


Councilmember Jack Evans

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Retail Services Station Act of 1976 to provide that certain prohibitions on discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Gas Station Advisory Board Congressional Review Emergency Declaration Resolution of 2016”.

Sec. 2. (a) In October 2014, the Council enacted the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884) (“Act”).

(b) Part 2 of Title II of the Act increased the prohibitions against conversion of a full-service retail service stations by adding the prohibition that such a station cannot be discontinued or be converted into any other use without a waiver.

(c) It is important to protect the integrity of doing business in and with the District by protecting those businesses that were in the process of converting their property or business into a non-service station enterprise before the Act becoming law.

(d) The Council enacted emergency and temporary legislation in July 2016 to address this issue to provide that retail service stations that submitted an application with the Zoning

28 Commission between May 2, 2015, and August 1, 2015, and were awaiting a decision by the
29 Zoning Commission expected before the end of 2016, will not be impacted by the added
30 prohibitions of the Act (“2015 law”).

31 (e) The temporary legislation, the Gas Station Advisory Board Temporary Amendment
32 Act of 2016, enacted on July 21, 2016 (D.C. Act 21-470; 63 DCR 166) (“Act 21-470”), is
33 pending congressional review and is not projected to become law until November 29, 2016.

34 (f) It is important that the provisions of the emergency legislation, which expires on
35 October 13, 2016, remain in effect until Act 21-470 becomes law so that any applications that
36 were submitted to the Zoning Commission pursuant to the 2015 law will not be adversely
37 impacted by the expiration of the emergency legislation.

38 Sec. 3. The Council of the District of Columbia determines that the circumstances
39 enumerated in section 2 constitute emergency circumstances making it necessary that the Gas
40 Station Advisory Board Congressional Review Emergency Amendment Act of 2016 be adopted
41 after a single reading.

42 Sec. 4. This resolution shall take effect immediately.