

COUNCIL OF THE DISTRICT OF COLUMBIA

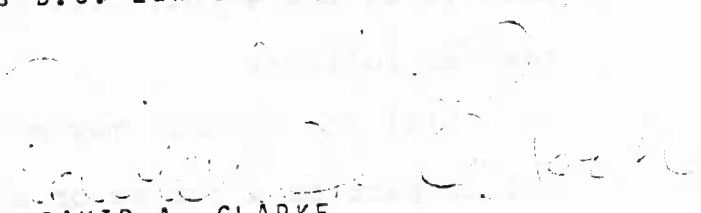
NOTICE

D.C. LAW 6-133

"Street and Alley Closing and Acquisition Procedures Act of 1982 Relocation Assistance Amendment Act of 1986".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-330 on first and second readings, May 13, 1986 and May 27, 1986, respectively. Following the signature of the Mayor on June 6, 1986, this legislation was assigned Act No. 6-171, published in the June 20, 1986, edition of the D.C. Register, (Vol. 33 page 3625) and transmitted to Congress on June 12, 1986 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-133, effective August 7, 1986.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 12,13,16,17,18,19,20,23,24,25,26,27  
July 14,15,16,17,18,21,22,23,24,25,28,29,30,31  
August 1,4,5,6

EFFECTIVE DATE AUG 07 1986

AN ACT

D.C. ACT 6 - 171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN 06 1986

To amend the Street and Alley Closing and Acquisition Procedures Act of 1982 to provide relocation assistance to retail tenants who are displaced by developments associated with street or alley closings.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Street and Alley Closing and Acquisition Procedures Act of 1982 Relocation Assistance Amendment Act of 1986".

Sec. 2. Section 209 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Code, sec. 7-429), is amended to read as follows:

D.C. Cod  
sec. 7-4  
(1987 su

"(a) The Council may make the approval of a closing of all or part of a street or alley contingent upon any or all of the following:

"(1) The dedication of any other land for street or alley purposes;

"(2) The granting to the District of specific easements for public purposes; or

"(3) Any other conditions that the Council considers necessary.

"(b)(1) If the closing of all or part of a street or alley is associated with the demolition, substantial rehabilitation, or discontinuance of an existing building and results in the displacement of existing retail tenants, then the approval by the Council of the closing shall be contingent upon the filing in the Recorder of Deeds Division of the District of Columbia Department of Finance and Revenue of a covenant between the District and the applicant that incorporates the following relocation assistance conditions:

"(A) The applicant agrees to offer each eligible retail tenant, for a period of 3 months beginning on the date on which the covenant is filed, a preferential opportunity to return to the new or rehabilitated building upon completion; or

"(B) The applicant agrees to provide each eligible retail tenant, within 6 months of the date on which the covenant is filed, a relocation payment calculated by multiplying the assessed value of the existing building by the proportion of square footage within the building that is occupied by the retail tenant, but in no event shall this relocation payment be required to exceed \$25,000.

"(2) If the applicant offers the preferential

opportunity to return referred to in subparagraph (b)(1)(A) of this section and if the eligible retail tenant accepts the offer during the 3-month period, then the applicant shall not be required to provide the eligible retail tenant with the relocation payment referred to in paragraph (b)(1)(B) of this section. If the applicant offers the preferential opportunity to return referred to in subparagraph (b)(1)(A) of this section and if the eligible retail tenant declines or does not respond to the offer during the 3-month period, then the applicant shall provide the eligible retail tenant with the relocation payment referred to in subparagraph (b)(1)(B) of this section. If the applicant chooses not to offer the preferential opportunity to return referred to in subparagraph (b)(1)(A) of this section, then the applicant shall provide the eligible retail tenant with the relocation payment referred to in subparagraph (b)(1)(B) of this section.

"(3) The preferential opportunity to return referred to in subparagraph (b)(1)(A) of this section includes at least a written offer to return to space to be leased in the new or rehabilitated building upon completion.

