Any use permitted in the R zones ...²
- (b) Residential **flats uses** with a maximum number of principal dwelling units **per lot** as follows:

TABLE U § 301.1(b): MAXIMUM NUMBER OF PRINCIPAL DWELLING UNITS

RF Zone	Number of Principal Dwelling Units
RF-1	2
RF-2	2
RF-3	2
RF-4	3
RF-5	4

² The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

- (c) A permitted dwelling unit ...
- ...

...

301.5 An apartment house in an RF-1, RF-2, or RF-3 zone that was constructed prior to May 12, 1958, or that was lawfully constructed prior to August 7, 1981, in compliance with the then-applicable zoning regulations, shall be considered a conforming use and may renovate or expand, provided that:

(a) The apartment house has not been:

- ~~(a)~~ (1) Converted prior to September 6, 2016;
- ~~(b)~~ (2) Converted pursuant to Subtitle U §§ 301.2 or 320.2; or
- ~~(c)~~ (3) Expanded pursuant to Subtitle U §§ 301.4, 320.2, or 320.4;

(b) An apartment house with less than nine hundred square feet (900 sq. ft.) of lot area per existing dwelling unit does not increase the number of dwelling units; and

(b) An apartment house with more than nine hundred square feet (900 sq. ft.) of lot area per existing dwelling unit may only add additional dwelling units if the apartment house has ~~may not renovate or expand so as to increase the number of dwelling units provided that there shall~~ be a minimum of nine hundred square feet (900 sq. ft.) of lot area for each existing and new dwelling unit.

III. Amendments to Subtitle X, GENERAL PROCEDURES

Paragraph (f) of § 1001.3 of § 1001, VARIANCE TYPES, of Chapter 10, VARIANCES, of Subtitle X, GENERAL PROCEDURES, is proposed to be amended, to read as follows:

1001.3 Examples of area variances are requests to deviate from:

- (a) Requirements that affect the size ...
- ...
- (f) Preconditions to the establishment of a special exception use **including, but not limited to, the minimum nine hundred square feet (900 sq. ft.) of land area per dwelling unit required by Subtitle U § 320.2(b) applicable to the conversion of a building to an apartment house as permitted by Subtitle U § 320.2;** provided, that the variance would not cause the proposed use to meet the definition of a more intense use; **and**

(g) Notwithstanding paragraph (f) of this section, the minimum nine hundred square feet (900 sq. ft.) of land area per dwelling unit required by Subtitle U §§ 301.2(b), 301.5, and 320.2(b).

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-110
November 6, 2020

SUBJECT: Modified Requirements Regarding Self-Quarantines, Testing, and Travel During the COVID-19 Public Health Emergency

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 of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22 (2016 Repl.); in accordance with the Coronavirus Support Congressional Review Emergency Amendment Act of 2020, effective June 8, 2020, D.C. Act 23-328, the Public Health Emergency Authority Additional Extension Emergency Amendment Act of 2020, effective October 5, 2020, D.C. Act 23-411, and any substantially similar subsequent emergency or temporary legislation; section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304 (2018 Repl.); section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002, D.C. Law 14-194, D.C. Official Code § 7-2304.01 (2018 Repl.); section 1 of An Act To Authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases (“Communicable and Preventable Diseases Act”), approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.* (2012 Repl.); and in accordance with Mayor’s Order 2020-045, dated March 11, 2020; Mayor’s Order 2020-046, dated March 11, 2020; Mayor’s Order 2020-050, dated March 20, 2020; Mayor’s Order 2020-063, dated April 15, 2020; Mayor’s Order 2020-066, May 13, 2020; Mayor’s Order 2020-067, dated May 27, 2020; Mayor’s Order 2020-079, dated July 22, 2020, and Mayor’s Order 2020-103, dated October 7, 2020, it is hereby **ORDERED** that:

I. BACKGROUND

1. This Order incorporates the findings of prior Mayor’s Orders relating to COVID-19.
2. Community transmission of COVID-19 remains throughout the District. The District’s positive COVID-19 cases now total 17,792 District residents and tragically, 652 District residents have succumbed to COVID-19. Transmission is rising fast in most states in the United States, and is below ten cases per 100,000 persons in only a handful of states.
3. Travel to and from high risk areas states endangers the residents of the District of Columbia.

4. The widespread availability of testing makes it more feasible to use testing as a screening tool to identify COVID-19 in asymptomatic individuals for those who travel.
5. Testing must be used carefully and in conjunction with other strategies for stopping the spread of COVID-19. For instance, choose vacation spots with COVID-19 transmission rates in mind; maintain physical distance from non-household members at all times; avoid mass gatherings (currently defined as gatherings of over fifty (50) persons); wear masks whenever in the presence of someone who is not a household member, and otherwise practice recommended methods of reducing the spread of COVID-19.
6. This Order modifies requirements regarding self-quarantine, testing, and travel during the COVID-19 public health emergency.

II. REQUIREMENTS FOR VISITORS TO THE DISTRICT OF COLUMBIA

1. **Close contacts with persons who have COVID-19.** If you are a close contact of a person with a confirmed case of COVID-19, do not travel to the District, other than to obtain medical care. This rule applies to contacts with persons who have tested for or been symptomatic of COVID-19 within the past fourteen (14) days. A negative test does not relieve potential travelers of this requirement to stay away, as COVID-19 exposure may result in infection many days after the exposure. Close contact is defined as having spent a cumulative total of at least fifteen (15) minutes in close proximity – within six (6) feet – of someone over a 24-hour period.
2. **Testing.**
 - a. Except as allowed in paragraph 5 of this section, non-District residents coming from any state or country other than a low-risk jurisdiction should obtain a test for COVID-19 within 72 hours prior to arrival. A low-risk jurisdiction is one that has a running seven (7) day average COVID-19 rate below ten (10) cases per 100,000 persons. Should that test be positive, travel to the District must be postponed or cancelled. After the test, the visitor should not engage in high risk activities that increase their likelihood of exposure to COVID-19.
 - b. Visitors to the District staying for more than three (3) days should limit their activities until they obtain a second negative test result, administered within three (3) to five (5) days after arrival.
 - c. All persons are cautioned that a person can test negative one day and positive the next, due to a recent exposure or even one from several days prior. The incubation period of COVID-19 is fourteen (14) days.

3. **Inspection of Proof of a COVID-19 Test.**
 - a. District officials engaged in COVID-19 related inspections, contact tracing, enforcement or other mitigation efforts may ask to see the negative test results. Visitors who cannot or do not provide such proof must self-quarantine for fourteen (14) days after arrival in the District.
 - b. Private institutions such as universities, employers, hotels, hospitals, congregate care facilities and houses of worship may ask persons about their recent travel and may demand persons produce the above-referenced record of a negative COVID-19 test within 72 hours of arrival to the District before allowing admittance to the facility and may enforce such other rules as they deem necessary (e.g. 14-day self-quarantine period, additional COVID-19 testing) for the safety of persons in their facilities or their care.
4. **Self-monitoring.** At all times, all visitors should self-monitor for symptoms of COVID-19. If they develop a symptom, visitors must stay in their hotel or temporary accommodations, leaving only to obtain medical care or another COVID-19 test, until their test returns negative or otherwise directed by public health or medical authorities.
5. **Exceptions.** The requirements of paragraph 2 of this section are not applicable in following circumstances:
 - a. Residents of Maryland and Virginia, who are coming from Maryland or Virginia, are exempt.
 - b. Persons arriving in the District to carry out essential work may go to work in the District before they obtain a second test in the District, provided they do not have symptoms of COVID-19 and have not been exposed to an individual diagnosed with COVID-19 within the past fourteen (14) days. Essential workers are those performing the tasks listed in the federal Department of Homeland Security's Cybersecurity & Infrastructure Security Agency (CISA) publications. If the essential worker was called up without notice, the pre-test requirement is also lifted; if, however, the essential worker has more than one (1) week notice of their trip to the District, obtaining a test before coming is required.
 - c. Travelling through a state or country does not trigger requirements to be tested or to self-quarantine, provided the individual does not engage in high risk behavior while transiting through a place that has a high rate of COVID-19 transmission.
 - d. The self-quarantine and testing requirements do not apply to persons who will be in the District for less than 24 hours. Persons who regularly travel

to the District from places outside Maryland, Virginia, or a low risk state should also periodically be tested for COVID-19, even if each of their trips is less than 24 hours long.

- e. Persons travelling to the District for a family emergency or a funeral need not obtain a test prior to coming if obtaining a test would be impracticable. While here, they must confine their contact with other persons to the greatest feasible extent and restrict their activities to those related to the emergency.
- f. Visitors to the District are advised that by entering the District, they agree to cooperate with the District Department of Health even after they leave the District, should they be contacted by DC Health contact tracers. By their presence, they further commit to contacting their healthcare provider, getting a COVID-19 test, and cooperating with their jurisdiction's contact tracing program if they fall sick with COVID-19 within fourteen (14) days of their departure from the District. In so doing, the DC Department of Health can be notified by their state health department.

III. TRAVEL BY DISTRICT RESIDENTS

- 1. Advance testing is not required before leaving the District. Except as set forth in paragraph 2 below, persons returning to the District after travelling outside the District-Maryland-Virginia area, or to any place other than a low risk state or country must either:
 - a. Limit daily activities and self-monitor for fourteen (14) days upon their return; or
 - b. Limit daily activities until they obtain a test for COVID-19 within three (3) to five (5) days after their return and have received a negative COVID-19 PCR test result.
- 2. The requirement to self-quarantine for fourteen (14) days or to obtain a negative test upon return from travel shall not apply to residents performing essential work, insofar as they are going to work., or for essential activities such as obtaining medical care, food or pharmaceuticals. This exemption does not apply to persons who have symptoms of COVID-19 or who have been exposed to an individual diagnosed with COVID-19 in the past fourteen (14) days.
- 3. All residents, especially those returning from travel, should continually self-monitor for symptoms of COVID-19 for fourteen (14) days after their travel, isolate, and obtain a test if they show a symptom, and cease any activity involving close contact with others until their symptoms abate and any question about having

COVID-19 is resolved.

IV. SUPERSESSON

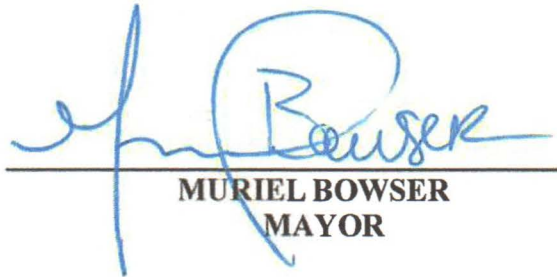
This Order supersedes Mayor's Order 2020-081 and any prior Mayor's Order or guidance issued during the COVID-19 public health emergency to the extent of any inconsistency.

V. ENFORCEMENT

The District of Columbia reserves the right to exercise provisions of the Communicable and Preventable Diseases Act, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.*, if warranted, and to issue regulations providing for civil and criminal penalties and injunctive relief.

VI. EFFECTIVE DATE AND DURATION

This Order shall be effective at 12:01 a.m. on Monday, November 9, 2020, and shall continue to be in effect through December 31, 2020, or until the date to which the state of emergency is extended, whichever is later.


