

OFFICE OF DOCUMENTS & ADMINISTRATIVE ISSUANCES

LIST OF SECTIONS AMENDED
of
D.C. MUNICIPAL REGULATIONS
As of April 30, 2004

Below is the cumulative index of amendments to the D.C. Municipal Regulations (DCMR). An asterisk (*) indicates that the particular DCMR Title is still in progress and not yet available in final form. A list of agency abbreviations appears at the end of this document. This document is updated each month.

AMENDMENTS BY DCMR TITLE

[Chapter amended, sections amended, nature of amendment, *D.C. Register* citation, date, and agency promulgating amendment]

DCMR Title 1/Mayor and Executive Agencies (June 2001 ed.)

Chapter 28, Rules of Practice and Procedure, EXPIRES 120 DAYS, 51 DCR 2415 (3-5-04) (OAH)
Chapter 29, Appellate Rules of Practice and Procedure, EXPIRES 120 DAYS, 51 DCR 2449 (3-5-04) (OAH)

DCMR Title 3/Elections and Ethics (June 1998 ed.)

Chapter 1, Organization of the Board of Elections and Ethics, Sec. 102, 46 DCR 6976 (8-27-99) (BEE)
Chapter 4, Hearings), §§ 400.1, 408.1, 408.6, 428.6 through 428.9, New Sec. 432: Alternative Dispute Resolution Procedures for Help America Vote Act Complaints, 50 DCR 11071 (12-26-03) (BEE)
Chapter 4, Hearings, Sec. 430: Subpoenas and Depositions; and Sec. 431: Service of Subpoena and Notice of Deposition, 45 DCR 7349 (10-9-98) (BEE)
Chapter 5, Voter Registration, Chapter 6 (Eligibility of Candidates), Chapter 9 (Filling Vacancies), Chapter 11 (Recall of Elected Officials), and Chapter 16 (Candidates: Delegate U.S. House of Representatives, Mayor, Chairman, and Members of the Council of D.C., US Senator, US Representative, Members of the Board of Education, and Advisory Neighborhood Commissions to be in Compliance With DC Law 13-159, "School Governance Chapter Amendment Act of 2000", 49 DCR 2737 (3-22-02) (BEE)
Chapter 5, Voter Registration, §§ 500.8, 510.9 & 510.10, 50 DCR 11071 (12-26-03) (BEE)
Chapter 7, Elections Procedures; and Chapter 8 (Tabulation and Certification of Election Results, EXPIRES 12-19-02, 49 DCR 8374, pub. August 30, 2002
Chapter 7, Election Procedures, §§ 703.1, 703.2, 703.3, 710.4, 722.2, 722.4 through 722.7, 50 DCR 11071 (12-26-03) (BEE)
Chapter 7, Elections Procedures, Sec. 713: Vote Casting Procedures: Regular Ballot, §§ 713.10 through 713.15; and Sec. 723: Closing the Polls, § 723.1, 51 DCR 2718 (3-12-04) (BEE)
Chapter 8, Tabulation and Certification of Election Results, Sec. 819: Voting System Standards, 48 DCR 4104a (5-11-01) (BEE)
Chapter 10, Initiative Referendum, §§1003.6 (a) & (e); 1006.3 (e); 1007.4 (g); 1009.9 (G) & Appendix 10-1, 46 DCR 6977 (8-27-99) (BEE)

DCMR Title 3/Elections and Ethics Continued

- Chapter 10, Initiative and Referendum; Chapter 11, Recall of Elected Officials; Chapter 13, Filling Vacant Seats on Advisory Neighborhood Commissions; Chapter 14, Candidates: Political Party Primaries for Presidential Preference and Convention Delegates; Chapter 15, Candidates: Electors of President and Vice-President; Chapter 16, Candidates: Delegate U.S. House of Representatives, Mayor, Chairman, and Members of the Council of District of Columbia, U.S. Commissions, and Chapter 17, Candidates: Members and Officials of Local Committee of Political Parties and National Committee Persons; to Clarify the Proper Method by Which Challenges to Petitions are to be Expressed, 47 DCR 5927 (7-28-00)
- Chapter 13, Filling a Vacant Seats on Advisory Neighborhood Commissions; Chapter 14, Candidates: Political Party Primaries for Presidential Preference and Convention Delegates; Chapter 15, Candidates: Electors of President and Vice-President; Chapter 16, Candidates: Delegate U.S. House of Representatives, Mayor, Chairman, and Members of the Council of the District of Columbia, U.S.11 Senator, U.S. Representative, Members of the Board of Education and Advisory Neighborhood Commissions; and Chapter 17, Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons, 46 DCR 4335 (5-14-99) (BEE)
- Chapter 15, Candidates: Electors of President and Vice President), Chapter 16 (Candidates: Delegate US House of Representatives, Mayor, Chairman, and Members of the Council of D.C., US Senator, US Representative, Members of the Board of Education and Advisory Neighborhood Commissions, and Chapter 17 (Candidates: Members and Officials of Local Committees of Political Parties and National Committee Persons to be in Compliance with DC Law 14-43, "Nominating Petitions Signature Amendment Act of 2001", 49 DCR 2740 (3-22-02) (BEE)
- Chapter 18, Charter Amending Procedures, Sec. 1805: Date of Election, §1805.1, 47 DCR 5930 (7-28-00) (BEE)
- Chapter 15, Candidates: Electors of President and Vice-President), Sec. 1500: Nomination of Candidates by Message, §1500.9, 50 DCR 6696 (8-15-03) (BEE)
- Chapter 18, Charter Amending Procedures, Sec. 1805: Date of Election, 48 DCR 4105 (5-11-01) (BEE)
- Chapter 20, Freedom of Information, 46 DCR 1191 (2-12-99) (BEE)
- Chapter 30, Campaign Finance Operations, §§3000, 3002, 3004, 3008-3009, 3011, 3015 & 3017; Chapter 31, Lobbying, §3100; Chapter 32, Financial Disclosure), §§3201-3202; Chapter 33, Conflict of Interest, §3300; Chapter 34, Campaign Finance Record Keeping, §3400; and Chapter 37, Investigations and Hearings, §3709, 47 DCR 2171 (3-24-00) (BEE)
- Chapter 30, Campaign Finance Operations, §§3002 - 3003; Chapter 31, Lobbying, §§3100 et al; and Chapter 32, Financial Disclosure, §§3201 - 3202, to Implement DC Law 13-79, Campaign
- Chapter 30, Campaign Finance Operations, §§3005, 3008, 3010-3011, 3013, and 3017; Chapter 31, Lobbying, §§3103-3104; Chapter 32, Financial Disclosure, §3200; Chapter 33, Conflict of Interest, §§3300 & 3301-2; and Chapter 37, Investigations, §3711, 49 DCR 2731 (3-22-02) (BEE)
- Chapter 30, Campaign Finance Operations, Sec. 3011: Limitations on Contributions, §3011.2, EXPIRES 1-5-01, 47 DCR 7510 (9-15-00) (BEE)
- Chapter 31, Lobbying, §§3100 et al, to Implement DC Law 13-79, Campaign Finance Reform Amendment Act of 1999, 47 DCR 5919 (7-28-00) (BEE)
- Chapter 32, Financial Disclosure, §§3201 - 3202, to Implement DC Law 13-79, Campaign Finance Reform Amendment Act of 1999, 47 DCR 5919 (7-28-00) (BEE)
- Chapter 37, Investigations and Hearings, Sec. 3711: Schedule of Fines, §3711.3, 48 DCR 471 (1-19-01) (BEE)

DCMR Title 4/Human Rights and Relations (March 1995 ed.)

- Chapter 1, Complaints of Discrimination in D.C. To Clarify the Time for Filing Complaints and to Eliminate the Right to Appeal to the City Administrator, 43 DCR 6569 (12-13-96) (OM)
- Chapter 2, Guidelines for Payment of Compensatory Damages, Civil Penalties, and Attorney's Fees Under the Human Rights Act of 1977, 46 DCR 2804 (3-19-99) (CHR)
- Chapter 5, Employment Guidelines, Sec. 508: Family Responsibilities Guidelines, 48 DCR 4662 (5-25-01) (OHR & CHR)
- Chapter 10, Housing and Commercial Space, §§ 1000, 1001 & 1002 to Clarify Certain Prohibited Discriminatory Practices and Exceptions Under the Human Rights Act and Federal Fair Housing Act, 46 DCR 4339 (5-14-99) (HRLBD)

DCMR Title 5/Board of Education (June 1997 ed.)

- Chapter 1, By-Laws of the Board of Education, 48 DCR 10747 (11-23-01) (BOE)
- Chapter 1, By-Laws of the Board, Sec. 104: Duties of the Officers of the Board, § 104.10, 50 DCR 8806 (10-17-03) (BOE)
- Chapter 1, By-Laws of the Board, Sec. 105: Meetings of the Board of Education; Regular Meetings; Sec. 109: Committees of the Board of Education; Sec. 109: Meetings of Board Committees, 50 DCR 8807 (10-17-03) (BOE)
- Chapter 1, By-Laws, Sec. 110: Meetings of the Board Committees, §110.3, EXPIRES 120 DAYS, 49 DCR 11314 (12-13-02) (BOE)
- Chapter 1, By-Laws of the Board of Education, §§116.9 & 116.12, 49 DCR 4999 (5-31-02) (BOE)
- Chapter 4, Parent and Community Involvement in Education, Sec. 401: Parent Involvement in the D.C. Public Schools; and Sec. 404: Definitions, 50 DCR 6166 (8-1-03) (BOE)
- Chapter 5, Administration and Management), §501.4; and Chapter 38, State Education Agency Functions of the Board of Education, 49 DCR 8877 (9-27-02) (BOE)
- Chapter 5, Administration and Management), §§ 501.11 & 501.12 to Require the D.C. Public School Superintendent to Submit a Performance-Based Budget to the Board Beginning in FY 2004, 49 DCR 8876 (BOE)
- Chapter 5, Sec. 501: Authority and Duties of the Superintendent of Schools, §501.14, 502.15 & 501.16, Regarding Donations, Gifts, and Contributions, 47 DCR 2598 (4-14-00) (ETB)
- Chapter 5, Sec. 519: Appointment of School Officers, §§519.1, 519.2, 519.6, 519.7 & Sec. 520: One Year Appointments of Principals and Assistant Principals, 44 DCR 7536 (12-12-97) (ETB)
- Chapter 5, Secs. 519 & 520 to Establish New Procedures Governing the Selection and Appointment of Principals and Assistant Principals, [EXPIRED], November 19, 1997, 44 DCR 4536 (8-8-97) (ETB)
- Chapters 8, 14, 20, 24 & 25 Regarding Harassment and Sexual Harassment, 49 DCR 7513 (8-2-02) (BE)
- Chapter 9, Public Charter School Policies, 47 DCR 1694 (2-23-01) (BE)
- Chapter 10, Secs. 1001: Certification, 1003: Interstate Agreement Qualifications of Educational Personnel, 1022: Retirement; Chapter 11, Secs. 1105: Salary Placement for ET 3-15-Employees; Chapter 13, Sec. 1307: Probationary Period; and Chapter 16, Sec. 1667: Administrative Services Credential, 47 DCR 3405 (5-12-00) (BEE)
- Chapter 10, General Personnel Policies; Chapter 11, Classification, Compensation, and Promotion; Chapter 13, Conditions of Employment; and Chapter 16, License Requirements, 47 DCR 5212 (6-23-00)(ETB)
- Chapter 10, General Personnel Policies, Sec. 1020: Resignation, §§1020.1, 1020.2, 1020.3; and Chapter 16, License Requirements, Sec. 1687: License Denial, Suspension, or Revocation, §1687.1 (e)(f), EXPIRES 120 DAYS, 47 DCR 9916 (12-15-00) (DCPS)

