

215-PM

Councilmember Brandon T. Todd

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A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Litter Control Administrative Act of 1985 to require a warning be issued in any instance related to residential collection of solid waste prior to issuing a citation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Warnings Before Citations Amendment Act of 2018".

Sec. 2. Section 4(c) of the Litter Control Administrative Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Code 8-801 *et seq.*), is amended as follows:

(a) Subsection (c)(1) is amended by striking the period and inserting the phrase " provided, that violators of 21 DCMR § 705.5 shall receive a warning issued pursuant to subsection (c-1) and be given a period of at least 7 days to remedy the violation before being issued a notice of violation." in its place.

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

"(c-1) For violation issued pursuant to 21 DCMR § 705.5, the Mayor shall issue a warning and give at least 7 days to property owners to remedy the violation before issuing a notice of violation to residential property owners."

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

37 “(d-1) The Mayor shall prepare the warning pursuant to subsection (c-1) of this section  
38 and include in it the following:

39 “(1) The location, date, and time that the nuisance took place or that the Mayor  
40 investigated the nuisance;

41 “(2) The law or regulation violated;

42 “(3) The action necessary to abate the nuisance within a reasonable amount of  
43 time; and

44 “(4) Reinspection information, which includes the date and time of the  
45 reinspection and the condition that the property should be in at the time of reinspection.

46 (d) Subsection (e) is amended to read as follows:

47 “(e) The Department of Public Works shall keep a copy of any warning or notice of  
48 violation and shall attach to such warning or notice a certificate attesting to the manner that the  
49 Mayor issued the warning or notice.”.

50 Sec. 3. Fiscal impact statement.

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

54 Sec. 4. Effective date.

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

58 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
59 Columbia Register.