MURIEL BOWSER
MAYOR

ATTEST: Kimberly A. Bassett
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ISSUANCE SYSTEM

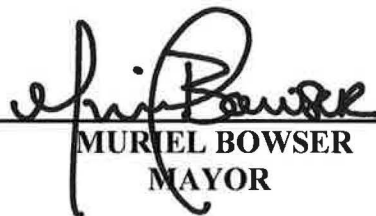
Mayor's Order 2020-111
November 9, 2020

SUBJECT: Amendment – Mayor’s Order 2018-036 - Delegating Concurrent Authority to the Directors of the Department of Employment Services and Office of Human Rights

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2016 Repl.), it is hereby **ORDERED** that:

1. Mayor’s Order 2018-036, dated March 29, 2018, is amended to add the following paragraphs to read as follows:
 - “2a. The Director of the Office of Human Rights (“OHR”) is concurrently delegated the Mayor’s authority to implement section 108(e) of the Act, D.C. Official Code § 32-541.08(e), and to issue rules specific to that implementation under section 102 of the Act, D.C. Official Code § 32-541.02.
 - 2b. The Director of OHR may further delegate this authority to subordinates under his or her jurisdiction.”
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to July 1, 2020.



MURIEL BOWSER
MAYOR

ATTEST: 

 KIMBERLY A. BASSETT
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-112
November 9, 2020

SUBJECT: Reappointments and Appointment — Commission on Human Rights

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) (2016 Repl.), pursuant to section 403 of the Human Rights Act of 1977, effective December 7, 2004, D.C. Law 15-216, D.C. Official Code § 2-1404.03 (2016 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01 (2016 Repl. and 2019 Supp.), it is hereby **ORDERED** that:

1. **MOTOKO AIZAWA**, pursuant to the Commission on Human Rights Motoko Aizawa Confirmation Resolution of 2020, effective March 3, 2020, Resolution 23-0354, is reappointed as a public member of the Commission on Human Rights, for a term to end December 31, 2022.
2. **KAREN MULHAUSER**, pursuant to the Commission on Human Rights Karen Mulhauser Confirmation Resolution of 2020, effective March 3, 2020, Resolution 23-0353, is reappointed as a public member of the Commission on Human Rights, for a term to end December 31, 2022.
3. **TIMOTHY THOMAS**, pursuant to the Commission on Human Rights Timothy Thomas Confirmation Resolution of 2020, effective March 3, 2020, Resolution 23-0351, is reappointed as a public member of the Commission on Human Rights, for a term to end December 31, 2022.
4. **TERI JANINE QUINN**, pursuant to the Commission on Human Rights Teri Janine Quinn Confirmation Resolution of 2020, effective March 3, 2020, Resolution 23-0352, is appointed as a public member of the Commission on Human Rights, replacing Alberto Figueroa-Garcia, for a term to end December 31, 2022.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.


MURIEL BOWSER
MAYOR

ATTEST: 
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-113
November 9, 2020

SUBJECT: Appointments — Humanities Council of Washington, D.C.


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) (2016 Repl.), and in accordance with the National Foundation on the Arts and Humanities Act of 1965, approved September 29, 1965, Pub. L. No. 89-209, 79 Stat. 845 (1965), it is hereby **ORDERED** that:

1. The following persons are appointed as members of the Humanities Council of Washington, D.C. for terms to end on June 1, 2021; and, for new terms to end on June 1, 2024:
 - a. **HARRIET SEGAR**, replacing Marjan Shallal;
 - b. **EVELYN BOYD SIMMONS**, replacing Antoinette Ford;
 - c. **COLE FIALA**, replacing Linda Chastang; and
 - d. **CHINEDU OSUCHUKWU**, replacing Christine Warnke.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 MURIEL BOWSER
 MAYOR

ATTEST: 

 KIMBERLY A. BASSETT
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – CATERER LICENSEES

WEDNESDAY, NOVEMBER 18, 2020
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-072420 - **Spices Restaurant** – Caterer – 3333 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-072705– **Main Event Caterers** – Caterer – 3870 SOUTH FOUR MILE RUN DR,
ARLINGTON, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-074045– **Federal City Caterer's** – Caterer – 1119 12TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-075771– **Geppetto Catering Co. Inc.** – Caterer – 4505 QUEENSBURY RD,
RIVERDALE, MD
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-079539– **M. K. Catering, Inc.** – Caterer – 5724 LAFAYETTE PL, HYATTSVILLE,
MD
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-080091– **Catering by Avalon, Inc.** – Caterer – 6400 WOODBRIDGE RD,
ALEXANDRIA, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-086362– **Purple Onion Catering Company** – Caterer – 416 MAPLE AVENUE WEST,
VIENNA, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-088399– **Jose Andres Catering** – Caterer – 480 7th ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-088438– **Chef Expressions** – Caterer – 9526 DEERECO RD, TIMONIUM, MD
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-092155– **Equinox** – Caterer – 818 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-092376– **Green Plate Catering** – Caterer – 11307 ELKIN ST, WHEATON, MD
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-093123– **Luke's Lobster** – Caterer – 624 E ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-093580– **Katherine's Catering** – Caterer – 5018 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-094227– **Root and Stem Catering** – Caterer – 2941 FAIRVIEW PARK DRIVE, #110,
FALLS CHURCH, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-101680– **EatsPlace** – Caterer – 3607 GEORGIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-102443– **Rouge Fine Catering** – Caterer – 11110 PEPPER RD, STE F, HUNT
VALLEY, MD
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-102755– **Capitale** – Caterer – 1730 M ST NW, STE. 100
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-103546– **Bluejacket** – Caterer – 300 TINGEY ST SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-103563– **Delia's Catering** – Caterer – 626 S WASHINGTON ST, FALLS CHURCH, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-103694– **Via Umbria** – Caterer – 1525 WISCONSIN AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-104526– **Congress Catering** – Caterer – 5922 COVE LANDING ROAD, UNIT 303, BURKE, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-104597– **Dacha Beer Garden** – Caterer – 1600 7th ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-105441– **Timber Pizza Company** – Caterer – 809 UPSHUR ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106062– **Chef Mikko** – Caterer – 1636 R ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106464– **K & A Catering** – Caterer – 2619 EVARTS ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107473– **C & C Catering, Inc.** – Caterer – 575 #B COMMERCE DR, UPPER MARLBORO, MD
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-108145– **Po Boy Jim** – Caterer – 709 H ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-108399– **Aloha CR3W Entertainment and Catering** – Caterer – 3607 GEORGIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-110907– **Fresh Connection Catering** – Caterer – 25387 PLEASANT VALLEY RD,
#110, CHANTILLY, VA
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-111826– **The Village Cafe** – Caterer – 1272 5TH ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-111876– **Chloe** – Caterer – 1331 4th ST SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112185– **Grace Street Coffee Roasters** – Caterer – 3210 GRACE ST NW, STE. 106A
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112204– **District Space** – Caterer – 3522 12TH ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112768– **Outside the Box Productions** – Caterer – 1620 I ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-113840– **Rosa Mexicano** – Caterer – 575 7TH STREET NW, UNIT #1
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114056– **American Son/Kintsugi/Wild Days/Allegory** – Caterer – 1201 K ST NW
[Licensee Did Not Pay 2nd Year Payment.]

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ABRA-114575– **Wine Key Experience** – Caterer – 703 EDGEWOOD ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114579– **America Eats Tavern** – Caterer – 3139 M ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-115657– **Joselito - Casa de Comidas** – Caterer – 660 PENNSYLVANIA AVE SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-115823– **Oro Catering** – Caterer – 3000 WHITEHAVEN ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-116136– **Bistro Cacao** – Caterer – 320 MASSACHUSETTS AVE NE
[Licensee Did Not Pay 2nd Year Payment.]

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – CLASS A LICENSEES

WEDNESDAY, NOVEMBER 4, 2020
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-113587 - **Nopa Liquor** – Retail - Liquor Store – A – 547 42ND ST NE
[Licensee Did Not Pay 3rd Year Payment.]

ABRA-102895 - **Vintage Cellars** – Internet – A – 301 NEW YORK AVE NE, #2B107
[Licensee Did Not Pay 3rd Year Payment.]

ABRA-103795 - **Local Vine** – Retail - Liquor Store – A – 1575 NEW YORK AVE NE
[Licensee Did Not Pay 3rd Year Payment.]

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – CLASS B LICENSEES

WEDNESDAY, NOVEMBER 18, 2020
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-014153 - **Oasis** – Retail - Grocery – B – 2024 P ST NW
[Licensee Did Not Renew.]

ABRA-017772 - **Manhattan Market** – Retail - Grocery – B – 2647 CONNECTICUT AVE
NW, #200
[Licensee Did Not Renew.]

ABRA-018083 - **Dean & Deluca** – Retail - Full Service Grocery – B – 3276 M ST NW
[Licensee Did Not Renew.]

ABRA-021721 - **Andy's Carryout** – Retail - Grocery – B – 209 NEW YORK AVE NW
[Licensee Did Not Renew.]

ABRA-060454 - **New Hampshire Market** – Retail - Grocery – B – 1900 16TH ST NW
[Licensee Did Not Renew.]

ABRA-074002 - **China Hut** – Retail - Grocery – B – 7708 GEORGIA AVE NW
[Licensee Did Not Renew.]

ABRA-076413 - **Los Primos** – Retail - Grocery – B – 3170 MT PLEASANT ST NW
[Licensee Did Not Renew.]

ABRA-078727 - **Capitol Hill Market** – Retail - Grocery – B – 241 MASSACHUSETTS AVE
NE
[Licensee Did Not Renew.]

ABRA-082681 - **Cork & Fork** – Retail - Grocery – B – 1522 14TH ST NW
[Licensee Did Not Renew.]

ABRA-086470 - **Anacostia Market** – Retail - Class B – B – 1303 GOOD HOPE RD SE
[Licensee Did Not Renew.]

ABRA-088966 - **Best World Supermarket** – Retail - Grocery – B – 3178 MOUNT
PLEASANT ST NW
[Licensee Did Not Renew.]

ABRA-090684 - **J & K Market** – Retail - Grocery – B – 234 15TH ST NE
[Licensee Did Not Renew.]

ABRA-093500 - **Hellbender Brewing Company LLC** – Manufacturer – B – 5788 2ND ST NE
[Licensee Did Not Renew.]

ABRA-097880 - **Sonya's Market** – Retail - Grocery – B – 2833 11TH ST NW
[Licensee Did Not Renew.]

ABRA-101025 - **Capitol Cash and Carry** – Wholesaler – B – 1110 OKIE ST NE
[Licensee Did Not Renew.]

ABRA-103084 - **Red Wolf Imports** – Wholesaler – B – 175 R ST NE
[Licensee Did Not Renew.]

ABRA-103291 - **Bardo River Brewery** – Manufacturer – B – 25 POTOMAC AVE SE
[Licensee Did Not Renew.]

ABRA-103721 - **Wine Advise** – Wholesaler – B – 2820 PENNSYLVANIA AVE NW
[Licensee Did Not Renew.]

ABRA-103723 - **J & D Market** – Retail - Grocery – B – 2201 MINNESOTA AVE SE
[Licensee Did Not Renew.]

ABRA-103929 - **RAPP Distributing Company** – Wholesaler – B – 175 R ST NE
[Licensee Did Not Renew.]

ABRA-105036 - **Martha's Market** – Retail - Grocery – B – 2400 MINNESOTA AVE SE
[Licensee Did Not Renew.]

ABRA-105882 - **Sal's Cafe** – Retail - Class B – B – 400 C ST SW
[Licensee Did Not Renew.]

ABRA-107663 - **Officina** – Retail - Full Service Grocery – B – 1120 MAINE AVE SW
[Licensee Did Not Renew.]

ABRA-108109 - **Suburban Market** – Retail - Grocery – B – 4600 SHERIFF RD NE
[Licensee Did Not Renew.]