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- Chapter 10, General Personnel Policies, Sec. 1021: Reappointment, Add §§1021.2 - 1021.6, 49 DCR 8879 (9-27-02) (BOE)
- Chapter 10, General Personnel Policies, Sec. 1021: Reappointment, §§ 1021.1 - 1021.6, EXPIRES 120 DAYS, 51 DCR 3315 (3-26-04) (BOE)
- Chapter 12, Leave and Benefits, Sec. 1204: Extended Leave of Absence; and Sec. 1205: Reinstatement, 46 DCR 808 (1-29-99) (ETB)
- Chapter 13, Conditions of Employment, §1304.2 (b), 46 DCR 811 (1-29-99) (ETB)
- Chapter 15, Reduction-In-Force, §1500.3; Sec. 1503: Reduction-In-Force Procedures for FY 2002 and Subsequent Fiscal Years, §1503.3; Sec. 1505: Job Sharing, Reduced Hours and Reemployment Priority Consideration, §§1505.2 & 1505.3; and §1507.2 (a) (b), 49 DCR 5975 (6-28-02) (BOE)
- Chapter 16, §§1605.1 & 1605.2 to Establish D.C. Public School Certification Requirements for Teachers of Montessori Elementary Education, Grades 1-6 , 45 DCR 2328 (4-17-98)(ETB)
- Chapter 20, Admission of Students, §§ 2000.2 & 2099.1, EXPIRES 120 days, 46 DCR 7503 (9-24-99) (ETB)
- Chapter 20, §2000.2 (f) regarding Tuition Exemptions, EXPIRED, 45 DCR 4157 (6-26-98) (ETB)
- Chapter 20, §2000.2 (f) to Eliminate the Requirement that the Trustees Approve the Granting of Tuition Exemptions, 45 DCR 7352 (10-9-98) (ETB)
- Chapter 20, §§2000.2, 2002.10, 2002.11, 2002.12, 2009.2 - 2009.7) Concerning Nonresident Students, 45 DCR 2329 (4-17-98) (ETB)
- Chapter 20, §2000.3 Regarding Admission of Students to D.C. Public Schools, 47 DCR 989 (2-18-00) (ETB)
- Chapter 20, §2005.9, Fees for select adult, community and continuing education courses for School Year 1997-98, 44 DCR 7814 (12-26-97) (ETB)
- Chapter 20, §2005.9 to Establish School Year 1998-99 Fees for Select D.C.Public Schools Adult, Community, and Continuing Education Courses, EXPIRES 120 days, 45 DCR 7728 (ETB)
- Chapter 20, Sec. 2008.13, Schedule of 1997-98 Nonresident Tuition Rates, 44 DCR 5832 (10-10-97) (ETB)
- Chapter 20, §2008.13, Schedule of 2002-2003 Non-Resident Tuition Rates, 49 DCR 9679 (11-25-02) (SEO)
- Chapter 20, Admission of Students, Sec. 2008: Computation of Nonresident Tuition Rates, § 2008.13, to Establish a Schedule of 2003-04 Non-Resident Tuition Rates, 50 DCR 9067 (10-24-03) (SEO)
- Chapter 21, Attendance and Transfers, Sec. 2106: Out-of-Boundary Transfers, §§ 2106.1 - 2106.4; and Sec. 2199: Definitions, 50 DCR 1850 (2-28-03) (BOE)
- Chapter 22, §§ 2201.6, 2201.7, 2201.8 & 2202.1 to Establish Promotion and Graduation Guidelines for D.C. Public Schools Students, 45 DCR 5222 (8-7-98) ETB)
- Chapter 22, §2201.9 to Eliminate the Requirement that Students who are Retained and Have Not Yet Been Referred for Assessment and Evaluation for Special Education Services Automatically Undergo Such Assessment and Evaluation, EXPIRED, 45 DCR 5240 (8-7-98) (ETB)
- Chapter 22, §2201.9 Regarding Assessment and Evaluation for Special Education Services, 45 DCR 7715 (10-30-98) (ETB)
- Chapter 23, Curriculum and Testing, Sec. 2306: Field Trips and Student Travel, §§2306.1 & 2306.2, 49 DCR 2137 (3-8-02) (BOE)
- Chapter 23, §§2320.1, 2320.2, 2320.3, 2320.5 & 2320.6 to Eliminate the Requirement that the Trustees Approve the Issuance of D.C. High School Equivalency General Educational Development (GED) Credentials, EXPIRED, 45 DCR 2367 (4-17-98) (ETB)
- Chapter 23, §§2320.1, 2320.2, 2320.3, 2320.5 & 2320.6 to Eliminate the Requirement that the Trustees and Authority Approve the Issuance of D.C. High School Equivalency General Educational Development (GED) Credentials, 45 DCR4545 (7-10-98) (ETB)

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- Chapter 24, Student Rights and Responsibilities, Sec. 2403: Corporal Punishment, 49 DCR 3485 (4-12-02) (BE)
- Chapter 25, Student Discipline, 48 DCR 1718 (2-23-01) (BE)
- Chapter 27, §§ 2700.9 - 2700.14 to Authorize Ninth Grade D.C. Public School Students to Play on Varsity Athletic Teams, EXPIRES 120 DAYS, 45 DCR 8394 (11-27-98) (ETB)
- Chapter 27, §§2700.9 - 2700.11 to Authorize Ninth Grade Public School Students to Play on Varsity Athletic Teams, 46 DCR 3686 (4-23-99) (ETB)
- Chapter 30, Sec. 3005, Procedures for Referral, §3005.1, 47 DCR 2188 (3-24-00) (ETB)
- Chapter 30, Special Education, §3021.20, and Sec. 3024: Attorneys' Fees, §3024.1, 49 DCR 8881 (9-27-02)
- Chapter 30, Special Education Policy, §§ 3021.3, 3021.21 & Sec. 3024: Attorneys' Fees, §3024.1, 49 DCR 2235 (3-8-02) (BOE)
- Chapter 30, Special Education Policy (New), 50 DCR 1854 (2-28-03) (BOE)
- Chapter 30, Special Education Policy, §§ 3001.1, 3002.2, 3003.1, 3003.6, 3006.6, 3022.1, 3027.5, 3029.5 & 3030.3, 50 DCR 8810 (10-17-03) (BOE)
- Chapter 35, School Buildings and Grounds), Sec. 3512: Educational Facilities Planning; Sec. 3513: School Design and Construction; and Sec. 3514: Public/Private Development Partnerships, EXPIRES 120 DAYS, 49 DCR 3507 (4-12-02) (BOE)
- Chapter 35, School Buildings and Grounds), Sec. 3513: Design and Construction; and Sec. 3514: Public/Private Development Projects, 49 DCR 8882 (9-27-02) (BE)
- Chapter 36, Closing Public School Buildings, EXPIRES July 4, 1997, 44 DCR 1692 (3-21-97) (ETB)
- Chapter 37, Procurement and Negotiated Service Contracts, §§3700.5 - 3700.7 to Meet Requirements of D.C. Law 12-268), 50 DCR 1903 (2-28-03) (BOE)
- Chapter 38, State Education Agency Functions of the Board of Education, 49 DCR 8877 (9-27-02) (BOE)
- Chapter 38, State Education Agency (SEA) Functions of the Board of Education, Sec. 3800: Placement in Private School by the SEA of Students With Disabilities, 49 DCR 8886 (9-27-02) (BOE)
- Chapter 38, State Education Agency Functions of the Board of Education), Secs. 3804, 3805, 3806, 3807, 3808 & 3809, to Enable the State Education Agency to Comply with the Unsafe School Choice Option Requirements of P.L. 107-110, 51 DCR 2711 (3-12-04) (BOE)
- Chapter 50, Residency Verification for Public Schools and Public Charter Schools, 48 DCR 9358 (10-12-01)
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- Chapter 2, Retention of Rights and Benefits, 27 DCR 4342 (10-3-80)(DCOP)
- Chapter 3, Sec. 301, Residency Preference in Career Service Employment, 37 DCR 4117 (6-22-90)(DCOP)
- Chapter 3, Residency, 37 DCR 851 (1-26-90)(DCOP)
- Chapter 3, Residency, §§301.14, 304.1, 304.3, 304.7 - 304.9, 305.7 & 399.1, EXPIRES 120 DAYS, 47 DCR 2453 (4-7-00) (DCOP & MPD)
- Chapter 3, Sec. 302, Residency Preference in Employment for Attorneys Appointed Under D.C. Code 1-610.9, 40 DCR 2485 (4-16-93)(DCOP)
- Chapter 3, Residency to Authorize Waiver of Residency Requirement for Certain Hard-to-Fill Positions in the Executive Service and Implement Waiver Provisions Applicable to the Office of the Inspector General, EXPIRES 120 days, 46 DCR 10353 (12-17-99) (DCOP & MPD)

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- Chapter 3, Residency, §§ 301.14, 303.1, 304.1, 304.3, 304.7, 304.8, 304.9, 305.7 & 399.1, 47 DCR 2416 (4-7-00) (DCOP & MPD)
- Chapter 3, Residency, §303.1; and Chapter 24, Reductions In Force, EXPIRES 120 DAYS, 47 DCR 2462 (4-7-00) (DCOP & MPD)
- Chapter 4, Organization for Personnel Management - Amended, 33 DCR 4447 (7-25-86)(DCOP)
- Chapter 4, Office of Personnel Management, 32 DCR 75 (1-4-85)(DCOP)
- Chapter 4, Organization for Personnel Management, 51 DCR 928 (1-23-04) (DCOP)
- Chapter 5, Public Employee Relations Board Rules to Implement Comprehensive Merit Personnel Act, 37 DCR 5267 (8-10-90)(PERB)
- Chapter 5, Sec. 500: General Provisions, 42 DCR 6383 (11-17-95)(PERB)
- Chapter 5, Rules of the Public Employee Relations Board), Sec. 552: Subpoenas, § 552.7, 50 DCR 9580 (11-14-03) (PERB)
- Chapter 4, Sec. 500: General Provisions; Sec. 544: Standards of Conduct; and 559: Finality of Board Decision and Order, 46 DCR 8276 (10-15-99) (PERB)
- Chapter 5, Sec. 500.4, General Provisions, 44 DCR 3504 (6-20-97)(PERB))
- Chapter 5, Sec. 520: Unfair Labor Practice Complaints, §520.15; and Sec. 544: Standards of Conduct Complaints, §544.8, 44 DCR 7448 (12-5-97) (PERB)
- Chapter 5, Sec. 560: Enforcement, §560.1, 43 DCR 5270 (9-27-96) (PERB)
- Chapter 6, Rules and Regulations of the Office of Employee Appeals, 39 DCR 7404 (10-2-92) (OEA)
- Chapter 6, Rules and Regulations of the Office of Employee Appeals , 46 DCR 9297 (11-19-99)(OEA)
- Chapter 7, Sec. 700, Equal Employment Opportunity, 27 DCR 5038 (11-14-80)(DCOP)
- Chapter 7, Sec. 703, Veteran Preference - Amended, 30 DCR 4604 (9-9-83)(DCOP)
- Chapter 8, Sec. 807.1, Firefighter Appointments, 32 DCR 1364 (3-8-85)(DCOP)
- Chapter 8, Career Service, §813.4 to Extend Probationary Period for Certain Employees in the Fire and Emergency Medical Services Department, 49 DCR 6842 (7-19-02) (DCOP)
- Chapter 8, Career Service, §§ 823.3, 823.4, 824.7, 824.8, 824.9 & 829.1 (g) Governing Non-Competitive Appointments in the Career Service, 47 DCR 2419 (4-7-00) (DCOP & MPD)
- Chapter 8, Career Service, §§ 823.3, 823.4, 824.7, 824.8, 824.9 & 829.1 (g) Governing Non-Competitive Appointments in the Career Service, EXPIRES 120 DAYS, 47 DCR 2456, (4-7-00) (DCOP & MPD)
- Chapter 8, Sec. 870, Career Service - Amended, Processing Entry-Level Candidates for Police Officer and Firefighter Positions, 33 DCR 4299 (7-18-86)(DCOP)
- Chapter 8, Sec. 870.9(b), Correction to Notice of Final Rulemaking Amending Chapter 8 of D.C. Personnel Regulations, 32 DCR 2953 (5-24-85)(DCOP)(Errata)
- Chapter 8, Career Service - Amended, 32 DCR 2473 (5-3-85)(DCOP)
- Chapter 8, Career Service, Sec. 871: Processing Candidates for Police Sergeant, Lieutenant, and Captain Positions; Sec. 872: Appointment to Inspector, Commander and Assistant Chief of Police, and Sec. 873: Processing Entry-Level Candidates for Police Officer Positions, 45 DCR 451 (1-23-98) (MPD)
- Chapter 8, Career Service, Sec. 871: Processing Candidates for Police Sergeant, Lieutenant, and Captain Positions; Sec. 872: Appointment to Inspector, Commander and Assistant Chief of Police, EXPIRES 3-18-99, 45 DCR 106 (1-1-99) (MPD)
- Chapter 8, Career Service, Sec.: 871: Processing Candidates for Police Sergeant, Lieutenant, and Captain Positions; and Sec. 872: Appointment to Inspector, Commander and Assistant Chief of Police, 49 DCR 1859 (3-1-02) (MPD)
- Chapter 8, Career Service, Sec. 876, Processing Candidates for Fire Sergeant, Lieutenant, and Captain Positions, 31 DCR 2715 (6-1-84)(DCOP)
- Chapter 8, Sec. 870, Processing Entry-Level Candidates for Police and Firefighter Positions, 30 DCR 2555 (5-27-83)(DCOP)