"(4) The covenant referred to in paragraph (1) of this subsection shall be designed for the benefit of eligible retail tenants who are displaced by a development associated with a street or alley closing, and both the

eligible retail tenants and the Corporation Counsel, on behalf of the District of Columbia, shall have the right to sue in the Superior Court of the District of Columbia to enforce the covenant. A copy of the executed covenant shall be sent by the applicant to all retail tenants who may be displaced by a development associated with the application, and the applicant shall use best efforts to notify retail tenants of the relocation assistance required by this section.

"(5) Prior to consideration by a committee of the Council of an application to close all or part of a street or alley, the Mayor shall provide the Council with information regarding:

"(A) The affect of the street or alley closing upon any existing retail tenants in buildings associated with the street or alley closing; and

"(B) The assessed value of the street or alley to be closed and the assessed values of land and of buildings associated with the street or alley closing.

"(c) In order to be eligible for the relocation assistance provided in subsection (b) of this section, a retail tenant:

"(1) Shall be a nonresidential tenant offering goods or nonprofessional services;

"(2) Shall have been a tenant of the existing

building for a minimum of 3 years prior to the date of introduction of proposed legislation to close all or a part of a street or alley associated with the demolition, substantial rehabilitation, or discontinuance of the existing building;

"(3) Shall have had an annual gross revenue, from all business locations within the District of Columbia, that totaled not more than \$5,000,000 in the year preceding the date of displacement;

"(4) Shall not have an ownership interest in the property to be developed; and

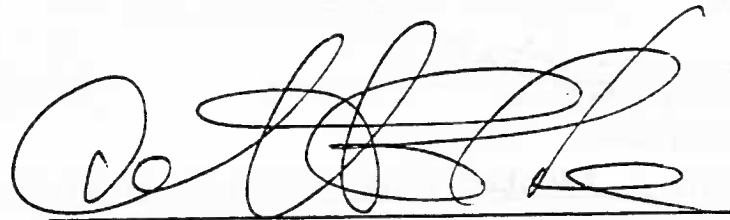
"(5) Shall relocate within the District of Columbia.

"(d) A retail tenant shall refund any relocation payment provided under this section if the retail tenant relocates outside the District of Columbia within a period of 3 years.

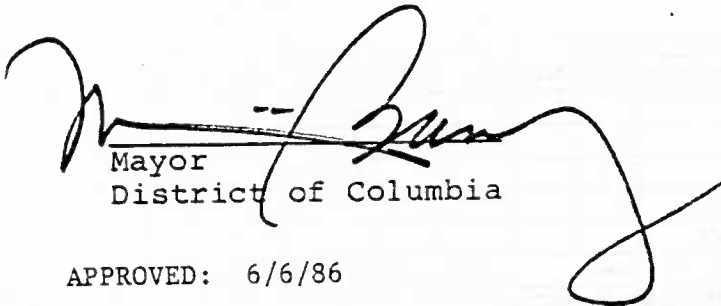
"(e) The provisions of subsections (b) and (c) of this section shall not apply to applications by the Washington Metropolitan Area Transit Authority for closing all or part of a street or alley for the sole purpose of construction of transit facilities."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of the veto by the Mayor, action by

the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: 6/6/86



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
 Council Period Six — Second Session

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B6-330

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 5-13-86

VOICE VOTE: Unanimous

Recorded vote on request

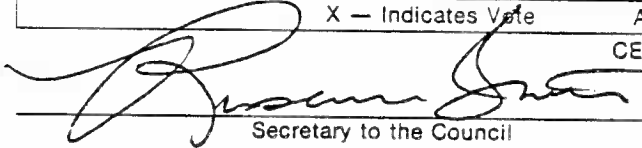
Absent: Crawford

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

  
 Secretary to the Council

5/28/86  
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-27-86

VOICE VOTE: Unanimous

Recorded vote on request

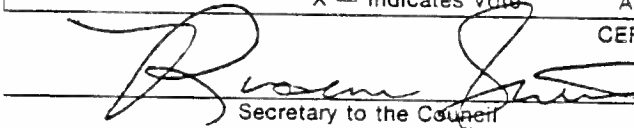
Absent: all present

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

  
 Secretary to the Council

5/28/86  
 Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council