ABRA-108479 - **Food 7 Store** – Retail - Grocery – B – 1830 BENNING RD NE
[Licensee Did Not Renew.]

ABRA-111480 - **Novel Grocery** – Beer and Wine – B – 4000 TUNLAW ROAD NW, #129
[Licensee Did Not Renew.]

ABRA-112042 - **District Vineyard** – Wholesaler – B – 2000 WALT LINCOLN WAY NE
[Licensee Did Not Renew.]

ABRA-112240 - **My Houeland** – Wholesaler – B – 301 NEW YORK AVE NE
[Licensee Did Not Renew.]

ABRA-116189 - **Sonor Wines America** – Wholesaler – B – 1200 UPSHUR ST NW
[Licensee Did Not Renew.]

ABRA-060506 – **Windows Café & Market** – Retail – B – Grocery - 101 RHODE ISLAND
AVE NW
[Safekeeping] [Licensee Did Not Renew.]

ABRA-082431 – **FoBoGro** – Retail – B – Grocery - 2140 F ST NW
[Safekeeping] [Licensee Did Not Renew.]

ABRA- 071763 – **Stop & Go Market** – Retail – B – Grocery - 3001 SHERMAN AVE NW
[Safekeeping] [Licensee Did Not Renew.]

ABRA- 107282 – **64 High, LLC** – Retail – B – Grocery – NO LOCATION
[Safekeeping] [Licensee Did Not Renew.]

ABRA- 112305 – **A-1 Grocery** – Retail – B – Grocery - 615 DIVISION AVE NE
[Safekeeping] [Licensee Did Not Renew.]

ABRA- 113398 – **MLK Mini Market** – Retail – B – Grocery - 3333 MARTIN LUTHER KING
JR AVE SE
[Safekeeping] [Licensee Did Not Renew.]

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – C AND D LICENSEES (CLUBS, MULTIPURPOSE
FACILITIES, RESTAURANTS, HOTELS)

WEDNESDAY, NOVEMBER 18, 2020
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-000604 - **El Centro D. F.** – C - Restaurant – 1218 WISCONSIN AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-001008 - **Foreign Service Club** – C - Club – 2101 E ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-001133 - **Restaurant Associates** – C - Restaurant – 2700 F ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-001782 - **The River Inn/Dish** – C - Hotel – 924 25TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-001910 - **The Front Page Restaurant & Grille** – C - Restaurant – 1333 NEW
HAMPSHIRE AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-007255 - **A Slice Of Italy Pizzeria** – D - Restaurant – 1331 PENNSYLVANIA AVE
NW, #D
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-009480 - **New Heights** – C - Restaurant – 2317 CALVERT ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-014818 - **City Lights of China** – C - Restaurant – 1729 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-020177 - **Otello** – C - Restaurant – 1329 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-022889 - **Serengeti** – C - Restaurant – 6210 GEORGIA AVE NW, #A
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-024748 - **Cafe Soleil** – C - Restaurant – 839 17TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-026658 - **Thunder Grill** – C - Restaurant – 50 MASSACHUSETTS AVE NE, #P
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-060004 - **Marcel's** – C - Restaurant – 2401 PENNSYLVANIA AVE NW, #B
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-060467 - **Local 16** – C - Restaurant – 1600 U ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-060754 - **LeDesales** – C - Restaurant – 1725 DE SALES ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-071165 - **Canopy- Embassy Row/ Truno** – C - Hotel – 1600 RHODE ISLAND AVE
NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-072095 - **Gala Hispanic Theatre** – C - Multipurpose – 3333 14TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-073165 - **Bobby Van's Grill** – C - Restaurant – 1201 NEW YORK AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-076383 - **Brasserie Beck** – C - Restaurant – 1101 K ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-077127 - **Georgia Brown's** – C - Restaurant – 950 15TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-077565 - **The Source by Wolfgang Puck** – C - Restaurant – 575 PENNSYLVANIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-077573 - **Newseum** – C - Multipurpose – 555 PENNSYLVANIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-078085 - **Breadsoda** – C - Restaurant – 2233 WISCONSIN AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-079244 - **Hotel Rouge** – C - Hotel – 1315 16TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-080085 - **Avalon Theatre** – C - Multipurpose – 5612 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-080772 - **Le Pain Quotidien** – D - Restaurant – 4872 MASSACHUSETTS AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-082758 - **Bistro CaCao** – C - Restaurant – 320 MASSACHUSETTS AVE NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-084847 - **El Centro D.F.** – C - Restaurant – 1819 14TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-085876 - **Cafe Deluxe** – C - Restaurant – 3226 WISCONSIN AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-086595 - **La Morenita** – C - Restaurant – 3539 GEORGIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-087574 - **New District Kitchen** – C - Restaurant – 2606 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-089933 - **Kokeb Ethiopian Restaurant** – C - Restaurant – 3013 GEORGIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-090420 - **MXDC** – C - Restaurant – 600 14TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-090997 - **RedRocks** – C - Restaurant – 1348 H ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-091165 - **Toro Toro** – C - Restaurant – 1300 I ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-091285 - **Art Jamz** – C - Multipurpose – 1728 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-091610 - **Taco Bamba & Poca Madre** – C - Restaurant – 777 I ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-093525 - **Medium Rare Barracks Row, LLC** – C - Restaurant – 515 8TH ST SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-093865 - **Le Pain Quotidien** – D - Restaurant – 433 MASSACHUSETTS AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-094362 - **Campono** – C - Restaurant – 600 NEW HAMPSHIRE AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-095042 - **Laliguras Indian & Nepali Bistro** – C - Restaurant – 4221 CONNECTICUT
AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-095147 - **Penn Commons** – C - Restaurant – 700 6TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-095796 - **Plan B Burger Bar** – C - Restaurant – 801 PENNSYLVANIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-095922 - **Claudia's Steakhouse** – C - Restaurant – 1501 K ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-096458 - **Coppi's Organic Restaurant** – C - Restaurant – 3321 CONNECTICUT AVE
NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-097418 - **Bar Deco** – C - Restaurant – 717 6TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-097661 - **Char Bar Restaurant and Eli's Market** – D - Restaurant – 2142 L ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-100249 - **Bullfrog Bagels, Pesce** – C - Restaurant – 317 7th ST SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-102914 - **Tony's Place** – C - Restaurant – 622 KENNEDY ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-103055 - **Champion Kitchen** – C - Restaurant – 7730 GEORGIA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-105042 - **Quara Ethiopian Fusion Resturant** – C - Restaurant – 818 H ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-105468 - **Po Boy Jim 2** – C - Restaurant – 1934 9TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106089 - **Laduree** – C - Restaurant – 3060 M ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106151 - **Capital Crab & Seafood** – C - Restaurant – 5534 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106537 - **City Tap House** – C - Restaurant – 1250 CONNECTICUT AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106681 - **Kaliwa** – C - Restaurant – 751 Wharf ST SW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107345 - **Fah Thai Cuisine** – C - Restaurant – 1414 9TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107432 - **Choongman Chicken Draft House** – C - Restaurant – 3115 14TH ST NW, #1
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107768 - **Shop Made in DC** – C - Restaurant – 1333 NEW HAMPSHIRE AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107912 - **Homeslyce** – C - Restaurant – 2121 K ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-108125 - **Reverie** – C - Restaurant – 3210 Grace ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-108744 - **The Wing** – C - Restaurant – 1056 THOMAS JEFFERSON ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-108804 - **Hikari Sushi & Sake Bar** – C - Restaurant – 644 H ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109097 - **Magnolia** – C - Restaurant – 1601 CONNECTICUT AVE NW

[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109116 - **Dupont Underground** – D - Multipurpose – 19 Dupont CIR NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109214 - **Guapos of Georgetown** – C - Restaurant – 3050 K ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109720 - **America Eats Tavern** – C - Restaurant – 3139 M ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-110084 - **Hanumanh** – C - Restaurant – 1604 7TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-110747 - **Union Oyster Bar & Lounge** – C - Restaurant – 501 MORSE ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-110804 - **Duet** – C - Restaurant – 601 2nd ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-110984 - **Scotts DC** – C - Restaurant – 927 F ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-111617 - **High Street Cafe** – C - Restaurant – 1303 Wisconsin Avenue AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-111740 - **Annabelle** – C - Restaurant – 2130 FLORIDA AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-111837 - **Olive Bistro Cafe/ Olive Restaurant** – C - Restaurant – 4619 41ST ST NW,
STE 100
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112072 - **District Soul Food Restaurant & Lounge** – C - Restaurant – 500 8TH ST SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112429 - **Shebelle Ethiopian Restaurant** – C - Restaurant – 1924 9TH ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112447 - **The Liaison Capitol Hill** – C - Hotel – 415 NEW JERSEY AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112472 - **Officina Cafe** – C - Restaurant – 1615 L ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112502 - **Felicity Lounge** – C - Restaurant – 707 H ST NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-113253 - **Surfside** – C - Restaurant – 4200 WISCONSIN AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114270 - **LEON** – C - Restaurant – 649 NEW YORK AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114281 - **The Admiral** – C - Restaurant – 1 DUPONT CIR NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114799 - **Swahili Village The Consulate** – C - Restaurant – 1990 M ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-115376 - **Miramar** – C - Restaurant – 1033 31ST ST NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-115606 - **Laliguras** – C - Restaurant – 2332 WISCONSIN AVE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-115719 - **Barkada Wine Bar** – C - Restaurant – 1939 12th ST NW, UNIT C1-A

[Licensee Did Not Pay 2nd Year Payment.]

ABRA-116122 - **Junction Bistro Bar & Bakery** – C - Restaurant – 238 MASSACHUSETTS AVE NE

[Licensee Did Not Pay 2nd Year Payment.]

ABRA-000237 - **Columbia Lodge #85 I.B.P.O.E. of W.** – C - Club – 1844 3RD ST NW

[Safekeeping][Licensee Did Not Pay 2nd Year Payment.]

ABRA-060689 - **Capitol Hill Tandoor and Grill** – C - Restaurant – 419 8TH ST SE

[Safekeeping][Licensee Did Not Pay 2nd Year Payment.]

ABRA-071154 - **Meiwah** – C - Restaurant – 1200 NEW HAMPSHIRE AVE NW

[Safekeeping][Licensee Did Not Pay 2nd Year Payment.]

ABRA-116507 - **JG 2325 18th Street LLC** – C - Restaurant – 2325 18TH ST NW

[Safekeeping][Licensee Did Not Pay 2nd Year Payment.]