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- Chapter 8, Career Service, Sec. 874: D.C. Police Training and Standards Board, 48 DCR 8973 (9-28-01) (MPD)
- Chapter 8, Career Service) to Amend Regulations Governing the Promotion of Officers to Police Sergeant, Lieutenant, and Captain Positions, EXPIRES 120 DAYS, 48 DCR 10942 (11-30-01) (MPD)
- Chapter 8, Career Service, Sec. 874: Retirement/Resignation of Members While Under Disciplinary Investigation, 49 DCR 8368 (8-30-02) (MPD)
- Chapter 8, Sec. 875, Promotion of Battalion Chief, Deputy Fire Chief, & Assistant Fire Chief, 30 DCR 4608 (9-9-83)(DCOP)
- Chapter 8, Career Service), Sec. 877: Retirement/Resignation of Members While Under Disciplinary Investigation (ERRATA Notice), 49 DCR 9298 (10-11-02) (MPD)
- Chapter 9, Secs. 904, 907 & 908, Excepted Service Amended, 36 DCR 7931 (11-17-89)(DCOP)
- Chapter 9, Excepted Service - Amended, 32 DCR 2271 (4-26-85)(DCOP)
- Chapter 9, Secs. 908.10, 910.1 & 910.2, Excepted Service Amended, 39 DCR 6171 (8-7-92) (DCP)
- Chapter 9, Excepted Service to Modify Provisions Concerning Appointments to the Excepted Service, EXPIRES 120 days, 46 DCR 4018 (4-30-99) (DCOP)
- Chapter 9, Excepted Service, 47 DCR 8093 (10-6-00) (DCOP & MPD)
- Chapter 9, Excepted Service, 50 DCR 4743 (6-13-03) (DCOP)
- Chapter 9, Excepted Service, Sec. 915: Certificate of Good Standing Filing Requirement, 50 DCR 10565 (12-12-03) (DCOP)
- Chapter 10, Sec. 1005, Notice to Rescind Notice of Final Rulemaking, Retreat Rights of Exec. Service Employees, Pub. at 31 DCR 6494 dated 12-21-84, 32 DCR 2372 (4-26-85) (Errata - DCOP)
- Chapter 10, Executive Service, 28 DCR 1325 (3-27-81)(DCOP)
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- Chapter 11, Classification, 28 DCR 2318 (5-22-81)(DCOP)
- Chapter 11, Classification - Amended, 29 DCR 1225 (3-19-82)(DCOP)
- Chapter 11, Classification, Sec. 1152, Additional Income Allowance for Medical and Dental Officers, 37 DCR 6361 (10-5-90)(DCOP)
- Chapter 11, Classification and Compensation, Sec. 1154: Recruitment and Retention Incentives - Child and Family Services Agency, 48 DCR 4179 (5-11-01) (DCOP)
- Chapter 11, Sec. 1155, Compensation - Operation Desert Shield and Desert Storm Pay Differential, 39 DCR 2072 (3-27-92)(DCOP)
- Chapter 11, Classification and Compensation, Sec. 1156: Operation Enduring Freedom Pay Differential, EXPIRES 120 DAYS, 49 DCR 5820 (6-21-02) (DCOP)
- Chapter 11, Sec. 1162, Classification and Compensation; Voluntary Severance Incentive Program, EXPIRED, 42 DCR 2362, pub. May 12, 1995
- Chapter 11, Sec. 1162: Voluntary Severance Incentive Program, Expires 120 days, 42 DCR 3530 (7-7-95) (DCOP) [EXPIRED]
- Chapter 11, Classification and Compensation, Secs. 1160, 1161, 1162, 1163 & 1169 Governing Easy Out, Early Out, and Voluntary Severance Incentive Programs for the Public Housing Authority, EXPIRED, 43 DCR 605 (2-9-96)(DCOP)
- Chapter 11, Classification and Compensation, Secs. 1110, 1114, & 1115, EXPIRES 120 days, 46 DCR 4767 (5-28-99) (DCOP)

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- Chapter 11, Classification and Compensation, §§1110.1 - 1110.6, 1114.1 - 1114.4, 1115.3, 1115.5, & 1115.7, and New Sec. 1153: Employment and Salary Reduction of Reemployed Annuitants, 47 DCR 2421 (4-7-00) (DCOP & MPD)
- Chapter 11, Classification and Compensation, §§ 1110.1 - 1110.6, 1114.1 - 1114.4, 1115.3, 1115.5 & 1115.7, and New Sec. 1153: Employment and Salary Reduction of Reemployed Annuitants, EXPIRES 120 DAYS, 47 DCR 2458 (4-7-00) (DCOP & MPD)
- Chapter 11, Classification and Compensation, Sec. 1156: Operation Enduring Freedom Pay Differential, EXPIRES 1-21-03 DAYS, 49 DCR 11049 (12-6-02) (DCOP)
- Chapter 11, Classification and Compensation, Secs. 1164 & 1165, EXPIRES 120 DAYS, 47 DCR 5668 (7-7-00) (DCOP & MPD)
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- Chapter 37, Appointment, Reappointment, Discipline and Removal of Administrative Law Judges, EXPIRES 120 DAYS, 51 DCR 990 (1-23-04) (CSTALJ)
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- Chapter 1, Repeal §§103.8, 103.9, 103.13, 103.14, 103.15, 103.16 through 103.19, Secs. 206, 302 & 303 of the Omnibus Police Reform Amendment Act of 2000, effective 10-4-00 (DC Law 13-160), 47 DCR 4619 (DC LAW)
- Chapter 1, Secs. 105 - 110, Regarding Procedures for Rehiring of Retired Police Officers, 40 DCR 249 (1-21-94)(MPD)
- Chapter 2, General Rules, Sec. 206: Badges, Cap Plates, Identification Cards, and Revolvers, §206.1, DC Act 14-403 effective 10-1-02, 49 DCR 6968 (7-26-02) (DC ACT)
- Chapter 3, Police Officers Outside Employment Amendment Act of 1996, effective July 26, 1996, D.C. Law 11-151, 43 DCR 2838 (D.C. Law)
- Chapter 3, §301.4, Secs. 206, 302 & 303 of the Omnibus Police Reform Amendment Act of 2000, effective 10-4-00 (DC Law 13-160), 47 DCR 4619 (DC LAW)
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- Chapter 8, Secs. 805 - 810, Procedures for Forfeiture of Seized or Unclaimed Property, 38 DCR 1227 (2-22-91)(MPD)
- Chapter 11, Special Police, Sec. 1109: Uniforms, §1109.4 to provide for special designation of police officers under the control of the Department of General Services, the D.C. Protective Services Police Identification Act of 1982, effective 6-4-82, DC Law 4-115, 29 DCR 2522 (6-18-82) (DC LAW)
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- Chapter 21, The Citizen Complaint Review Board and the Office of Citizen Complaint Review, 49 DCR 8347 (8-30-02) (CCRB)

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- Chapter 1, Disability Compensation, §§104.4, 106.3, 107.2, 107.3, 107.4, 107.5, 107.7, 107.15, 107.16, 112.1, 112.3, and Sec. 118: Appeal to the Director; Repeal Chapter 13, 47 DCR 7484 (9-15-00) (DOES)
- Chapter 1, Disability Compensation, Sec. 119: Utilization Review, 43 DCR 1466 (3-22-96) (DOES)
- Chapter 1, Disability Compensation, Sec. 120: Medical Services and Supplies, 43 DCR 1466 (3-22-96)(DOES)
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- Chapter 2, Private Sector Workers' Compensation Program - Amended, 41 DCR 3213 (6-3-94)(DOES)
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- Chapter 1, Sec. 120, Election of the Alumni Member of the Board of Governors, 37 DCR 3960 (6-15-90)(DCSL)
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- Chapter 3, Administration and Management, 35 DCR 6883 (9-16-88)(DCSL)
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- Chapter 1, Income and Franchise Taxes, Sec. 105: General Requirements for Filing Tax Returns (Including Electronic [Internet] Filing, §§ 105.11 - 105.13 & 105.99, 50 DCR 2864 (4-11-03) (OTR)
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- Chapter 3, Real Property Taxes, New Sec. 314: Privatized Tax Sale Research and Notification, 48 DCR 6445 (7-20-01) (OTR)
- Chapter 3, Real Property Taxes, Sec. 315: Tax Sale Costs, 48 DCR 8197 (8-31-01) (OTR)
- Chapter 3, Real Property Tax Sales, Sec. 316: Real Property Tax Sale Redemption and Tax Deed Issuance Rules, 51 DCR 757 (1-16-04) (OTR)
- Chapter 3, Real Property Taxes, Sec. 336:Fees; and Chapter 5 (Tax on Recordation of Deeds), Sec. 513: Uniform Commercial Code (UCC) Article 9 Filings, to Increase Fees and Set Procedures for Article 9 Uniform Commercial Code Filings, 48 DCR 10040 (11-2-01) (OTR)
- Chapter 3, Real Property Taxes), §3221.1 (a) Relating to Ownership of Real Property for Real Property Tax Exemption Purposes, 49 DCR 4347 (5-10-02) (OTR)
- Chapters 5 & 6 to Define for the Purposes of Recordation and Transfer Taxes, the Terms "Nominal Consideration" and "Fair Market Value", 46DCR 8264 (10-15-99) (CFO)
- Chapter 11, Qualified High Technology Company, 49 DCR 2142 (3-8-02) (OTR)
- Chapter 20, Board of Real Property Assessments and Appeals, Sec. 2002: Members and Staff; Sec. 2003: Panel Assignments, Meetings and Decisions; and Sec. 2004: Prohibitions on Members, 49 DCR 2897 (3-29-02) (BRPAA)

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- Chapters 1 through 19, Adopts Comprehensive Plan for the Nation's Capital, sec. 2 of the Comprehensive Plan Amendments Act of 1998, effective 4-27-99 (DC Law 12-275, 46 DCR 1441 (Part 2) (DC LAW)
- Chapters 1, 4, 9, 11, 13, 14, 17, 18, 19, secs. 199.1, 404.4, 940.2, 1100.7, 1108.1, 1120.2, 1409.7, 1711.1, 1109.1, 1129.1, 1138.1, 1342.1, 1365.3, 1700.8, 1711.1, 1734, 1804.8, 1903.5; secs. 101 & 201 of the Comprehensive Plan Technical Corrections and Response to NCPC Recommendations and Closing of a Public Alley in Square 1189, S.O. 98-150, Act of 1999, effective 9-22-99 (DC Law 13-130, 46 DCR 5631) (DC LAW)

