



Councilmember Mary M. Chen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To give the Mayor, on an emergency 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 Emergency Act of 2020”.

Sec. 2. RPP Voluntary Exclusion.

(a) The Mayor may, when a condition of a zoning order, designate a property, including 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).

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)).