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CANCELLATION AGENDA – C AND D LICENSEES (TAVERNS)

WEDNESDAY, NOVEMBER 18, 2020
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-014759 - **Chuck & Bill Bison Lounge** – C - Tavern – 2718 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-060380 - **Twin Jazz** – C - Tavern – 1344 U STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-070520 - **Billy Goat Tavern & Grill** – C - Tavern – 500 NEW JERSEY AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-072734 - **12 Twelve DC/ Kyss Kyss** – C - Tavern – 1212 H STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-072777 - **Rock N Roll Hotel** – C - Tavern – 1353 H STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-073443 - **The Commodore** – C - Tavern – 1100 P STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-076330 - **Jimmy Valentine's Lonely Hearts Club** – C - Tavern – 1103
BLADENSBURG ROAD NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-076906 - **Living Room** – C - Tavern – 1010 VERMONT AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-078443 - **Velvet Lounge** – C - Tavern – 915 U STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-078749 - **Dodge City** -- C - Tavern -- 917 U STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-079090 - **Little Miss Whiskey's Golden Dollar** -- C - Tavern -- 1104 H STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-079568 - **Room 11** -- C - Tavern -- 3234 11th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-086424 - **Sankofa Cafe** -- C - Tavern -- 2714 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-087045 - **DC Reynolds** -- C - Tavern -- 3628 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-087296 - **Satellite Room** -- C - Tavern -- 2007 14th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-087727 - **Your District Space** -- C - Tavern -- 3522 12th STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-089950 - **A n D** -- C - Tavern -- 1314 9th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-091418 - **Mockingbird Hill** -- C - Tavern -- 1843 7th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-091602 - **Eat The Rich/Southern Efficiency** -- C - Tavern -- 1841 7th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-091646 - **Petworth Citizen** -- C - Tavern -- 829 UPSHUR STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-092059 - **Bravo Bar** – C - Tavern – 2917 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-092705 - **Sandovan Restaurant & Lounge** – C - Tavern – 4809 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-092860 - **Ivy and Coney** – C - Tavern – 1537 7th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-093572 - **Cloud Restaurant & Lounge Sports Bar** – C - Tavern – 1919 9th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-093984 - **DC Eagle** – C - Tavern – 3701 BENNING ROAD NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-094158 - **The Public Option** – C - Tavern – 1601 RHODE ISLAND AVENUE NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-097569 - **Dew Drop Inn** – C - Tavern – 2801 8th STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-098584 - **Broccoli Bar** – C - Tavern – 1817 7th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-098902 - **Big Chief** – C - Tavern – 2002 FENWICK STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-099263 - **Sakerum** – C - Tavern – 2204 14TH STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-099684 - **Left Door** – C - Tavern – 1345 S STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-099955 - **SAX** – C - Tavern – 734 11th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-100018 - **The Airedale** – C - Tavern – 3605 14th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-100316 - **Elevate** – C - Tavern – 15 K STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-102933 - **Proper 21** – C - Tavern – 1319 F STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-104058 - **Lesly's Grill** – C - Tavern – 4811 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-104228 - **Power Night Club/Lounge/Restaurant** – C - Tavern – 2335
BLADENSBURG ROAD NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-104755 - **Cucina al Volo** – D - Tavern – 1309 5th STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-104936 - **District Hardware and Bike** – C - Tavern – 730 MAINE AVENUE SW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106265 - **Prequel** – C - Tavern – 919 19th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106554 - **Potomac Distilling Company** – C - Tavern – 1130 MAINE AVENUE SW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106766 - **SkillZone** – D - Tavern – 709 8th STREET SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106785 - **Medusa Lounge** -- C - Tavern -- 2632 GEORGIA AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-106995 - **The Crown and Crow** -- C - Tavern -- 1313 14th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107167 - **Fantom Comics** -- D - Tavern -- 2010 P STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-107244 - **Columbus Club** -- C - Tavern -- 50 MASSACHUSETTS AVENUE NE, UNIT
B
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109071 - **Momo Yakitori** -- C - Tavern -- 2214 RHODE ISLAND AVENUE NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109076 - **Taqueria Local** -- C - Tavern -- 1627 K STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109111 - **Karibbean Kitchen** -- C - Tavern -- 1400 MERIDIAN PLACE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109294 - **@ 1015** -- C - Tavern -- 1015 7th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109475 - **The Eleanor DC** -- C - Tavern -- 100 FLORIDA AVENUE NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109651 - **The Caged Bird** -- C - Tavern -- 1723 CONNECTICUT AVENUE NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-109778 - **Bricklane Restaurant** -- C - Tavern -- 517 8th STREET, SE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-111099 - **The Mirror** – C - Tavern – 1413 K STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-112530 - **Pop Social** – – C - Tavern – 470 L'ENFANT PLAZA SW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114133 - **Dos Mami's** – – C - Tavern – 819 UPSHUR STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114637 - **Ella Grace** – – C - Tavern – 1421 H STREET, NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114684 - **Bar Lorea** – C - Tavern – 2005 14th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-114773 - **Lyve at U** – – C - Tavern – 2001 11th STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-115069 - **Studio 52** – – C - Tavern – 1508 Okie STREET NE
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-116058 - **Sign of the Whale** – C - Tavern – 1825 M STREET NW
[Licensee Did Not Pay 2nd Year Payment.]

ABRA-094804 – **Takorean** – C – Tavern - 1212 4th STREET SE
[Safekeeping][Licensee Did Not Pay 2nd Year Payment.]

ABRA-090582 – **Gypsy Sally's** – C – Tavern - 3401 K STREET NW
[Safekeeping][Licensee Did Not Pay 2nd Year Payment.]

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Address: 608 Madison Street, NW	Square: 3208	Lot: 0086
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Dear Sir/Madam:

The Department of Consumer and Regulatory Affairs (DCRA), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2020 2nd Half & FY2021 1st HALF ONLY**, for the following reasons:

You provided sufficient evidence to support your extraordinary circumstances and hardship. Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.

(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."

Annually you are required by law to register vacant property or seek an exemption for the current tax year. DCRA will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as (Class1/Class2). You may email OTR at adjustments@dc.gov to request a corrected bill within 5 to 7 business days.

DCRA reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance standards, or if disqualifying information is obtained. If you have questions regarding this decision please contact Theresa Hollins), Program Support Specialist at (202) 805-8344.

Sincerely,

Donald Sullivan
Program Manager
Vacant Building Enforcement

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT**

**ANNOUNCES NOVEMBER 19, 2020 PUBLIC MEETING
FOR THE DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL CREDIT
ENHANCEMENT COMMITTEE**

The Office of the State Superintendent of Education (OSSE) hereby announces that it will hold a public meeting for the District of Columbia Public Charter School Credit Enhancement Committee as follows:

**12:30 p.m. – 2:00 p.m.
Thursday November 19, 2020
Phone Conference
Conference Line: (866)836-4385
Passcode: 5280417**

For additional information, please contact:

Darryl Brantley, Financial Program Specialist
Office of Public Charter School Financing and Support
Office of the State Superintendent of Education
1050 First St. NE, Fifth Floor
Washington, DC 20002
(202) 258-3541
Darryl.Brantley@dc.gov

The draft agenda for the above-referenced meeting will be:

- I. Call to Order
- II. Approval of agenda for the November 19, 2020, committee meeting
- III. Approval of minutes from October 22, 2020, committee meeting
- IV. Review Conflict of Interest – Transaction Disclosure Checklist
- V. Digital Pioneers Academy PCS – Request to Refinance & Interest Rate Reduction
- VI. DC Bilingual Public Charter School – New Request for a Direct Loan
- VII. Richard Wright Public Charter School – Request to allow additional debt

Any changes made to the agenda that are unable to be submitted to the DC Register in time for publication prior to the meeting will be posted on the [public meetings calendar](#) no later than two (2) business days prior to the meeting.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)**NOTICE OF FUNDING AVAILABILITY****Division of Postsecondary and Career Education****Fiscal Year 2021****Mentoring Students in the Academic Middle Grant****Request for Applications (RFA) Release Date: December 1, 2020**

As authorized by FY 2021 Budget Support Act of 2020, Sec. 4082, the Office of the State Superintendent of Education (OSSE) – Division of Postsecondary and Career Education, is soliciting grant applications for the District of Columbia Mentoring Students in the Academic Middle Grant 2021. The goal of the Mentoring Students in the Academic Middle Grant is to support programs that mentor high school students and first generation college students, from underserved communities, in the academic middle, who are enrolled in or who graduated from a District of Columbia public or public charter school, to provide the students with the skills and experiences needed to successfully complete college and excel in the workforce.

Eligibility and Selection Criteria: OSSE will make these grants available through a competitive process. Eligible applicants include non-profit organizations, local education agencies, and institutions of higher education who shall maintain a focus high school students and first generation college students, from underserved communities, in the academic middle and provide a research based approach to mentoring said students that is equitable, high-quality, measurable, aligned to college and career and financially sustainable between February 3, 2021 (or award date) and September 30, 2021 (FY21):

- *Research Based Approach to Mentoring Students:* OSSE will fund mentoring programs that serve students labeled as being part of the academic middle who are enrolled in, or graduated from, D.C. public and public charter schools. The mentoring services provided should be grounded in a research based approach.
- *Equitable:* OSSE will fund mentoring programs in which supports are tiered and differentiated such that said students receive supports that meet their specific needs.
- *High-quality:* OSSE will fund mentoring programs that rely on well-trained advisers to provide information and assistance to students using resources, curricula, tools and delivery models that have been demonstrated to be effective.
- *Measurable:* OSSE will fund mentoring programs that meaningfully contribute to and accelerate student progress toward measurable postsecondary outcomes.
- *Aligned to College and Career:* OSSE will fund mentoring programs that contain supports that enable said students to explore multiple pathways to achieving postsecondary success, including a range of college and career options.

- *Financially Sustainable:* OSSE will fund mentoring programs that demonstrate a plan for sustaining said mentoring programming with said students in the case that State funds are no longer available year after year.

Applications will be scored on the following selection of criteria: goals and objectives, program logistics and narrative, priority areas, budget details and narrative, and program evaluation.

OSSE will be holding an information session on Friday, December 4, 2020, 9:30 a.m. - 10:30 a.m. to answer questions about the RFA and grant competition. To RSVP, please email Christina.Beal@dc.gov no later than Wednesday, December 2, 2020. Please see full RFA for a detailed timeline of events.

Length of Award: The FY21 grant award period is from February 3, 2021 (or award date) to September 30, 2021.

Available Funding for Awards: The total funding available for the FY21 award period is \$200,000 to be divided amongst one to three subgrantees. Eligible applicants may apply for any amount up to the full amount but may be awarded amounts less than requested. Grant funds shall only be used to support activities authorized as relevant statutes and included in the applicant's submission.

Application Process: An external review panel or panels will be convened to review, score, and rank each application. The review panel(s) will be composed of neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. The application will be scored against a rubric and each application will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). The State Superintendent, or her designee, will make all final award decisions. Applications must be submitted by Tuesday, January 5, 2021 by 3pm. OSSE estimates it will award grants by February 3, 2021; however, this date may change.

For additional information regarding this competition, please contact:

Christina Beal, Director, College and Career Readiness

Email: Christina.Beal@dc.gov

Phone: (202) 247 - 6390

The RFA will be available on the District of Columbia Office of Partnerships and Grants Services website and the [Office of College and Career Readiness](#) website. Applications will be submitted through the [Enterprise Grants Management System \(EGMS\)](#).

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington DC, intends to issue Permit Nos. 7285 through 7287 to Howard University, to construct and operate a combined heat and power (CHP) system and supplemental boiler plant with 69.51 MMBtu/hr natural gas-fired combustion turbine generator (6.5 MWe) with a heat recovery steam generator with 26.5 MMBtu/hr natural gas-fired duct burners and as back-up, two 62.77 MMBtu/hour dual fuel-fired (natural gas as primary and ultra-low sulfur diesel (ULSD) as back-up fuel) boilers, located at Howard University (HU), 2240 6th Street NW, Washington DC. The contact person for the facility is Tashni-Ann Dubroy, Ph.D., Executive Vice President and Chief Operating Officer, Howard University, phone number: (202) 806-2258.