DCMR Title 10\Planning and Development (Part 2) (March 1994 ed.) w/1996 Supplement

- Chapter 21, §2116.3, Technical correction to change §2102.4 to 2102.3 ERRATA
- Chapter 26, Sec. 2625: Review of Applications for Landmark Status; Sec. 2626: Hearings for Individual Landmark Designation; Sec. 2627: Order of Procedure for Landmark Designation Hearings; Sec. 2628: Closure of Record in Landmark Designation Cases; Sec. 2629: Post Hearing Procedures in Landmark Designation; Sec. 2630: Evidence; and Sec. 2631: Official Transcript, EXPIRES 120 DAYS, 46 DCR 8983 (11-5-99) (HPRB)
- Chapter 26, Historic Preservation Review Board, Sec. 2609: Meetings, §2609.5 Regarding the Conduct of Board Hearings by Establishing a Summary "Denial Calendar", "Consent Calendar" & "Agenda", EXPIRES 120 DAYS, 48 DCR 2909 (3-30-01) (HPRB)

DCMR Title 10\Planning and Development (Part 2) (March 1994 ed.) w/1996 Supplement
Continued

- Chapter 26, Sec. 2614: Unsafe and Insanitary Buildings, EXPIRES 120 DAYS, 49 DCR 11852 (12-27-02) (HPRB & SHPO)
- Chapter 30, Board for the Condemnation of Insanitary Buildings, §§3000.1, 3005.2, and 3099.1, 49 DCR 9493 (10-18-02) (DCRA)
- Chapter 41, Housing Production Trust Fund), Secs. 4100 - 4199, 49 DCR 10582 (11-22-02) (DHCD)
- Chapter 58, Security Deposit and Affordable Facilities Assistance for Qualified High Technology Companies, 49 DCR 7502 (8-2-02) (DCRA)
- Chapter 59, Tax Abatements for New Residential Development Program, 50 DCR 553 (1-17-03) (DM/PED)
- Chapter 60, Special Merits, EXPIRES 8-30-01, 48 DCR 4265 (5-11-01) (CFO)

DCMR Title 11/Zoning (February 2003 ed.)

- Chapter 1, Sec. 199: Definitions, § 199.1 to Revise Definition of "Building Height" and the Term "Curb" (Case No. 02-35), 50 DCR 9387 (11-7-03) (ZC)
- Chapter 1, Sec. 199: Definitions, 50 DCR 10822 (12-19-03) (ZC)
- Chapters 1, 2, 4, 5, 6, 9, 21, 22, & 34 to Allow Public Recreation and Community Centers in R-1 and Less Restrictive Districts (Case No. 02-15), 50 DCR 10137 (11-28-03) (ZC)
- Chapters 1, 5, 6, 7, 9 & 21 to Establish Optical Transmission Nodes (Case No. 02-34TA), 50 DCR 8818 (10-17-03) (ZC)
- Chapters 1, 9, 20, 21, 24, 25, 31 & 32 to Establish a New Zone District to be Known as the Waterfront Open Space Zone District (W-O) (Case No. 02-42), 51 DCR 3440 (4-2-04) (ZC)
- Chapter 2, Sec. 201: Uses as a Matter of Right, 50 DCR 10822 (12-19-03) (ZC)
- Chapter 4, Residence Districts: Height, Area, and Density Regulations Chapter 17, Definitions), §1799.1; Chapter 21, Off-Street Parking Requirements; and Chapter 30, Zoning Commission Procedures, § 3041.1 (b), (Case No. 00-04TA), Technical Corrections, 50 DCR 8824 (10-17-03) (ZC)
- Chapter 6, Sec. 601: Uses as a Matter of Right, 50 DCR 10822 (12-19-03) (ZC)
- Chapter 7, Sec. 701: Uses as a Matter of Right, §701.6 (b), 50 DCR 10822 (12-19-03) (ZC)
- Chapter 8, Industrial Districts, §§ 801.7(j), 802.17 through 802.20 Regarding Concrete Plants (Case No. 01-32TA), 50 DCR 1194 (2-7-03) (ZC)
- Chapter 9, Sec. 901: Uses as a Matter of Right, §901.1, 50 DCR 10822 (12-19-03) (ZC)
- Chapter 13, Sec. 1302: Designated and Restricted Uses, §1301.2(b), 50 DCR 10822 (12-19-03) (ZC)
- Chapter 21, Sec. 2102: Off-Street Parking Requirements for Parking Spaces; and Sec. 2104: Exceptions to the Schedule of Requirements: Nonresidential Structures Near Metrorail Stations, to Add Three Types of Public Library Uses (Case No 03-10), 50 DCR 10822 (12-19-03) (ZC)
- Chapter 30, Zoning Commission Rules of Practice and Procedure), Sec. 3045: Miscellaneous Fees, § 3045.1 (c) (d), to Increase Fees for Copies of Zoning Map (Case No. 03-25), 50 DCR 9391 (11-7-03) (ZC)
- Chapter 31, Board of Zoning Adjustment Rules of Practice and Procedure), §3112.2 Regarding Filing Deadline for Appeals to the BZA (Case No. 02-01), 50 DCR 1200 (2-7-03) (ZC)
- Chapter 32, Administration and Enforcement), Sec. 3202: Building Permits, § 3202.5 (a) (Case No. 03-14), 50 DCR 8826 (10-17-03) (ZC)
- Chapter 32, Administration and Enforcement, Sec. 3202: Building Permits, § 3202.5 (a) (Case No. 03-14), Corrected Notice, 51 DCR 263 (1-9-04)

DCMR Title 12/Construction Code Supplements (2003 ed.)

- Adopts Title 12 DCMR, D.C. Construction Codes Supplement of 2003; Adopts 2000 Edition of the International Code Council (ICC) International Building Code; the 2000 Edition of the ICC International Residential Code; the 2000 Edition of the ICC International Fuel Gas Code; the 2000 Edition of the ICC International Mechanical Code; the 2000 Edition of the ICC International Plumbing Code; the 2000 Edition of the ICC International Property Maintenance Code; the 2000 Edition of the ICC International Fire Code; the 2000 Edition of the ICC International Energy Conservation Code; the D.C. Existing Building Code Supplement of 2002; the 1996 Edition of the NFPA National Electrical Code, 51 DCR 292 (1-9-04) (DCRA)
- Chapter 1, Administration and Enforcement, §§PM-105.3.1 through PM-105.3.6 of 12E DCMR, 50 DCR 48 (1-3-03) (DCRA)
- ERRATA - Text of the D.C. Existing Buildings Code Supplement of 2003 (DCMR 12 J), 51 DCR 1191 (1-30-04) (DCRA)
- ERRATA - Text of the D.C. Existing Buildings Code Supplement of 2003 (DCMR 12 J) - Republished, 51 DCR 1894 (2-20-04) (DCRA)
- ERRATA - Text of Sections 106.6 through 109.1 of DCMR 12A, the D.C. Building Code Supplement of 2003, 51 DCR 3267 (3-26-04) (DCRA)

DCMR Title 14/Housing (July 1991 ed.)

- Chapter 1, §§ 103.1, 103.4, 103.5, 115.1 to conform the Housing Regulations to statutory provisions; Sec. 303 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2002, effective 4-27-01 (DC Law 13-281, 48 DCR 1888) (DC LAW)
- Chapter 1, Sec. 111: Procedures Regarding Requests for Reasonable Accommodation Under the Fairs Housing Act, 45 DCR 8057 (11-13-98) (DCRA)
- Chapter 1, Sec. 115, Imminently Dangerous Premises Amendment Act of 1994, effective August 25, 1994, D.C. Law 10-157, 41 DCR 4878 (D.C. Law)
- Chapter 1, Administration and Enforcement, Sec. 104: Right of Entry by Government Officials, §§104.1, 104.3, 104.4, 104.5 & 104.6 to Prevent an Inspector From Entering a Housing Business Without the Tenant's Consent Unless Search Warrant is Obtained, 49 DCR 8366 (8-30-02) (DCRA)
- Chapter 1, 2, & 7, §§ 199.1, 707.8 - 707.12, 707.13 - 707.14, 707.3 - 707.4, 707.15 - 707.16, 201.6, to require notice to the Department of Health of peeling paint in older housing businesses; Sec. 3 of the Lead-Based Paint Abatement and Control Temporary Amendment Act of 2002 projected effective date 10-11-02 (DC Act 438, 49 DCR 7676) (DC ACT)
- Chapter 3, to require housing providers to give notice of pending rent ceiling adjustments prior to acceptance of an application fee or security deposit; Sec. 2 of the Rent Ceiling Adjustment Notification Amendment Act of 1992 effective 3-20-92 (DC Law 9-79, 39 DCR 673) (DC LAW)
- Chapter 3, Sec. 308, Adjustment of Interest Rates Paid on Rental Security Deposits Amendments Act of 1992, D.C. Law 9-212, effective March 17, 1993. 40 DCR 23 (1-1-93)(D.C. LAW)
- Chapter 3, Sec. 309, Unitary Rent Ceiling Adjustment Amendment Act of 1992, D.C. Law 9-191, Effective March 16, 1993, 39 DCR 9005 (12-4-92)(D.C. LAW)
- Chapters 4 & 5, Sec. 511, Refrigeration and Air Conditioning Permit Fees; Sec. 615, Plumbing Permit Fees, Errata, 27 DCR 3326 (8-1-80)
- Chapter 8, Housing Code: Cleanliness, Sanitation and Safety, Sec. 800: General Provisions, §§800.8 through 800.23 to Establish Requirements for the Removal of Trash and Weeds, and Maintenance of Grass on Private and Public Premises, EXPIRES 9-6-03, 49 DCR 4886 (5-24-02) (DCRA)
- Chapter 8, Housing Code: Cleanliness, Sanitation and Safety, Sec. 800: General Provisions, §§800.8 through 800.23 to Establish Requirements for the Removal of Trash and Weeds, and Maintenance of Grass on Private and Public Premises, 50 DCR 4938 (6-20-03) (DCRA)