The following units are to be permitted:

Emission Unit	Unit ID	Chapter 2 Permit	Heat Input Capacity (MMBtu/hr)	Primary Fuel	Secondary Fuel
Combustion Turbine-Generator	CTG-1	7287	69.51	Natural Gas	--
Heat Recovery Steam Generator	HRSG-1		26.5	Natural Gas	--
Boiler	CU-24	7285	62.77	Natural Gas	ULSD
Boiler	CU-25	7286	62.77	Natural Gas	ULSD
Emergency Generator [†]	EG-48	7048-SC-0175-R1	2,206 BHP	ULSD	--

[†] This emergency generator set was permitted under a separate permitting action, but is considered part of the project for regulatory purposes and included in the emissions estimate below.

Emissions:

Based on the emission calculations provided by the facility, the units (including a separately permitted emergency generator set) have the potential to emit the following:

Pollutant	Maximum Annual Emissions (tons/yr)
Total Particulate Matter (PM Total)	10.69
Sulfur Dioxide (SO ₂)	2.92
Nitrogen Oxides (NO _x)	25.64
Volatile Organic Compounds (VOC)	5.35
Carbon Monoxide (CO)	29.70

The proposed emission limits are as follows for the CHP plant:

- a. The CHP plant shall not emit pollutants in excess of the following [20 DCMR 201]:

Pollutant	Emission Limits (lb/MMscf)
Oxides of Nitrogen (NOx)	7.67
Carbon Monoxide (CO)	9.34
Volatile Organic Compounds (VOC)	3.34
Total Particulate Matter [PM(total)]†	14.08

† PM Total includes both filterable and condensable fractions.

Note that the PM limit is a streamlined requirement. The requirements of 20 DCMR 201 are more stringent than the requirements of 20 DCMR 600.1. Compliance with this condition will ensure compliance with both requirements.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the CHP plant, 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. The Permittee shall not burn in the unit any fuel that contains total potential sulfur emissions in excess of 0.060 lb SO₂/MMBtu heat input. [40 CFR 60.4330(a)(2)]
- d. NOx emissions from the CHP plant shall not exceed 2 ppmvd corrected to 15% oxygen (O₂) as determined by testing performed pursuant to Condition IV(d). [40 CFR 60.4320, 20 DCMR 201, and 20 DCMR 805.4 (a)(1)(A)(i)] *Note that this is a streamlined emission rate limit, and is more stringent than the limits found in 40 CFR 60, Subpart KKKK and 20 DCMR 805.4 for NOx emissions cited above. Compliance with this condition will ensure compliance with all three requirements.*
- e. 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 proposed emission limits are as follows for the boilers:

- a. Each of the boilers CU-24 and CU-25 shall not emit pollutants in excess of the following [20 DCMR 201]:

Pollutant	Emissions Burning Natural Gas (lb/hr)	Emissions Burning ULSD (lb/hr)
Oxides of Nitrogen (NOx)	0.70	5.71
Carbon Monoxide (CO)	2.35	2.48

Pollutant	Emissions Burning Natural Gas (lb/hr)	Emissions Burning ULSD (lb/hr)
Oxides of Sulfur (SOx)	0.19	0.13
Total Particulate Matter [PM(total)] [†]	0.44	0.73

[†] PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the boilers, 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. In addition to the requirements of Condition II(b), the boilers shall not emit any gases into the atmosphere of gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. This standard applies at all times except during periods of startup, shutdown, or malfunction. [20 DCMR 205 and 40 CFR 60.43c(c) and (d)]
- d. Total suspended particulate matter (TSP) emissions from each of the boilers shall not be greater than 0.07 pounds per million BTU. [20 DCMR 600.1].
- e. NO_x and CO emissions shall not exceed those achieved with the performance of annual combustion adjustments on each boiler. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the boilers with the following characteristics [20 DCMR 805.8(a) and (b)]:
 - 1. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
 - 2. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO_x and, to the extent practicable, minimize emissions of CO;
 - 3. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
 - 4. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in Condition II of this permit.
- f. 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 applications to operate the units and the draft permits and supporting documents 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 permits.

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
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No comments or hearing requests submitted after December 14, 2020 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF GENERAL SERVICES**NOTICE OF CHANGE OF USE AT SHERWOOD RECREATION CENTER**

Pursuant to D.C. Official Code Section 1-309.10(b), this letter shall serve as shortened notice that the District of Columbia Department of General Services intends to change the use of Sherwood Recreation Center, located at 640 10th Street, N.E., in Ward 6 (the "Property"). Specifically, the interior of the property will be used as a Seasonal Hypothermia Shelter operated by the District's Department of Human Services. The subject space is currently being used on as-needed basis to support various programs for the Department of Parks and Recreation.

This letter is being sent to inform you of the shortening of the notice period provided for in an earlier letter sent on October 23, 2020. The notice period is being shortened for good cause on an emergency basis. The notice period is being reduced due to the urgency of providing individuals experiencing homelessness protection from cold weather injury.

Hypothermia Season goes from November 2020 through mid-April 2021 and this property will begin operations in that window on an as-needed basis. For consideration, DGS welcomes your comments to the above-proposed action by November 13, 2020 at 12:00pm. Please include a reference to the subject matter identified at the top of this notice in your response.

Please send any recommendations regarding the foregoing to the Department of General Services by email to Tiwana Hicks, Realty Officer, at ANC.comments@dc.gov or by U.S. mail at 2000 14th Street, N.W., 8th Floor, Washington, D.C. 20009, Attention: Tiwana Hicks. Should you have any questions regarding this notice, please contact Tiwana Hicks at (202) 698-7762 or at the email address above.

DEPARTMENT OF HEALTH (DC HEALTH)**NOTICE OF PUBLIC MEETING****Scientific Advisory Committee****Tuesday, November 17, 2020****6:00 p.m.****Draft Agenda**

On Tuesday, November 17, 2020, the Department of Health will be hosting the next meeting of the Scientific Advisory Committee via Web-Based Conferencing (WebEx). The meeting will commence at 6:00 p.m. Any questions should be directed to Heather Burris at (202) 380-6934. Ms. Burris can also be reached at Heather.Burris@dc.gov.

Introduction from Director

COVID-19 Vaccine Group Update

DC Health COVID-19 Vaccine Communication Plan

Survey and Focus Group Development Discussion

Member Discussion

Adjournment

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Transportation for Home Meal Delivery Services**

KIPP DC is soliciting proposals from qualified vendors to Provide Transportation for Home Meal Delivery Services. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 5:00 PM ET on November 24, 2020. Questions can be addressed to dionna.day@kippdc.org.

Meal Service Equipment

KIPP DC is soliciting proposals from qualified vendors for Meal Service Equipment. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 5:00 PM ET on November 24, 2020. Questions can be addressed to dionna.day@kippdc.org.

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

_____)	
In the Matter of:)	
)	
National Association of)	
Government Employees)	PERB Case No. 19-RC-02
)	
Petitioner)	
)	Opinion No. 1761
and)	
)	
District of Columbia)	
National Guard)	
)	
Respondent)	
_____)	

**DECISION ON UNIT DETERMINATION
AND DIRECTION OF ELECTION**

I. Statement of the Case

On August 21, 2019, the National Association of Government Employees (NAGE) filed a Petition for Recognition (Petition), seeking to represent the following proposed bargaining unit for the purpose of collective bargaining:

All employees of the Government of the District of Columbia D.C. National Guard, excluding managers, supervisors, confidential employees, or any employees engaged in personnel work in more than a purely clerical capacity, and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.

As required by Board Rule 503.1(e), the Petition was accompanied by a roster of NAGE officers and a copy of the NAGE constitution and bylaws. In addition, NAGE submitted evidence of the employees’ showing of interest in NAGE as their exclusive representative for collective bargaining.

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PERB Case No. 19-RC-02
Page 2

On November 21, 2019, as required by Board Rule 503.3, the District of Columbia Office of Labor Relations and Collective Bargaining, on behalf of the District of Columbia National Guard (D.C. National Guard), filed a list of employees in the proposed unit. Pursuant to Board Rule 503.4, the Executive Director determined that NAGE met its showing of interest based on its Petition. On December 4, 2019, the Executive Director issued the D.C. National Guard a notice that the Petition had been filed. The Board received no comments or requests for intervention in response to the notice.

On February 28, 2020, a hearing was held to determine which employees belonged in the bargaining unit.

II. Hearing Examiner's Report and Recommendation

A. Issues Presented to the Hearing Examiner

At the hearing, the D.C. National Guard argued that the Board must deny the Petition in its entirety.¹ According to the D.C. National Guard, the bargaining unit employees proposed by NAGE did not share a community of interest.² D.C. National Guard argued that the unit description was overly broad and made no distinction between federal employees and D.C. government employees employed by the D.C. National Guard.³ D.C. National Guard also argued that the proposed bargaining unit employees did not share the same working conditions or organizational structure.⁴

D.C. National Guard further argued that the proposed bargaining unit includes supervisory and confidential employees. D.C. National Guard listed several positions that it believes are classified as supervisors based on abilities, including ability to hire, fire, promote, assign, grant or deny leave, adjust or resolve grievances, supervise the work of two or more employees, and/or exercise independent judgment.⁵ D.C. National Guard then asserted that several other positions must be excluded as confidential employees based on access to confidential information, security clearances and access to federal computers.⁶

Finally, D.C. National Guard argued that granting the Petition would not promote labor relations and would harm agency efficiency.⁷ D.C. National Guard asserted that it is an uncommon, unique and complex military organization, different from other District government agencies that have represented bargaining units.⁸ Furthermore, D.C. National Guard stated that funding for the agency comes, in part, from federal funds and grants not controlled by the District government.⁹

¹ Report at 12.

² Report at 12.

³ Post Hearing Brief at 6.

⁴ Post Hearing Brief at 6.

⁵ Post Hearing Brief at 7.

⁶ Post Hearing Brief at 8.

⁷ Report at 12-13.

⁸ Report at 14.

⁹ Post Hearing Brief at 12.

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B. Recommendation

The Hearing Examiner found that D.C. National Guard's challenges were without a statutory basis and unsupported by the regulations or precedent.¹⁰ On the issue of community of interest, the Hearing Examiner rejected D.C. National Guard's arguments and found that there was a strong community of interest within the proposed bargaining unit.¹¹ The Hearing Examiner's Report stated that D.C. National Guard is divided into two functional organizations: the D.C. Operations Division and the Federal Operations Divisions.¹² Some D.C. National Guard employees are Federal employees and subject to Federal Civil Service laws, rules and regulations. However there are many D.C. National Guard employees who are D.C. employees subject to the Comprehensive Merit Personnel Act and other D.C. laws, rules and regulations.¹³ The Hearing Examiner found that NAGE sought to represent D.C. government employees in the D.C. Operations Divisions.¹⁴

The Hearing Examiner found that fifteen (15) employees should be excluded from the bargaining unit based on a statutory exemption.¹⁵ These employees include several, but not all, of the positions D.C. National Guard claims are supervisory and/or confidential. The Hearing Examiner rejected several of D.C. National Guard's arguments for excluding bargaining unit members, including security clearance requirements, access to federal computers with a computer access card, job title alone, and access to confidential data or other information not related to labor relations and in a purely clerical capacity.¹⁶

Finally, the Hearing Examiner found that, contrary to D.C. Official Code § 1-617.01(a) and (b), the D.C. National Guard erroneously argued that its working conditions are distinct from other District agencies and certifying a bargaining unit does not support effective labor relations.¹⁷ Regarding funding, the record established that a review of the District Fiscal Year 2020 Public Safety and Justice Budget shows that numerous District agencies are funded with federal grants including the Department of Forensic Sciences and the Metropolitan Police Department.¹⁸ The Hearing Examiner also found that funding of a position through federal funds is not a statutory or regulatory or precedential basis for exclusion from the proposed bargaining unit.¹⁹

The Hearing Examiner recommended that the Board certify the bargaining unit but exclude those employees who are statutorily exempted from inclusion in the bargaining unit.²⁰ Finally, the

¹⁰ Report at 18.

¹¹ Report at 21.

¹² Report at 3.

¹³ Report at 3.

¹⁴ Report at 3.

¹⁵ Report at 22.

¹⁶ Report at 18-19.

¹⁷ Report at 19.

¹⁸ Report at 6-7.

¹⁹ Report at 19.

²⁰ Report at 22.

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Hearing Examiner also recommended that the Board order a representation election in accordance with its Rules.²¹

III. Discussion

D.C. Official Code § 1-617.09(a) states that the determination of an appropriate unit will be made on a case-to-case basis and will be made on the basis of a properly supported request from a labor organization.

The essential ingredient in every unit is that a community of interest exists among employees for a unit to be found appropriate by the Board for collective bargaining over terms and conditions of employment. An appropriate unit must also promote effective labor relations and efficient agency operations.²² The Petition states that the employees are “subject to the same organizational structure, working conditions, pay schedule, and supervision.”²³ The Petition further states that a single unit would promote effective labor relations “as the unit will communicate with one Agency and chain[-]of[-]command in negotiating working conditions and resolving labor disputes.”²⁴ The Hearing Examiner found that all employees in the proposed bargaining unit are in the same chain-of-command reporting to the D.C. National Guard Director of Operations.²⁵ The Director testified that he is a D.C. government employee and supervises all D.C. National Guard employees under him.²⁶ Furthermore, the record established that all employees that NAGE seeks to represent are served by one human resources team, supervised by a D.C. National Guard Human Resources Manager, also a D.C. government employee.²⁷ Finally, the D.C. National Guard’s organization chart for fiscal year 2020 shows that all employees work in a component of the D.C. government entitled “District of Columbia National Guard DC Government Employees (Local).”

After reviewing the record and the Hearing Examiner’s Report and Recommendation, and the lack of exceptions from the parties, the Board accepts the Hearing Examiner’s recommendation and finds that the proposed bargaining unit constitutes an appropriate unit for collective bargaining.

IV. Conclusion

The Board orders an election to determine the will of eligible employees in the unit described above to be represented by the Petitioner or no representative. The Board finds that based on the changes to the District’s operating status as a result of COVID-19, a mail ballot election is most appropriate in this case.

²¹ Report at 23.

²² See D.C. Official Code § 1-617.09(a).

²³ Petition at 3.

²⁴ Petition at 3.

²⁵ Report at 21.

²⁶ Report at 21.

²⁷ Report at 21.

Decision and Order
PERB Case No. 19-RC-02
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ORDER

IT IS HEREBY ORDERED THAT:

1. The following unit is an appropriate unit for collective bargaining over terms and conditions of employment:

All employees of the D.C. National Guard, excluding managers, supervisors, confidential employees, or any employees engaged in personnel work in more than a purely clerical capacity, and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.

2. A mail ballot election shall be held in accordance with the provisions of D.C. Official Code § 1-617.10 and PERB Rules 510, 511, 514, 515 in order to determine whether a majority of eligible employees in the above-described unit desire to be represented for bargaining on terms and conditions of employment by the National Association of Government Employees or no union.

3. Pursuant to Board Rule 559, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By unanimous vote of the Board Chairperson Douglas Warshof, Members Ann Hoffman, Barbara Somson, Mary Anne Gibbons, and Peter Winkler.

October 29, 2020

Washington, D.C.

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 19-RC-02, Opinion No. 1761 was served to the following parties via File & ServeXpress on this the 30th day of October 2020:

Lateefah S. Williams
National Association of Government Employees
1020 N. Fairfax Street
Suite 200
Alexandria, VA 22314

William T. Jolley
D.C. Office of Labor Relations and
Collective Bargaining
441 4th Street NW
Suite 820 North
Washington, D.C. 20001

/s/ Merlin M. George
Merlin M. George
Attorney Advisor

ROCKETSHIP DC PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO ENTER SOLE-SOURCE CONTRACT**

Rocketship DC Public Charter School (“Rocketship DC”) intends to enter into a sole source contract with Steps to Literacy to purchase books for our classroom libraries and read aloud units for the 2020-2021 school year.

The decision to conduct a sole source agreement is due Rocketship’s humanities curriculum needs. We base this decision on service, compatibility, and price. Steps to Literacy labels the books purchased, packs our classroom libraries and unit books by classroom; a service we have found in no other vendor.

This contract does not have a specific overall price for the SY20-21 but each book ranges from \$7-\$9, so it is possible that our campuses will order over \$25,000 of classroom library and unit books. The sole source contract will be awarded on January 8, 2021 by 5:00pm. If you have any questions, please contact Larisa Yarmolovich (National Director of Operations) before Friday, December 18, 2020 by 5:00pm using the information below:

Larisa Yarmolovich
lyarmolovich@rsed.org

ROCKETSHIP DC PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO ENTER SOLE-SOURCE CONTRACT**

Rocketship DC Public Charter School (“Rocketship DC”) intends to enter into a sole source contract with Heinemann to purchase Fountas and Pinnell Guided Reading libraries for the 2020-2021 school year.

The decision to conduct a sole source agreement is due Rocketship’s humanities curriculum needs. We base this decision on compatibility, price and that this curriculum can not be found elsewhere.

This contract does not have a specific overall price for the SY20-21 but each set sells for \$6,500 each, so it is possible that our campuses will order over \$25,000 of Guided Reading libraries. The sole source contract will be awarded on January 8, 2021 by 5:00pm. If you have any questions, please contact Larisa Yarmolovich (National Director of Operations) before Friday, December 18, 2020 by 5:00pm using the information below:

Larisa Yarmolovich
lyarmolovich@rsed.org

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS 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 December 15, 2020.

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 November 13, 2020. 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
Recommendations for Appointments as DC Notaries Public

Effective: December 15, 2020

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Abadian	James B.	Abadian, PLLC 1351 Montague Street, NW	20011
Abd Al- Malik	Saliha Amira	Southeast Children's Fund, Inc. 4224 6th Street, SE	20032
Addison	Nichole La'Tisha	Self 3220 28th Street, SE, #1	20020
Allen	Casey	Self (Dual) 1668 Kramer Street, NE	20002
Allen	Gloria	Shapiro, Lifschitz and Schram 1742 N Street, NW	20036
Alston	Angel Sherri	Self 4720 7th Street, NE	20017
Alvarez	Elmer Antonio	National Governors Association 444 North Capitol Street, NW, Suite 267	20001
Andrea	Francesca	Costello, P.C. 1328 R Street, NW	20009
Ansell	John	MBH Settlement Group 1300 I Street, NW, #400E	20005
Ariail	John Blackman	Ecs Capitol Services, PLLC 1310 L Street, NW, Suite 425	20005
Azuekwu	Bry'an	Self 950 Maine Avenue, SW, #712	20024
Ball	Taija Monique	Hud Federal Credit Union 451 7th Street, SW, #3241	20410
Bazemore	Shakita Elizabeth	Self 3202 Buena Vista Terrace, SE	20020
Berryman	Jimeelah Denise	Arent Fox, LLP 1717 K Street, NW	20006

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries Public

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Bethencourt	Aaron Thomas	CloudHQ 1212 New York Avenue, NW, Suite 1000	20005
Biggio	Rachel Pearl	Brown & Peisch PLLC 1233 20th Street, NW, Suite 505	20036
Blue	Terrance	Children's National Hospital 111 Michigan Avenue, NW	20010
Bonsu	Sherine	Self 3874 9th Street, SE, #302	20032
Brandon	Eva Mozena	Creative Associates International, Inc. 5301 Wisconsin Avenue, NW, Suite 700	20015
Brennon	Regina Renee	Self 2114 Maryland Avenue, NE, #201	20002
Brown	Brookklin	Self (Dual) 200 Rhode Island Avenue, NE, #108	20002
Brown	Hope	Hope Brown (Sole Proprietor) 1127 44th Place, SE	20019
Brown	Kimberly	O'Melveny & Myers LLP 1625 Eye Street, NW	20006
Brown	Naomi D.	Self 700 7th Street, SW, #509	20024
Buckman	Steven M.	BuckmanLegal, PLLC 4530 Wisconsin Avenue, NW, Suite 300	20016
Burks	Angela Denices	Burks Mobile Notary Services 2401 17th Street, NE	20018
Burley	Tahirah	The New York Times 1627 I Street, NW, Suite 700	20006
Burrell	Brandi	Paulson & Nace, PLLC 1025 Thomas Jefferson Street, NW, #810	20007

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Recommendations for Appointments as DC Notaries Public

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Campbell	Margaret M.	Schiff Hardin 901 K Street, NW, #700	20001
Carpenter	Kelsey Marie	Shearman & Sterling, LLP 401 9th Street, NW	20004
Cassella	Karyn Ann	Self 1215 Girard Street, NW	20010
Chae	Andrew	JPMorgan Chase and Co. 1401 New York Avenue, NW, Floor 1	20005
Chalker	David	TD Bank, N.A. 901 7th Street, NW	20001
Chaney	Warren K.	Self 4638 H Street, SE, #112	20019
Charles	Karlene	AECOM 2000 K Street, NW, Suite 800	20006
Chase	Latisha S.	Carnegie Institution of Washington 1530 P Street, NW	20005
Cheatham	Myesha	Takoma Wellness Center 6925 Blair Road, NW	20012
Cissokho	Amidou	Self 3215 W Street, SE	20020
Clark	Lisa	Department of Justice 950 Pennsylvania Avenue, NW	20530
Clark- Napolitano	Sharon M.	Self (Dual) 517 3rd Street, NE	20002
Clement	Dolly Anggela	Bank of America 3131 Mount Pleasant Street, NW	20010
Cook	Evelyn Lynn	M&T Bank 6434 Georgia Avenue, NW	20012

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Cooley	Gladys Cecilia	Self 301 G Street, SW, #728	20024
Cooley	Shannon Michelle	Self 562 23rd Place, NE	20002
Cooley	Shirley Evans	Self 562 23rd Place, NE	20032
Coppola	Jordana	OTJ Architects 555 11 Street, NW, Suite 200	20004
Correia	Katherine Sabina	Skadden, Arps, Slate, Meagher & Flom, LLP and Affiliates 1440 New York Avenue, NW	20005
Crawford	Atasha	Self 7723 Alaska Avenue, NW, #B02	20012
Cummings	Carrolyn	Eagle Bank 2001 K Street, NW	20006
Cunningham	Tanya Anne	Century 21 New Millennium 1000 Pennsylvania Avenue, SE	20003
Curtis	Ronald G.	Self 5050 Sargent Road Road, NE	20017
Custer	James	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20006
Daniels	Lynette Denise	Self (Dual) 1477 Newton Street, NW, 201	20010
Daruwala	Dinaz	PNC Bank 4835 Massachusetts Avenue, NW	20016
Deane	Carter	Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004

D.C. Office of the Secretary
Recommendations for Appointments as DC Notaries Public