DCMR Title 14/Housing Continued

- Chapter 9, Safety and Fire Prevention, §900.2; Chapter 42, Rent, Base Rent, Rent Ceilings and Adjustments, §4209.3; Add New Subtitle G , Chapter 66, Coverage and Registration of Vacant Buildings; Chapter 67, Registered Agent; Chapter 68, Vacant Building Maintenance Standard; and Chapter 69, Tenant Receivership, 49 DCR 7487 (8-2-02) (DCRA)
- Chapter 25, Home Purchase Assistance Program - Amended, 44 DCR 1553 (3-14-97) (DHCD)
- Chapter 36, D.C. Government Employer-Assisted Housing Program, 40 DCR 155 (1-8-93)(DHCD)
- Chapter 36, D.C. Government Employer-Assisted Housing Program, Sec. 3600, Increasing Housing Assistance to Metropolitan Police Officers, 42 DCR 799 (2-10-95) (DHCD)
- Chapter 36, Employer-Assisted Housing Program, §§3600.4, 3600.6, 3600.73601.2, 3603.1, 3603.5, 3603.6, 3604 deleted, 3605.1, 3605.4, 3606.3 (b)(c)(g)(h) & 3607.1, 49 DCR 9853 (11-1-02) (DHCD)
- Chapter 37, Home Purchase Assistance Step Up Program, 47 DCR 9717 (12-8-00) (DHCD)
- Chapters 38, 40 & 42 to Add Rules for Attorney Fees, and Amend Rules Related to Rent Increases Based on Capital Improvements, Fines, and Interest Calculations, 45 DCR 684 (2-6-98) (RHC)
- Chapter 42, Rent, Base Rent, Rent Ceilings and Adjustments, §4209.3, 49 DCR 7487 (8-2-02) (DCRA)
- Chapter 47, Sec. 4711.8, The phrase "but shall include the transfer of title.." should read "but shall exclude the transfer of title...", 28 DCR 2443 (5-29-81) ERRATA
- Chapter 60, Low Rent Housing: General Provisions, Sec. 6004: Rules Governing Administration of Section 8 Program, 48 DCR 11701 (12-28-01) (HA)
- Chapters 60 and 61, Low Rent (Public Housing) Rules to Revise Existing Public Housing Preference, Admission, and Occupancy Selection Criteria, 45 DCR 4914, (7-24-98) (HA)
- Chapters 60 and 61, Low Rent Housing, 46 DCR 603 (1-22-99) (HA)
- Chapters 60 & 63, Rules for Low Rent Housing - Amended, 39 DCR 2291 (4-3-92)(DPAH)
- Chapter 61, Low Rent Housing: Tenant Selection and Reexamination), Sec. 6102: Eligibility, §6102.2, 48 DCR 11701 (12-28-01) (HA)
- Chapter 61, Low Rent Housing: Tenant Selection and Reexamination, §§6102, 6103, 6105, 6107, 6115, and 6116, 49 DCR 10308 (11-15-02) (HA)
- Chapter 61, Admission and Recertification, 50 DCR 10347 (12-5-03) (HA)
- Chapter 61, Admission and Recertification, Sec. 6115: Adding Individuals to the Lease and Live-In Aids, 51 DCR 2106 (2-27-04) (HA)
- Chapter 61, Admission and Recertification, 50 DCR 5739 (7-18-03) (HA)
- Chapter 62, Low Rent Housing: Rent and Lease), Sec. 6202: Excess Utility Charges, §6202.1; and Sec. 6210: Minimum Rent, §6210.1, 48 DCR 9814 (10-26-01) (HA)
- Chapter 63, Low Rent Housing: Grievance Procedures, 49 DCR 2454 (3-15-02) (HA)
- Chapter 64, Public Housing Transfer Policy, 49 DCR 2461 (3-15-02) (HA)
- Chapter 66, Coverage and Registration of Vacant Buildings, 49 DCR 7487 (8-2-02) (DCRA)
- Chapter 67, Registered Agent, 49 DCR 7487, pub. August 2, 2002
- Chapter 68, Vacant Building Maintenance Standard, 49 DCR 7487 (8-2-02) (DCRA)
- Chapter 69, Tenant Receivership, 49 DCR 7487 (8-2-02) (DCRA)
- Chapter 71, Subtitle G, D.C. Housing Authority (DCHA) Personnel Policy and Procedure Manual, 42 DCR 6914 (12-8-95) (HA)
- Chapter 74, Reasonable Accommodation Policies and Procedures, 49 DCR 2468 (3-15-02) (HA)
- Chapter 89, Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs, 49 DCR 7192 (7-19-02) (DCHA)
- Chapter 92, Housing Choice Voucher/Home Ownership Assistance Program, 49 DCR 5767 (6-21-02) (HA)
- Chapter 93, Partnership Program for Affordable Housing, 49 DCR 5800 (6-21-02) (HA)
- Chapter 93, Partnership Program for Affordable Housing), Secs. 9300 through 931, EXPIRES 5-13-04, 51 DCR 974 (1-23-04) (HA)
- Chapter 96, Public Housing: Barring Policy, 51 DCR 2108 (2-27-04) (HA)
- Chapter 97, Public Housing: Vehicle Towing Policy, 51 DCR 2112 (2-27-04) (HA)

DCMR Title 15/Public Utilities and Cable Television (June 1998)

- Chapter 1, Sec. 118: Electronic Filing Procedures; and Sec. 119: Electronic Filing Formats and Document Verification, 49 DCR 8721 (9-20-02) (PSC)
- Chapter 6, Pay Telephones, 48 DCR 1151 (2-9-01) (PSC)
- Chapter 6, Pay Telephone, §600.2, 49 DCR 531 (1-18-02) (PSC)
- Chapter 22, Procurement Regulations, 47 DCR 2600 (4-14-00) (PSC)
- Chapter 23, Natural Gas, Sec. 2398: Penalties, 49DCR 8223 (8-23-02) (PSC)
- Chapter 25, Certification of Local Exchange Service Providers, 47 DCR 2601 (4-14-00) (PSC)
- Chapter 25, Certification of Local Exchange Service Providers, Sec. 2513: Waiver, 47 DCR 5778 (7-14-00) (PSC)
- Chapter 25, Certification of Local Exchange Service Providers, Sec. 2505: Certification by Waiver Requirements, §2505.5, 47 DCR 8112 (10-6-00) (PSC)
- Chapter 26, Rules Implementing Section 252 of the Federal Telecommunications Act of 1996, 47 DCR 8315 (10-20-00) (PSC)
- Chapter 26, Rules Implementing Sec. 252 of the Federal Telecommunications Act of 1996, Secs. 2600, 2613, 2614, 2622, 2623, 2624, 2625 & 2699, 48 DCR 140 (1-5-01) (PSC)
- Chapter 26, Rules Implementing Section 252 of the Federal Telecommunications Act of 1996, 51 DCR 2905 (3-19-04) (PSC)
- Chapter 27, Regulation of Certified Telecommunications Service Providers, 48 DCR 4664, (5-25-01) (PSC)
- Chapter 28, Universal Service, 50 DCR 8198 (10-3-03) (PSC)
- Chapter 31, Customer Service Standards, 49 DCR 6797 (7-19-02) (OCTT)
- Chapter 31, Customer Service Standards, §§ 3107.2, 3108.8, 3106.7, 3106.8, 3107.2, 3109.2, 3115.8, 3118, 3198; Sec. 5 of the Approval of the Franchise of Comcast Cablevision of the District to Provide Cable Service in D.C. Act of 2002, projected effective date 10-3-02 (DC Act 14-411, 49 DCR 7328) (DC ACT)
- Chapter 33, Allocation of Public, Educational, and Government (PEG) Cable Television Channels, 50 DCR 7543 (9-5-03) (OCTT)
- Chapter 35, Applications for Authority to Issue or Amend Tariffs or Issue Stock or Evidences of Indebtedness, 47 DCR 8202 (10-13-00) (PSC)
- Chapter 35, Appls. for Authority to Issue or Amend Tariffs or Issue Stock or Evidences of Indebtedness, §3503.1, 47 DCR 9890 (12-15-00) (PSC)

DCMR Title 16/Consumers, Commercial Practices, & Civil Infractions (July 1998 ed.)w/December 1998 Supplement

- Chapter 3, §301.4(c), to require sales finance companies engaging in dealer activities to acquire a dealer license; Sec. 403 of the Fiscal Year 2003 Budget Support Act of 2002, projected effective date September 25, 2002 (DC Act 14-403, 49 DCR 6968 (7-26-02)) (DC ACT)
- Chapter 4, Towing Service for Motor Vehicles, 50 DCR 2473 (3-28-03) (DCRA)
- Chapter 4, Towing Service for Motor Vehicles, 50 DCR 3935 (5-23-03) (DCRA)
- Chapter 4, Towing Service for Motor Vehicles, Sec. 402: Licenses Required for Towing Businesses and Towing Service Storage Lots; Sec. 403: Tow Truck Licenses; Sec. 404: Required Tow Truck Equipment and Markings; Sec. 405: Towing Storage Lot Requirements; Sec. 406: Public Tows; Sec. 408: Payment for Services; Sec. 409: Itemized Statements and Receipts; Sec. 410: Prohibited Acts; Sec. 411: Penalties and Enforcement; and Sec. 499: Definitions, 51 DCR 3428 (4-2-04) (DCRA)
- Chapter 4, Towing Service for Motor Vehicles, Sec. 412: Licensing Fees, 50 DCR 4942 (6-20-03) (DCRA)
- Chapter 22, Postsecondary Nondegree Schools, Sec. 2219: Refund Policies, 51 DCR 87 (1-2-04) (DCRA)

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- Chapter 31, Civil Infractions: Administrative Procedures), §3113.6; Sec. 3114: Cost, Penalties, and Interest, §3114.2; Sec. 3117: Collection Proceedings and Liens, §§3117.2 through 3117.14; §§3118.1 & 3118.2, 3118.14 & 3199, 49 DCR 4995 (5-31-02) (DCRA)
- Chapter 32, Civil Infractions, Sec. 3210: DCRA Office of Investigation, Weights and Measures - Towing Service for Motor Vehicle Infractions, §3210.1, Reserved; and 3210.2 - 3210.5, EXPIRES 120 DAYS, 51 DCR 2462 (3-5-04) (DCRA)
- Chapter 32, Civil Infractions, Sec. 3216: DCRA Business Inspection Division - Food Protection Branch Infractions), §§ 3216.1 & 3216.4 to Establish Fines for Violations of the Provisions of the Rodent Control Act of 2000, 48 DCR 6656 (7-27-01) (DOH)
- Chapter 32, Civil Infractions, §§ 3216.1 through 3216.8 to make amendment to regulations that govern rodent control, Sec. 910 Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (DC Law 13-172, 47 DCR 6308) (DC LAW)
- Chapter 32, §§3224.3, 3224.3(p) to increase the civil infractions fine for violating the engine idling provisions, and to make the engine idling provisions of the regulations comport with the engine idling provisions of the D.C. Air Pollution Control Act of 1984; Sec. 2 of Motor Vehicle Excessive Idling Fine Increase Amendment Act of 1999, effective October 7, 1999 (DC Law 13-35, 46 DCR 6017) (DC LAW)
- Chapter 32, Civil Infractions, Sec. 3234: DOH Environmental Health Administration - Soil Erosion and Sedimentation Control and Storm Water Management, 47 DCR 6892 (8-25-00) (DOH)
- Chapter 32, Civil Infractions, §3239, Operation of Group Homes for Mentally Retarded Persons, §§3239.1(c)(d) & 3239.2(d), EXPIRES 120 DAYS, 47 DCR 329 (1-21-00) (DOH)
- Chapter 32, Civil Infractions, Sec. 3239: Operation of Group Homes for Mentally Retarded Persons, 47 DCR 6217 (8-4-00) (DOH) Chapter 32, Civil Infractions, Sec. 3240: Lead-Based Paint Abatement and Control, 47 DCR 8091 (10-6-00) (DOH)
- Chapter 32, Civil Infractions, Sec. 3241: Mental Health Community Residence Facility Infractions, 47 DCR 9677 (12-8-00) (DOH)
- Chapter 32, Civil Infractions: Schedule of Fines), Sec. 3242: Licensing of Hospitals, 48 DCR 7212 (8-3-01) (DOH)
- Chapter 32, Civil Infractions, Sec. 3243: Licensing of Nursing Facilities, 50 DCR 990 (1-31-03) (DOH)
- Chapter 32, Civil Infractions), Sec. 3245: Criminal Background Checks for Health-Care Workers, 50 DCR 1514 (2-14-03) (DOH)
- Chapter 33, Department of Mental Health Civil Infractions, Sec. 3300: Mental Health Certification Infractions, §3300.1, 49 DCR 9857 (11-1-02) (DOMH)
- Chapter 33, Department of Mental Health Civil Infractions, Sec. 3301: MHRS Provider Certification Infractions, 51 DCR 1267 (1-30-04) (DOMH)

DCMR Title 17/Business, Occupations, and Professions (May 1990 ed.)