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DePerio	Rudy	888 Realty Investors, LLC 888 17th Street, NW, Suite 210	20006
Donely	Valerie	Armstrong, Fleming & Moore, Inc. 1800 M Street, NW, Suite 1010-S	20036
Du Toit	Jake Izak	Vision Security Solutions, LLC 1818 New York Avenue, NE, #212	20002
Ekekwe- Kauffman	Olekanma	Self (Dual) 2426 L'Enfant Square, SE, #100	20020
Elam, Jr.	Glenwood Lee	The UPS Store 6047 455 Massachusetts Avenue, NW, Suite 505	20001
Elliott	Aungrae Camillus	The UPS Store 4401 Connecticut Avenue, NW, #0535	20008
Eribo	Hilda	Capital Guidance 1000 Maine Avenue, SW, #301	20024
Euliano	Marilyn	Brawner Company 888 17th Street, NW, Suite 205	20006
Fager	Laura J.	MBH Settlement Group 1300 I Street, NW, 400 E	20005
Feda	Paula Andrea	Velox Title & Escrow Inc. 1050 30th Street, NW	20007
Flores	Angelica	Self 475 K Street, NW, #528	20001
Fogle	Erica L.	Self 1712 Bay Street, SE	20003
Forgione	Jon Anthony	U.S. House of Representatives 15 Independence Avenue, SE, #B-227 LHOB	20515

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Frantz	Leighanna Nichole	New Columbia Solar 401 New York Avenue, NE, 2nd Floor	20002
Fraser	Tamika	The Ups Store 1100 New Jersey Avenue, SE, 2000	20003
Gabriel	Esther R.	United States Telecommunications Training Institute, (USTT) 1150 Connecticut Avenue, NW, #702	20036
Gagnon	Judy Ann	Alderson & Trustpoint Reporting 1111 14th Street, NW, Suite 1050	20005
Gallego	Stephany	MCN Build 1214 28th Street, NW	20007
Gatling	Kimberly Nicole	Self 222 W Street, NW, #101	20001
George	Avalon	Capital Bank, NA 3622 12th Street, NE	20018
Gilbert	Talia	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Gnahoui	Candace	Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Gonzalez	Rosario Diaz	US House of Representatives 15 Independence Avenue, SE, #B-227 LHOB	20515
Graham	Tiffany	House of Ruth 5 Thomas Circle, NW, 4th floor	20005
Greene	Shawndra	Schiff Hardin, LLP 901 K Street, NW, Suite 700	20001
Grenier	Peter Christopher	Grenier Law Group 1920 L Street, NW, Suite 750	20036

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Grill	Judy	Hunt Reporting 6218 Georgia Avenue, NW, 1099	20011
Haderlie	Erin Elizabeth	Grosvenor Americas 1701 Pennsylvania Avenue, NW, Suite 450	20006
Haley	Jennifer Lee	Masters Title 1054 Potomac Street, NW	20007
Hall	Gabrielle Brigitte	US Holocaust Memorial Museum 100 Raoul Wallenberg Place, SW	20024
Hamilton	Arnita L.	Self 380 Taylor Street, NE, #T24	20017
Harris	Karen	DC Housing Finance Agency 815 Florida Avenue, NW	20001
Hassett	John Emmet	Cambium Assessment Inc. 1000 Thomas Jefferson Street, NW	20007
Hazell	Stephanie Algreta	Wells Fargo Bank 609 H Street, NE, #100-A	20002
Hedgespeth	Kim	Kim Hedgespeth dba Tri City Business Services 1020 Anderson Place, SE	20032
Hicks	Lee CB	Whitman-Walker Health 1377 R Street, NW, #200	20009
Holder	Brandy N.	Self 700 Oglethorpe Street, NE	20011
Horne	Diedra Nicole	Self 3126 E Street, SE, #1	20019
Hubert	Susan A.	Shapiro, Lifschitz & Schram, P.C. 1742 N Street, NW	20036
Hughes	Aneshia	McKenzie Construction 16 Florida Avenue, NE	20002

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Hughes	Kathleen	Cambium Assessment, Incorporated 1000 Thomas Jefferson Street, NW	20007
Hunter	Shayla Tanika	Reed Smith 1301 K Street, NW, Suite 1000	20005
Jameson	Tamiaka W.	Self 3364 Erie Street, SE	20020
Jeep	Edward	Self (Dual) 608 North Carolina Avenue, SE	20003
Johnson	Janet Eliza	Velox Title & Escrow Inc. 1050 30th Street, NW	20007
Johnson	Monique Taria	Self 2534 14th Street, NE, #2	20018
Johnson, III	Theodore Henry	Self 733 Gresham Place, NW, Unit B	20001
Jones	Christina	Greaves & Jones Financial Group, LLC 1717 N Street, NW, #1	20036
Jones	DeQuan LeVar	Self 3009 Erie Street, SE, #263	20020
Jones	Tekiah Nia	LPJ Legal, PLLC 700 Pennsylvania Avenue, SE, #2008	20003
Jordan	Chantay L.	Self 100 Florida Avenue, NE, #503	20002
Joseph	Irma	Rails-to-Trails Conservancy 2121 Ward Court, NW, 5th Floor	20037
Joyner	Caleta Renee	Self 415 51st Street, SE	20019
Juge	Stephen Douglas	Stephen Douglas Juge 1629 K Street, NW, #300	20006

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Julia	Carolyn	ICI Mutual Insurance Company 1401 H Street, NW, #1000	20005
Kamm	Donna B.	MBH Settlement Group, LLC 1300 I Street, NW, Suite 400 E	20005
Kelley	Kevin Samuel	U.S. House of Representatives 15 Independence Avenue, SE, #B-227 LHOB	20515
Kim	Jungeun Joan	Grubb's Pharmacy 326 East Capitol Street, NE	20003
Kosches	Ryan	Skadden, Arps, Slate, Meagher, & Flom LLP 1440 New York Avenue, NW	20005
Kunaseharan	Nanthini	Self (Dual) 3636 16th Street, NW, #A-665	20010
Le'Anetta	Obasanjo Lawanna	Self 1822 Newton Street, NE	20018
Legare	Richard C.	Capitol Title Group 210 7th Street, SE	20003
Lewis	Jaensen Scott	White House Military Office 725 17th Street, NW	20006
Lewis	Patrice A.	TCMA 1300 Pennsylvania Avenue, NW	20004
Love	Horescia Donnell	Love & Jacobs, LLC 738 Longfellow Street, NW, Suite 208	20011
Luque	Danielle S.	Cozen O'Connor 1200 19th Street, NW	20001
Maggi	Cynthia Frias	District Cuba 1746 Columbia Road, NW, Suite 1	20009
Mahony	Timothy Martin	Self 2122 Massachusetts Avenue, NW, #622	20008

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Maka	Hannah	SB Works 2316 Rhode Island Avenue, NE	20018
Mallard	Carolynn Denise	Self 6149 First Place, NE	20011
Mansoor	Amir	Global Documentation Services LLC 1712 I Street, NW, Suite 300	20006
Marshall	Paris Nicole	500, Incorporated 1215 Brentwood Road, NE	20018
Martell	Jhazzai P.	Baker Hostetler, LLP 1050 Connecticut Avenue, NW, Suite 1100	20036
May	Ian	Self (Dual) 20 Snows Court, NW	20037
McCain	Donna Alase	Dept Of Behavioral Health/Comprehensive Psychiatric Emergency Program 1905 E Street, SE, Bldg. 14	20003
McDonald	Evangeline	ELM 5414 1st Place, NW, #301	20011
McDuffie	Jasmyne	Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
McKenzie	Joan Elaine	Self 3639 Highwood Drive, SE	20020
McNair	Cynthia Denise	Self 6321 North Capitol Street, NE	20011
Minor	Ashia LaShae	Self 1346 4th Street, SE, #226	20003
Moore	Saliha Z.	Self 6601 8th Street, NW	20012

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Moore-Clayton	Leslie	Fairfax Realty 4400 MacArthur Boulevard, NW, Suite 303	20009
Moreno	Diana	The District by Hilton Club 1250 22nd Street, NW, A1	20037
Morse	Lacey B.	National Guard Association of the United States 1 Massachusetts Avenue, NW	20001
Morton	Darick	B.O.P. Real Estate Solutions, LLC 1380 Monroe Street, NW, Suite 538	20010
Mullins	Margaret C.	National Law Enforcement Officers Memorial Fund 444 E Street, NW	20001
Murray	Johnathan Michael	Douglas Development Corporation 655 New York Avenue, NW, #830	20001
Napolitano, Sr.	Carmine S.	Self (Dual) 517 3rd Street, NE	20002
Ndjatou	Edgar	Self (Dual) 2910 Georgia Avenue, NW, #304	20001
Neal	Christine Marie	Self (Dual) 625 Monroe Street, NE, #456	20017
Neal	Natasha D.	Cube Root Corporation 1100 H Street, NW, Suite 805	20005
Norde	Eugenia S	Self (Dual) 466 Eastern Avenue, NE	20019
Nunez	Javier Ernesto	Blackwood of DC 5335 Wisconsin Avenue, NW, Suite 825	20015
Pabico	Michelle	Grosvenor Americas 1701 Pennsylvania Avenue, NW, #450	20006

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Paravano	Jeffrey Henry	Baker & Hostetler LLP 1050 Connecticut Avenue, NW, Suite 1100	20036
Parson	Shelia Denise	Baker Donelson Bearman Caldwell & Berkowitz, PC 901 K Street, NW, #900	20001
Patterson	Kimlyn	Self 620 Raleigh Place, SE	20032
Persky	Dori	The Gori Law Firm 1875 Connecticut Avenue, NW, #10th Floor	20009
Pettis	Tonya Denise	Department of Behavior Health 1905 E Street, SE	20037
Phillips	Tiffanye	Self 2552 16th Street, SE	20020
Pittman	Pamela	Alderson Court Reporting 1111 14th Street, NW, Suite 1050	20005
Plack	Debora K.	Williams & Connolly, LLP 725 12th Street, NW	20005
Powell	Tasha Janae	Self 1131 Trenton Place, SE	20032
Proctor	Brigetta L.	560 23rd Place LLC 1835 7th Street, NW, #280	20001
Qasimi	Roksana G.	Society for American Archaeology 1111 14th Street, NW	20005
Ramirez	Heiner E.	The UPS Store 996 Maine Avenue, SW	20024
Ramirez-Ortiz	Kathleen	Wells Fargo Bank 444 North Capitol Street, NW	20001

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Ray-Bostic	Sandrina L.	Self 5718 Foote Street, NE	20019
Reyes	Marylin	Studios Architecture 1625 M Street, NW	20036
Richardson	Jordan Rose	Indivisible 1730 Rhode Island Avenue, NW, Suite 912	20036
Richardson	William Andrews	Stream Realty Partners 740 15th Street, NW, 200	20005
Riley	Stephanie A.	Self (Dual) 2712 Wisconsin Avenue, NW, #309	20007
Robinson	Andrea L.	Community College Preparatory Academy 2405 Martin Luther King Jr. Avenue, SE	20020
Robinson	Randi Elaine	Self 323 54th Street, NE, #2	20019
Rodarte	Kimberly E.	Fidelity National Title Insurance Company 1620 L Street, NW, 4th Floor	20036
Roseboro	Darryl B.	Self 724 50th Street, NE	20019
Roseboro	Robert C.	Self 4327 Barker Street, SE	20019
Royster Jr.	Curtis	Self (Dual) 607 Rittenhouse Street, NW	20011
Rucker	Larry Kelsey	The UPS Store 4401 Connecticut Avenue, NW	20008
Ruppolt	Charmaine	Barnes & Thornburg, LLP 1717 Pennsylvania Avenue, NW	20006
Sanderlin	Valerie Aneise	Signet Locksmith & Company 3822 V Street, SE	20020

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Scales	Rodney Lamount	Safe Haven Outreach Ministry, Inc 1140 North Capital Street, NW, #924	20002
Sewell	Zzebria Aquia	Amtrak National Railroad Passenger Corporation 1 Massachusetts Avenue, NW, Suite 540L	20001
Seymour	Martill Dorcell	Dechert LLP 1900 K Street, NW	20006
Shama	Patricia Duggan	Hunt Companies, Inc. 888 17th Street, NW, #1250	20006
Shannon	Simone R.	Self 517 Taylor Street, NW	20011
Shorter	Demarius Ebony	DMV Residential Realty 339 15th Street, NE	20019
Shraim	Hannah	The Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Sidbury	Johnny V.	S&B Notary Service, LLC 1479 Bangor Street, SE, #4	20020
Siguenza	Veronica	Fort Myer Construction Corporation 2237 33rd Street, NE	20018
Smith	Amber	Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Sorto	Hada I.	Wells Fargo Bank 5100 Wisconsin Avenue, NW	20016
Sottile-Jackson	Michael James	Family Health International (Fhi360) 1825 Connecticut Avenue, NW	20009
Stepanuk	Kim Elizabeth	MBH Settlement Group 1300 I Street, NW, Suite 400 E	20005

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Stephens	Subrenia G.	U S Court Appeals for the Federal Circuit 717 Madison Place, NW, #410	20439
Stern	Bruce L.	Cardinal Title Group, LLC 1140 3rd Street, NE, Suite C	20002
Stevens	Tiffany A.	Professional Healthcare Resources 501 C Street, SW, Suite 200	20024
Stone	Benjamin A.	PNC Bank 1050 Connecticut Avenue, NW	20036
Street	Jodi	Self 1911 11th Street, NW	20001
Sturdivant	Veronica	Competitive Enterprise Institute 1310 L Street, NW, Suite 700	20005
Taylor	Deon	The UPS Store 996 Maine Avenue, SW	20024
Thompson	Denita L.	Wells Fargo Bank 2119 Bladensburg Road, NE	20018
Thompson	Evelyn F.	Kilpatrick Townsend Stockton, LLP 607 14th Street, NW, #900	20005
Tillman	Barbette	Self 325 P Street, SW, #104	20024
Tumurbaatar	Bayarsaikhan	I.S Enterprises, Inc 1324 H Street, NE	20002
Turner	Robbyn	Self (Dual) 1517 F Street, NE, #F33	20002
Tyler	Deborah O'Neal	Silver, Freedman, Taff & Tiernan, LLP 3299 K Street, NW, #100	20007
Unruh	David J.	Bennett Doyle, LLP 2168 Wisconsin Avenue, NW	20007

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Vaughn Lee	Fayette	Self 5085 Sheriff Road, NE	20019
Vazquez	Danielle Leandra	NERA Economic Consulting 1255 23rd Street, NW, #600	20037
Vincent	Cosette	Cohen & Gresser LLP 2001 Pennsylvania Avenue, NW, #300	20006
Vlissides	Nicholas D.	New World Title & Escrow 1701 Pennsylvania Avenue, NW, Suite 200	20006
Wallace	Q. E.	Self 614 Evarts Street, NE	20017
Walters	Sherry	Sherry's Mobile Notary 447 Orange Street, SE, 1	20032
Waternberg	Bernard Joseph	Skadden, Arps, Slate, Meagher & Flom, LLP 1440 New York Avenue, NW	20005
Wheeler	Connor John	Cap8 Doors and Hardware 5786 2nd Street, NE	20011
White	Ana Bernardine	O'Melveny & Myers, LLP 1625 Eye Street, NW	20006
Whitney, Jr.	Mckendree James	American University 4400 Massachusetts Avenue, NW	20016
Williams	John Allen	Universal Title 500 13th Street, SE	20003
Williams	Nigel N	PNC Bank 4835 Massachusetts Avenue, NW	20016
Willis- McPherson	Keva	Self 1344 E Street, NE	20002

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Wilmore	Avery	The Public Defenders Service for the District of Columbia 633 Indiana Avenue, NW	20004
Wilson	Alexis	Studios Architecture 1625 M Street, NW	20036
Woodward	Pat Munroe	Self 1811 Ontario Place, NW, #2	20009
Wyatt	Berella Bernadine	Self (Dual) 200 Webster Street, NW	20011
Yohann	Martha P.	City Construction, LLC 1312 Decatur Street, NW	20011
Young	Amberli Taylor	Self (Dual) 1400 Irving Street, NW, #446	20010
Young	Michael T.	Green America 1612 K Street, NW, Suite 600	20020

**TWO RIVERS PUBLIC CHARTER SCHOOL
INTENT TO AWARD A SOLE SOURCE CONTRACT**

Trane BACnet EMS

Two Rivers Public Charter School intends to enter into a sole-source contract with W.L. Gary and Trane to upgrade the previous generation Tracer Summit controls system to the latest technology Trane web-based BACnet open protocol system for two of its HVAC systems. The cost of this contract will be approximately **\$57,363**. The decision to sole source was made because Trane's BACnet EMS is proprietary and designed to manage the facilities' HVAC units. Please contact Gail Williams with any questions at procurement@tworiverspcs.org.

TWO RIVERS PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Bipolar Ionization**

Two Rivers PCS is soliciting price quotes from a licensed vendor to install bipolar ionization in three buildings totaling 104K Sq. Ft. To request a copy of the RFP, email Gail Williams at procurement@tworiverspcs.org. Proposals are due by December 11, 2020.

TWO RIVERS PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****RTU Replacement**

Two Rivers PCS is soliciting price quotes from certified Trane vendors to install two RTU replacements. To request a copy of the RFP, email Gail Williams at procurement@tworiverspcs.org. Proposals are due by December 11, 2020.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Executive Committee Meeting

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Executive Committee will be holding a meeting on Thursday, November 19, 2020 at 1:00 p.m. The meeting will be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. (use 125 O Street, S.E. for directions), Washington, D.C. 20003. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dcwater.com. Due to COVID-19, the General Manager has suspended public access to DC Water facilities. Please see the website for remote access information for the meetings.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dcwater.com.

DRAFT AGENDA

- | | |
|--|-----------------------|
| 1. Call to Order | Committee Chairperson |
| 2. Selection of Officers | Committee Chairperson |
| 3. Committee Chairmanship and Member Recommendations | Committee Chairperson |
| 4. Executive Session | Committee Chairperson |
| 5. Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 20285 of Bryce Jacobs, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to construct a second-story rear deck addition to an existing principal attached dwelling unit in the RF-1 District at premises 1833 Ontario Place, N.W. (Square 2584, Lot 828).

HEARING DATE: October 14, 2020
DECISION DATE: October 14, 2020¹

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 11 (Zoning Self-Certification) and Exhibit 35 (Updated Zoning Self-Certification)².)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1C.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 2, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 32.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibits 15 (Original OP Report) and 38 (Supplemental OP Report).)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 16.)

¹ This case was removed from the Expedited Review Calendar of October 7, 2020 and scheduled for virtual public hearing on October 14, 2020.

² The revised Form 135 updates the table of calculations for the application.

Persons in Opposition.

One letter was submitted in opposition to the application. (Exhibit 42.) At the hearing, one person, Jefferson Robertson, testified in opposition to the application.

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to construct a second-story rear deck addition to an existing principal attached dwelling unit in the RF-1 zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS³ AT EXHIBIT 36 - REVISED ARCHITECTURAL PLANS & ELEVATIONS.**

VOTE: 4-0-1 (Frederick L. Hill, Lorna L. John, Chrishaun S. Smith, and Robert E. Miller to APPROVE; one Board seat vacant).

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: October 30, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

³ In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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 SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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 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. 20293 of Andre Jean, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the requirements of Subtitle U § 320.2, to construct a third story addition and a three-story rear addition to convert an existing attached principal dwelling unit into a three-unit apartment house in the RF-1 zone at premises 2116 4th Street, N.E. (Square 3562, Lot 53)

HEARING DATE: Date: October 21, 2020

DECISION DATE: Date: October 21, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 4.)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.¹

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 5E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on June 16, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 14.)

OP Report. The Office of Planning submitted a report, dated October 9, 2020, recommending approval of the application. (Exhibit 33.)

DDOT Report. The District Department of Transportation submitted a report, dated May 29, 2020, indicating that it had no objection to the application. (Exhibit 13.)

Persons in Support. The Board received one letter of support for the application. (Exhibit 11.)

Persons in Opposition. The Board received two letters in opposition to the application. (Exhibits 35 and 37.)

¹ The Board waived the requirements of Subtitle Y § 402.1(a) because notice was provided in the *DC Register* less than 40 days. All other forms of notice were provided, and no prejudice resulted to any party.

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under the requirements of Subtitle U § 320.2, to construct a third story addition and a three-story rear addition to convert an existing attached principal dwelling unit into a three-unit apartment house in the RF-1 zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED REVISED PLANS² AT EXHIBIT 31A – UPDATED ARCHITECTURAL PLANS AND ELEVATIONS.**

VOTE: **4-0-1** (Frederick L. Hill, Lorna L. John, Chrishaun S. Smith, and Anthony J. Hood to APPROVE: one Board seat vacant).

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: October 30, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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

²Self-certification: In granting the self-certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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 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. 20298 of 3215 Mount Pleasant Partners LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle C § 703.2, from the minimum parking requirement of Subtitle C § 701.5, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(b), to redevelop the existing historic building with a new mixed-use project providing 15 apartment units and retail space in the MU-4 Zone at premises 3215 Mount Pleasant Street, N.W. (Square 2608, Lot 825).

HEARING DATE: October 28, 2020

DECISION DATE: October 28, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 4.)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.¹

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1D.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 22, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 31.) In addition, ANC 1D Commissioner Jon Stewart testified in support of the application on behalf of ANC 1D.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 30.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 13.) DDOT recommended that the Board adopt three conditions related to transportation demand management and bicycle parking. The Board adopted these conditions as part of this order.

¹ The Board waived the requirements of Subtitle Y § 402.1(a) because notice was provided in the *DC Register* less than 40 days. However, all other forms of notice were provided, and no prejudice resulted to any party.

Testimony in Support. Alex Baca testified in support of the application.

Persons in Opposition. Historic Mount Pleasant submitted a letter in opposition to the requested parking relief, however, the organization had no objection to the requested penthouse setback relief. (Exhibit 32.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle C § 703.2, from the minimum parking requirement of Subtitle C § 701.5, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(b), to redevelop the existing historic building with a new mixed-use project providing 15 apartment units and retail space in the MU-4 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED** and, pursuant to Subtitle Y § 604.10, subject to the **APPROVED REVISED PLANS²** at **EXHIBITS 27C1, 27C2, and 27C3 – UPDATED PLANS – PARTS 1, 2, AND 3;** and **SUBJECT** to the **CONDITION** that the Applicant shall implement the following Transportation Demand Management (“TDM”) plan for the life of the project:

1. The Applicant shall provide welcome packets to new residents that, at a minimum, include the Metrorail pocket guide, brochures of local bus lines (Circulator and Metrobus), carpool and vanpool information, Capital Bikeshare coupon or rack card, Guaranteed Ride Home brochure, and the most recent DC Bike Map.
2. Long-term bicycle storage rooms shall accommodate non-traditional sized bikes including cargo, tandem, and kids’ bikes; and

² Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

3. The Applicant shall provide a bicycle repair station in the long-term bicycle parking storage room.

VOTE: 4-0-1 (Frederick L. Hill, Lorna L. John, Chrishaun S. Smith, and Michael G. Turnbull to APPROVE; one Board seat vacant.)

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: November 4, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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 SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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.

PURSUANT TO 11 DCMR SUBTITLE A § 303, 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,

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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.

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