- Chapter 1, Sec. 100, Civil Enforcement Alternative, Sec. 7 of the DCRA Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990, D.C. Law 8-237, effective March 29, 1991, 38 DCR 314 (D.C. Law)
- Chapter 1, Repeal Secs. 100.1 (b) & (c), Barber and Cosmetology Revision Act of 1992, effective March 17, 1993, D.C. Law 9-245, 40 DCR 660 (D.C. Law)
- Chapter 1, Repeal Sec. 100.1(a), 42 DCR 7266 (12-29-95) (DCRA)
- Chapter 2, Sec. 200.9, Civil Enforcement Alternative, Sec. 7 of the DCRA Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990, D.C. Law 8-237, effective March 29, 1991, 38 DCR 314

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- Chapter 16, Optometry, Sec. 6412: Administration of Diagnostic Pharmaceutical Agents; Sec. 6413: Administration of Therapeutic Pharmaceutical Agents; and Sec. 3500, §3500.1 Description of Service, 46 DCR 4197 (5-7-99) (DOH)
- Chapter 17, Athlete Agents, 50 DCR 9549 (11-14-03) (DCRA)
- Chapter 18, Broker-Dealers and Agents, (Chapters 18 & 19 repealed), 48 DCR 4106 (5-11-01) (ISR)
- Chapter 18, Sec. 1800: Investment Adviser Registration, 45 DCR 1841 (3-27-98) (ISR)
- Chapter 18, Investment Advisor Act Rules, 40 DCR 6732 (9-24-93)(PSC)
- Chapter 18, §§1805.1, 1805.2, 1805.3, 1805.4, & 1805.5 Regarding Investment Advisers, 47 DCR 1221 (2-25-00) (ISR)
- Chapter 18, Sec. 1823, Rules of Practice/Procedure for Investment Advisers, 42 DCR 659 (2-3-95)(PSC)
- Chapter 19, Sec. 1907.8 & 1907.9, Surety Bond Requirements, 38 DCR 611 (1-18-91)(PSC)
- Chapter 19, Registration of Securities Offerings, EXPIRES 2-1-02, 48 DCR 9177 (10-5-01) (ISR)
- Chapter 23, §§2302.1, 2302.2, 2302.3, 2304.1, 2304.2 & 2311.3 to Incorporate the Minimum Criteria for Certification Issued by the Appraiser Qualification Board of the Appraisal Foundation, EXPIRES 120 days, 45 DCR 44 (1-2-98) (DCRA)
- Chapters 23 & 33, Real Estate Appraisers, and Amend sec. 3300.1(d), 40 DCR 8480 (12-10-93)
- Chapter 24, §§2407.2, 2408.2 & Sec. 2409 to Increase the License Fee for Notaries Public and the Fees for the Issuance of Certifications of Notaries Public, 42 DCR 3365 (6-30-95)(OM)
- Chapter 25, Secs. 2505 & 2506, Examinations and Conditional Credit, 40 DCR 8168 (11-19-93)(BA)
- Chapter 25, Sec. 2508, Reciprocity for Canadian Chartered Accountants, 41 DCR 7352 (11-11-94)(DCRA)
- Chapter 25, Accountants, 51 DCR 4401 (4-30-04) (DCRA)
- Chapter 26, Real Estate Licensing/Continuing Education Requirements - Amended, 38 DCR 5010 (8-9-91)(REC)
- Chapter 26, Real Estate Licenses, Secs. 2600, 2602, 2603, & 2605 to Change Requirements for Pre-Licensing Education, and Continuing Education, for Property Managers and Real Estate Brokers and Salespersons, 46 DCR 7335 (9-17-99) (REC)
- Chapter 26, Secs. 2603, 2605, 2622 & 2623, To Amend Continuing Education and License Reinstatement Requirements, 40 DCR 1108 (2-5-93)(REC)
- Chapter 26, Regarding Continuing Education Requirements and Establishing Alternative Continuing Education Courses, 40 DCR 8500 (12-10-93)(REC)
- Chapter 26, §§2601.1, 2602.1, 2603.1, 2603.4, 2605.7, 2621.3 & 2612.5; Repeal 2603.18 & 2605.8, To Require Home Addresses of Licensees Shall be Street Addresses, Not Post Office Boxes; and Continuing Education Requirements, 42 DCR 3178 (6-23-95)(REC)
- Chapter 26, Real Estate Licenses, Prelicensing Education Requirements for Real Estate Salepersons, 43 DCR 6838 (12-20-96) (REC)
- Chapter 26, repeal section 2608; section 23 of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (DC Law 11-155, 43 DCR 4213) (DC LAW)
- Chapter 27, Sec. 2704.3, To Increase the Minimum and Maximum Balances of the Real Estate Guaranty and Education Fund, 40 DCR 3925 (6-18-93) (REC)
- Chapter 27, Real Estate Practice and Hearings, Sec. 2708: Real Property Seller's Disclosure Statement, 46 DCR 6966 (8-27-99) (DCRA)
- Chapter 31, Funeral Services Establishments, 39 DCR 7853 (10-23-92) (DCRA)
- Chapter 31, Sec. 3109, Licensing Fees for Funeral Services Establishments, 41 DCR 1427 (3-18-94)(O-M)
- Chapter 32, Secs. 3203, 3206 & 3207, Regarding National Examination and Continuing Education Requirements for Interior Designers, 39 DCR 6824 (9-11-92)(DCRA)
- Chapter 33, Amend Sec. 3300.1(f), 42 DCR 7266 (12-29-95) (DCRA)
- Chapter 33, General Rules, § 3300.1 (e), 50 DCR 7699 (9-12-03) (DCR)
- Chapter 34, Architects, 42 DCR 7266 (12-29-95) (DCRA)

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- Chapter 35, Sec. 3500.1, Occupational and Professional License Fee Schedule, 40 DCR 5204 (7-16-93)(OM)
- Chapter 35, Sec. 3500.1, Occupational and Professional License Fee Schedule - Amended, 41 DCR 8087 (12-23-94)(DCRA)
- Chapter 35, Sec. 3500.1, Occupational and Professional License Fee Schedule - Amended, 46 DCR 7282 (9-17-99) (DOH)
- Chapter 35, Occupational and Professional License Fee Schedule, Sec. 3500: Fees, §3500.1 to Modify Health Occupations License Fees, 49 DCR 8215 (8-23-02) (DOH)
- Chapter 35, Occupational and Professional License Fee Schedule, Sec. 3500: Fees, § 3500.1 to Increase Fees Associated with Non-Health Related Occupations and Professions, 51 DCR 4438 (4-30-04) (DCRA)
- Chapter 35, Sec. 3503, Schedule of Fees for the Registered Limited Liability Partnership Amendment Act of 1993, 41 DCR 3154 (5-27-94)(DCRA)
- Chapter 37, Barber and Cosmetology, 50 DCR 7699 (9-12-03) (DCR)
- Chapter 43, Dental Hygiene, Secs. 4310.1(a), 4310.2 - Amended, 42 DCR 797 (2-10-95) (DCRA)
- Chapter 40, Health Occupations: General Rules, Sec. 4001: Application for a License, Registration, Renewal, or Reinstatement, §4001.1 to Eliminating the Requirement that all Applications for Licensure be Attested to By a Notary Public, 51 DCR 1671 (2-13-04) (DOH)
- Chapter 40, Health Occupations: General Rules, §4099.1; and Chapter 48 (Chiropractic), Sec. 4800: General Provisions, §§4800.2 & 4804.3, Sec. 4811: Scope of Practice for Chiropractic and Certification for Ancillary Procedures, and Sec. 4899: Definitions, 49 DCR 6820 (7-19-02) (DOH)
- Chapter 40, Health Occupations: General Rules, §4099.1; and Chapter 48 (Chiropractic), Sec. 4800: General Provisions, §§4800.2 & 4804.3, Sec. 4811: Scope of Practice for Chiropractic and Certification for Ancillary Procedures, and Sec. 4899: Definitions, 49 DCR 11237 (12-13-02) (DOH)
- Chapter 42, Dentistry, Sec. 4203: Applicants Educated in Foreign Countries, § 4203.2 (c) , 51 DCR 3272 (3-26-04) (DOH)
- Chapter 43, Dental Hygiene, Sec. 4310: Functions of Dental Hygienists, 4310.1 & 4310.2, 50 DCR 9240 (10-31-03) (DOH)
- Chapter 44, Sec. 4405, Supervised Practice by Students and Graduates (Registered Dietitians Eligible (RDE)), 41 DCR 4927 (7-22-94)
- Chapter 44, §4401.1 Governing the Term of Licensure (Dietetics), 42 DCR 1428 (3-24-95)(DCRA)
- Chapter 45, Sec. 4505, Supervised Practice by Students and Graduates (Nutrition), 41 DCR 4929 (7-22-94) (DCRA)
- Chapter 45, §4501.1 Governing the Term of Licensure (Nutrition), 42 DCR 1428 (3-24-95)(DCRA)
- Chapter 46, Sec. 4605, National Examinations, 42 DCR 5019 (9-1-95) (DCRA)
- Chapter 46, Sec. 4608, Waiver for Foreign Educated Applicants of Conceded Eminence, 38 DCR 1653 (3-15-91)(DCRA)
- Chapter 46, Medicine, Sec. 4611: Pre-Licensure Practice by Students and Postgraduate Physicians, § 4611.5 (a)(b)(c)(d) to Establish a Monitoring Program of Postgraduate Physicians in Training in D.C., 51 DCR 3730 (4-9-04) (DOH)
- Chapter 48, Chiropractic, Sec. 4800: General Provisions, §§4800.2 & 4804.3, Sec. 4811: Scope of Practice for Chiropractic and Certification for Ancillary Procedures, and Sec. 4899: Definitions, 49 DCR 6820 (7-19-02) (DOH)
- Chapter 48, Chiropractic, Sec. 4800: General Provisions, §§4800.2 & 4804.3, Sec. 4811: Scope of Practice for Chiropractic and Certification for Ancillary Procedures, and Sec. 4899: Definitions, 49 DCR 11237 (12-13-02) (DOH)
- Chapter 48, Chiropractic, Sec. 4800: General Provisions, § 4800.3, 4802.1(b)(3), 4805.3, 4807.1, 4811.1 & 4811.2, 50 DCR 3955 (5-23-03) (DOH)

DCMR Title 17/Business, Occupations, and Professions Continued

- Chapter 49, Sec. 4094, Waiver of Education and Examination Requirements, 38 DCR 5166 (8-16-91)(DCRA)
- Chapter 50, Naturopathy, 39 DCR 6129 (8-14-92)(DCRA)
- Chapters 54 & 55, §§5411.1 & 5511.1 to Provide Supervised Practice by Registered and Practical Nurses Licensed in Another Jurisdiction, EXPIRES 120 days, 45 DCR 295 (1-16-98) (DCRA)
EXPIRED
- Chapters 54 & 55, §§5411.1 & 5511.1 to Provide Supervised Practice by Registered and Practical Nurses Licensed in Another Jurisdiction, 45 DCR 1639 (3-20-98) (DCRA)
- Chapters, 54, 55, 57, 58 & 59, Subtitle: Health Occupations,§5411.15; §5511.16; §5711.1115; Sec. 5899; Sec. 5999, 40 DCR 5353 (7-23-93)(DCRA)
- Chapter 56, Accreditation of Nursing Schools and Education Programs, 44 DCR 3504 (6-20-97)(DCRA)
- Chapters 57, 58 & 59, Subtitle: Health Occupations, Amendments to Advanced Registered Nursing Categories, 42 DCR 3359 (6-30-95)(DCRA)
- Chapter 57, Certified Registered Nurse-Anesthetists; Chapter 58, Nurse-Midwives; Chapter 59, Nurse-Practitioners; and New Chapter 60, Clinical Nurse Specialist, 49 DCR 11751 (12-27-02) (DOH)
- Chapter 58, Nurse-Midwives, 49 DCR 11751 (12-27-02) (DOH)
- Chapter 59, Nurse-Practitioners, 49 DCR 11751 (12-27-02) (DOH)
- Chapter 60, Clinical Nurse Specialist, 49 DCR 11751 (12-27-02) (DOH)
- Chapter 61, Trained Medication Employee, 48 DCR 2581 (3-23-01) (BON)
- Chapter 61, Trained Medication Employees, 50 DCR 9242 (10-31-03) (DOH)
- Chapter 62, Nursing Home Administration, Sec. 6200: Educational Requirements, Secs. 6202, 6204, 6205, 6206, 6207, 6208, 6211, 6299; New Secs. 6209, 6210, 6212, 51 DCR 3731 (4-9-04) (DOH)
- Chapter 64, Secs. 6404 & 6405, Optometry, 41 DCR 2517 (5-6-94)
- Chapter 65, Secs. 6504, 6507, 6508 & 6509, Continuing Education and Examination Requirements for Pharmacists, 41 DCR 8091 (12-23-94)(DCRA)
- Chapter 66, Professional Counseling, 41 DCR 5238 (8-5-94)(DCRA)
- Chapter 66, Professional Counseling, Sec. 6609: Standards of Conduct, 50 DCR 6697 (8-15-03) (DOH)
- Chapter 67, Physical Therapy, Sec. 6704: National Examination, §§6704.5 through 6704.8, 49 DCR 11780 (12-27-02) (DOH)
- Chapter 67, Physical Therapy, Sec. 6714: Standards of Conduct, § 6714.4, 50 DCR 2607 (4-4-03) (DOH)
- Chapter 68, Podiatry, Sec. 6804: National Examination, § 6804.1, 6804.2 & 6804.3, 50 DCR 5294 (7-4-03) (DOH)
- Chapter 70, Sec. 7006, Continuing Education Requirements for License to Practice Social Work, 38 DCR 6156 (10-4-91)(DCRA)
- Chapter 70, (Social Work, Sec. 7012: Waiver of Examination or Education Requirements, Repealed, 50 DCR 9252 (10-31-03) (DOH)
- Chapter 70, Social Work, Sec. 7009: Standards of Conduct, 50 DCR 5881 (7-25-03) (DOH)
- Chapter 70, Social Work, Sec. 7011: Supervision of Practice by Students, Applicants and Social Workers, § 7011.1, 50 DCR 3174 (4-25-03) (DOH)
- Chapter 71, Dance Therapy, 37 DCR 6016 (9-14-90)(DCRA)
- Chapter 72, Recreation Therapy, 41 DCR 5953 (8-19-94)(DCRA)
- Chapter 73, Addiction Counselor, 41 DCR 5252 (8-5-94)(DCRA)
- Chapter 75, Massage Therapy, 45 DCR 7716 (10-30-98) (DOH)
- Chapter 75, Massage Therapy, Sec. 7506: Continuing Education Requirements, §7506.4; and Sec. 7513: Advertisement, 50 DCR 2048 (3-7-03) (DOH)
- Chapter 81, Rules of Practice and Procedures for Hearings, 49 DCR 9285 (10-11-02) (ISR)
- Chapter 89, Trade Name Registration, 49 DCR 10075 (11-8-02) (DCRA)

DCMR Title 18/Vehicles and Traffic (April 1995 ed.) (March 1997 Supplement)

- Chapter 1, section 100.1, 102.2 through 102.5, 102.14, 103.1, 103.7, 104.1, 107.10(c), 109.1, to establish, a three-tiered graduated driver's license program for drivers under the age of 21, nighttime driving restrictions and passenger limits for drivers under the age of 18, and to require certified driving experience and demonstrated safe driving habits prior to the removal of driving restrictions; Sec. 3 of the Safe Teenage Driving Amendment Act of 1999, effective April 5, 2000 (DC Law 13-73, 47 DCR 10417) (DC LAW)
- Chapter 1, Issuance of Driver's Licenses), Sec. 103: Application for a Driver's License or Learner's Permit, § 103.8 to Increase the Provisional Operators' Permit Fee, 50 DCR 10819 (12-19-03) (DOMV)
- Chapter 1, Issuance of Driver's Licenses, §§106.4, 110.1 through 110.3 & 110.8 (a)(b)(c) to Permit the Renewal of a Driver's License Through the Mail or Over the Internet, 48 DCR 3071 (4-6-01) (DOMV)
- Chapter 1, Issuance of Driver's Licenses, Sec. 110: Renewal of Driver's Licenses, §110.8; Chapter 4 Motor Vehicle Title and Registration, Sec. 412: Refusal of Registration, §412.1(e); and Chapter 30 Adjudication and Enforcement, Sec. 3007: Payment of Civil Fines, § §3007.5 through 3007.9, 49 DCR 10317 (11-15-02) (DOMV)
- Chapter 1, Issuance of Driver's Licenses, Sec. 110: Renewal of Driver's Licenses, §110.8; Chapter 4 Motor Vehicle Title and Registration, Sec. 412: Refusal of Registration, §412.1(e); and Chapter 30 Adjudication and Enforcement, Sec. 3007: Payment of Civil Fines, § §3007.5 through 3007.9, (REVISED), EXPIRES 10-25-02, 49 DCR 7951 (8-16-02) (DOMV)
- Chapter 1, Issuance of Driver's Licenses); Chapter 3 (Cancellation, Suspension, or Revocation of Licenses); Chapter 4 (Motor Vehicle Title and Registration); Chapter 7 (Motor Vehicle Equipment); Chapter 10 (Procedures for Administrative Hearings); Chapter 26 (Civil Fines for Moving and Non-Moving Infractions); and Chapter 30) Adjudication and Enforcement), 50 DCR 4399 (6-6-03) (DOMV)
- Chapter 1, Issuance of Driver's Licenses); Chapter 3, Cancellation, Suspension, or Revocation of Licenses; Chapter 4, Motor Vehicle Title and Registration; Chapter 7, Motor Vehicle Equipment; Chapter 10, Procedures for Administrative Hearings; Chapter 26, Civil Fines for Moving and Non-Moving Infractions); and Chapter 30, Adjudication and Enforcement, 50 DCR 5984 (7-25-03) (DOMV)
- Chapter 3, section 301.1, 303.1(m), 306.8 to establish .08% as the blood alcohol level at which a person is conclusively presumed to be operating a motor vehicle while under the influence of alcohol; Sec. 6 of the Anti-Drunk Driving Amendment Act of 1998, effective April 13, 1999 (DC Law 12-212, 46 DCR 5) (DC LAW)
- Chapter 3, sections 303.1, 303.3, 303.4, 303.5, 303.6, 303.9, 303.10, 303.15, 307.1, 307.2 through 307.6, 310.1, 310.4, 310.5, 310.7, 310.9, 1004.2 & 9901.1 to require suspension and revocation of driver licenses based upon traffic points, to assign up to a total of 5 good driving points to drivers who drive continuously without fines or points, to eliminate points given by automated traffic enforcement systems, Sec. 701 of the Motor Vehicle and Safe Driving Amendment Act of 2000, effective April 27, 2001 (DC Law 13-289, 48 DCR 2057) (DC LAW)
- Chapter 3, Cancellation, Suspension, or Revocation of Licenses, §§301.1(a), 303(m), 306.8, "Anti-Drunk Driving Amendment Act of 1998" (DC Act 12-517), 46 DCR 7 (1-1-99) (DC Act)
- Chapter 3, Cancellation, Suspension, or Revocation of Licenses, Sec. 303: Establishment of a Point System; and §307.3, 45 DCR 7872 (11-6-98) (DPW)
- Chapter 3, Cancellation, Suspension, or Revocation of Licenses, §307.1; Chapter 4, Motor Vehicle Title and Registration, §§411.11(g), 411.12(j); and Chapter 10, Procedures for Administrative Hearings, Sec. 1006: Hearing on Revocation of License, Registration, or Reciprocity Sticker, Pursuant to the Clean Hands Act, 48 DCR 7314 (8-10-01) (DOMV)
- Chapter 4, §§411.11 (f) & 411.12 of the "Driving Under the Influence Repeat Offenders Amendment Act of 2000", (D.C. Law 13-238), 48 DCR 3480 (4-20-01) (DC Law)

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- Chapter 4, Motor Vehicle Title and Registration, Sec. 411: Registration of Motor Vehicles: General Provisions, § 411.13 to Establish a Reinstatement Fee, 50 DC 7177 (8-29-03) (DOMV)
- Chapter 4, Motor Vehicle Title and Registration, Sec. 422: Display of Identification Tags, §422.7 (a)(b), 49 DCR 11260 (12-13-02) (DOMV)
- Chapter 4, Motor Vehicle Title and Registration, Sec. 429: Enforcement of Registration and Reciprocity Requirements, 49 DCR 5814 (6-21-02) (DOMV & DPW)
- Chapter 6, Inspection of Motor Vehicles, §§601.6 & 604.8 (g), 49 DCR 748 (1-25-02) (DOMV)
- Chapter 6, Inspection of Motor Vehicles), §§601.6 & 604.8, 49 DCR 11261 (12-13-02) (DOMV)
- Chapter 6, Inspection of Motor Vehicles), Sec. 601: Inspection Requirements, §§601.16 - 601.19; and Sec. 609: Inspection of Non-Registered Motor Vehicles, §§ 609.2 & 609.3, 48 DCR 6261 (7-13-01) (DOMV)
- Chapter 6, Inspection of Motor Vehicles, Sec. 602: Inspection Requirements, §§601.6, 601.15, 601.16 & 601.17; and Sec. 609: Inspection of Non-Registered Motor Vehicles, §609.2, 47 DCR 1150 (2-9-01) (DOMV)
- Chapter 6, Inspection of Motor Vehicles, Sec. 603: Vehicle Inspection: Approved Vehicles, § 603.4 (a) through (q); Sec. 604: Vehicle Inspection: Rejected Vehicles, § 604.2; and Sec. 752: Maximum Allowable Levels of Exhaust Components, § 752.3, 50 DCR 8196 (10-3-03) (DOMV)
- Chapter 6, Inspection of Motor Vehicles, Sec. 618: Automotive Emissions Repair Technician, §618.5, 46 DCR 4201 (5-7-99)
- Chapter 6, Sec. 619: Vehicle Emission Recall Compliance , 44 DCR 5966 (10-17-97)(DPW)
- Chapter 7, §703.10, Windshield Wipers and Headlamp Regulation Amendment Act of 1998, DC Law 12-162, effective October 7, 1998, 45 DCR 7580 (10-23-98) (DC LAW)
- Chapter 8, Safety Responsibility, Sec. 803: Accident Reports, is Repealed, 50 DCR 10564 (12-12-03) (DOMV)
- Chapter 10, Procedures for Administrative Hearings), Sec. 1035: Evidence: Photo Radar Device, 48 DCR 7316 (8-10-01) (DOMV)
- Chapter 10, Procedures for Administrative Hearings), Sec. 1035: Evidence: Photo Radar Device, §1035.2, 50 DCR 10820 (12-19-03) (DOMV)
- Chapters 12, 22 & 23, Bicyclist Responsibility Regulation Amendment Act of 1996, effective July 22, 1996, DC Law 11-178, effective April 9, 1997, 43 DCR 4240 (8-9-96) (DC LAW)
- Chapter 14, Establish Fines for Violations of the Commercial Transportation Safety Regulations, Repeal the Regulatory Exemption for Passenger Vehicles, Restrict Hazardous Materials Traffic to Specified Routes, and Establish Criteria to Determine When a Vehicle or Driver Should be Placed Out-of-Service, 47 DCR 8861 (11-3-00) (MPD)
- Chapter 20, Correction to §2000.2 [Rev. 3-20-97], last sentence should read "This section shall apply to pedestrians and to the operators of vehicles.", ERRATA
- Chapter 20, Secs. 2000.11, 2000.12 & 2000.13, "Collateral Reform Amendment Act of 1998" (DC Law 12-87), 46 DCR 1226 (3-6-98))DC LAW)
- Chapter 24, §§2406.9, 2406.10, 2406.11, 2411.2 of the "Individuals with Disabilities Parking Reform Amendment Act of 2000", DC Law 13-279, effective April 27, 2001, 48 DCR 1882 (3-2-01) (DC LAW)
- Chapter 24, §§ 2406.9, 2406.11 to insert the phrase "individuals with disabilities"; insert the phrase "issued pursuant to Chapter 27 or issued by any other state or country", and insert the phrase "handicapped parking procedures"; Sec. 19 of the Technical Amendments Act of 2001, effective October 26, 2001 (DC Law 14-42, 48 DCR 7612) (DC LAW)
- Chapter 24, §§ 2411.1, 2411.14, 2411.15, 2411.16, 2411.7, 2411.18, 2413.4 & 2413.9 regarding residential parking restrictions; Sec. 2 of the Motor Vehicle Parking Regulation Amendment Act of 1999, effective May 9, 2000 (DC Law 13-97, 47 DCR 4334(DC LAW)
- Chapter 24, §§2411.14 - 2411.18 & amend §2411.1 of the "Motor Vehicle Parking Regulation Amendment Act of 1999", D.C. Law 13-97, effective May 9, 2000, 47 DCR 4334 (5-26-00) (DC LAW)

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- Chapter 24, §§ 2411.19, 2411.20, 2412.9, repeal 2425; Sec. 2 of the Residential Permit Parking Area Amendment Act of 2002, effective June 28, 2002 (DC Law 14-167, 49 DCR 4475 (5-17-02)) (DC LAW)
- Chapter 24, §2413.4 to authorize the Director to grant residential parking privileges to residents of private streets that abut streets with residential parking restrictions; Sec. 2 of the Motor Vehicle Residential Parking Regulation Amendment Act of 2000, effective March 31, 2001 (DC Law 13-209, 47 DCR 9435) (DC LAW)
- Chapter 24, §§ 2418.3 & 2601.2 to increase the civil infractions fine for violating the engine idling provisions, and to make the engine idling provisions of the regulations comport with the engine idling provisions of the D.C. Air Pollution Act of 1984; Sec. 3 of the Motor Vehicle Excessive Idling Fine Increase Amendment Act of 1999, effective October 7, 1999 (DC Law 13-35, 46 DCR 6017) (DC LAW)
- Chapter 24, Stopping, Standing, Parking, and Other Non-Moving Violations, Sec. 2420: Official Parking Permits and Spaces, §§ 2420.3 through 2420.8 to Regulate Permit Parking Privileges for ANC Commissioners, 51 DCR 3438 (4-2-04) (DOT)
- Chapter 24, Sec. 2426 Saturday and Evening Parking Meter Fee Moratorium of the "Parking Meter Fee Moratorium Amendment Act of 1998, D.C. Law 12-135, effective July 24, 1998, 45 DCR 6506 (9-11-98) (DC Law)
- Chapter 24, Sec. 2427: Streets Exempted From Parking Meter Fee Moratorium, 46 DCR 3498 (4-16-99) (OM)
- Chapter 25, §2603.1 strikes \$25 offense of failure to comply with lawful order of a police officer; Sec. 3 of the "Interference with Medical Facilities and Health Professionals Amendment Act of 1996", effective September 20, 1996 (DC Law 11-157, 42 DCR 3699, 10-18-96) (DC LAW)
- Chapter 26, §2601.1 to increase various parking fees; Sec. 1602 of the "Fiscal Year 2003 Budget Support Act of 2002", effective September 25, 2002, (DC Act 14-403, 49 DCR 6968 (7-26-02) (DC ACT)
- Chapter 26, §2601.1 of the "Individuals with Disabilities Parking Reform Amendment Act of 2000", DC Law 13-279, effective April 27, 2001, 48 DCR 1882 (3-2-01) (DC LAW)
- Chapter 26, Civil Fines for Moving and Non-Moving Infractions), Sec. 2600: Civil Fines for Motor Vehicle Moving Infractions, §2600.1, 50 DCR 10564, 50 DCR 10564 (12-12-03) (DOMV)
- Chapter 27, §§ 2701.1, 2704.3, 2717.1 & 2718.4 of the "Individuals with Disabilities Parking Reform Amendment Act of 2000", DC Law 13-279, effective April 27, 2001, 48 DCR 1882 (3-2-01) (DC LAW)
- Chapter 30, Adjudication and Enforcement, to Permit the Use of Hand Held Electronic Ticketing Devices as an Alternative Method for the Issuing Parking Tickets, 47 DCR 5558 (7-7-00) (DOM)
- Chapter 30, Adjudication and Enforcement, to Authorize the U.S. Mint Police to Issue Tickets for Both Parking Moving Violations, §§3002.1 & 3003.1, 49 DCR 5816 (6-21-02) (DPW)
- Chapter 40., §4025.4 to prohibit parking and loading of tour buses of Eastern Avenue, N.E., between Riggs Road, N.E. and Kennedy St., N.E.; Sec. 2 of the "Eastern Avenue Tour Bus Parking Prohibition Temporary Amendment Act of 2002", effective May 2, 2002 (DC Law 14-120, 49 DCR 1966, 3-8-02) (DC LAW)

DCMR Title 19/Amusements, Parks and Recreation (June 2001 ed.)

- Chapter 1, By-Laws, Rescinding §§106.10, 106.11 & 106.12 and Replace with §106.10 Regarding the Marketing Contracts Oversight Committee, 49 DCR 4571 (5-17-02) (WCCA)
- Chapter 3, Procurement Rules, 49 DCR 10814, pub. 11-29-02
- Chapter 3, Procurement Rules, Sec. 303: General Requirements: Economic Opportunity), § 303.4, 50 DCR 3860 (5-16-03) (WCCA)
- Chapter 4, Bookings, 50 DCR 3035 (4-18-03) (WCCA)

DCMR Title 19/Amusements, Parks and Recreation Continued

- Chapter 7, Department of Recreation, Sec. 719: Establishment of User Fees for the Southeast Tennis and Learning Center and Other Similar Tennis Facilities; and Sec. 799: Definitions, 49 DCR 2479 (3-15-02) (DOPR)
- Chapter 8, Public Library, Sec. 802: Circulation of Library Materials, §802.1, 51 DCR 2720 (3-12-04) (PL)
- Chapter 14, Video Arcades and Amusement Devices, Sec. 1409: Penalties, civil enforcement alternative, sec. 36 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 Technical and Clarifying Amendment Act of 1990, effective 3-29-91, DC Law 8-237, 38 DCR 314 (1-11-91) (DC LAW)

DCMR Title 20/Environment (Feb. 1997 ed.)

- Chapter 1, §199.1& 199.2; Chapter 2, Sec. 205: New Source Performance Standards, §205.1; Chapter 3, Operating Permits and Acid Rain Programs, Sec. 306: Acid Rain Program; Chapter 4, Ambient Monitoring, Emergency Procedures, Chemical Accident Prevention and Conformity, Sec. 402: Chemical Accident Prevention, Sec. 403: Determining Conformity of Federal Actions to State or Federal Implementation Plans; Appendix 5-1, Test Methods for Sources of Volatile Organic Compounds; Chapter 7, §§708.9, 708.10, 708.11, 708.12 & 716 to Regulate Solvent Cleaning (Degreasing) Activities and Offset Lithography Printing Operations, Sec. 799; and Chapter 8, §§800.7(a), (d), (f) & (g) by Correcting Code of Federal Regulations (CFR), 45 DCR 7037 (10-2-98) (DOH)
- Chapter 1 & 2, Secs. 199, 200, 204 & 206, Notice and Comment Procedures for Permit Applications, 44 DCR 2793 (5-9-97)(DCRA)
- Chapter 1, General Rules, §§105.5 & 199.1; Chapter 2, General and Non-Attainment Area Permits, Add New Sec. 207: Permit Requirements for Indirect Sources; Amend Chapter 7 (Volatile Organic Compounds and Hazardous Air Pollutants), Add New Sec. 717: National Emission Standards for Hazardous Air Pollutants for Source Categories; Chapter 8, Asbestos, Sulfur and Nitrogen Oxides, §§805.1 (c), 805.6(c)(2), 805.7, 805.8; and Chapter 10, Nitrogen Oxides Emissions Budget Program, 47 DCR 8638 (10-27-00) (DOH)
- Chapters 1, 2, 5, 7 & 8 to Amend the Air Quality Regulations to Reinstate the Provision That Makes Each Day of Violation a New Offense and Establish NOx Emission Budget Rules That Comply with Requirements in the Federal Clean Air Act, 47 DCR 9686 (12-8-00) (DOH)
- Chapters 1, 2, 6, 7 & 8 of Subtitle A: Air Quality by Setting Emission Standards, 51 DCR 3877 (4-16-04) (DOH)
- Chapter 3, Operating Permits to Clarify the Requirements of the Title V Operating Permit Program; and Chapter 10 (Nitrogen Oxides Emissions Budget Program), Sec. 1014: NOx Budget Trading Program for State Implementation Plans, 48 DCR 4479 (5-18-01) (DOH)
- Chapter 3, Operating Permits, §§302.3(e)(3)(c); and 303.10(a)(1)(b), 50 DCR 2343 (3-21-03) (DOH)
- Chapter 3, of Subtitle A: Air Quality (Operating Permits), Sec. 307: Enforcement for Severe Ozone Nonattainment Areas, 51 DCR 3878 (4-16-04) (DOH)
- Chapter 7, of Subtitle A: Air Quality (Volatile Organic Compounds), Secs. 718 through 754 Pertaining to the Reduction of Volatile Organic Compound Emissions, 51 DCR 3879 (4-16-04) (DOH)
- Chapter 8, Control of Asbestos - Amended, 44 DCR 1979 (4-4-97) (DCRA)
- Chapter 8, Asbestos, Sulfur, Nitrogen Oxides and Lead, Sec. 806: Control of Lead, 45 DCR 20 (1-2-98) (DCRA)
- Chapter 9, Sec. 900: Engine Idling, §900.1 to increase the civil infractions fine for violating the engine idling provisions, and to make the engine idling provisions of the regulations comport with the engine idling provisions of the D.C. Air Pollution Control Act of 1984; sec. 4 of the Motor Vehicle Excessive Idling Fine Increase Amendment Act of 1999, effective 10-7-99, DC Law 13-35, 46 DCR 6017 (7-23-99)

DCMR Title 20/Environment Continued

- Chapter 9, Sec. 904.3, Regarding the Oxygenated Fuels Program, 44 DCR 4256 (7-25-97)(DCRA)
- Chapter 9, Motor Vehicle Pollutants, Lead, Odors, and Nuisance Pollutants, Sec. 915: National Low Emission Vehicle Program, 47 DCR 886 (2-11-00) (DOH)
- Chapter 9, Motor Vehicle Pollutants, Lead, Odors, and Nuisance Pollutants, Sec. 916: Heavy Duty Diesel Engine Emission Standards, 48 DCR 11130 (12-7-01) (DOH)
- Chapter 10, Nitrogen Oxides Emissions Budget Program, Sec. 1014: NOx Budget Trading Program for State Implementation Plans, 48 DCR 4479 (5-18-01) (DOH)
- Chapter 25, Pesticides: Administration & Enforcement), Sec. 2506: Product Registration Fees and Terms, §2506.2 to Increase Fees for Pesticide Products, 48 DCR 8744 (9-21-01) (DOH)
- Chapter 28, Maximum Noise Levels, Sec. 2800: Musical Instruments, Loud Speakers, Amplifiers, and Unamplified Voices, ERRATA, 48 DCR 11747 (12-28-01) (ODIA)
- Chapters 40 - 54, Hazardous Waste Regulations, 47 DCR 7930(9-29-00) (DOH)
- Chapters 55 through 70, Underground Storage Tank Regulations, 46 DCR 7699 (10-1-99) (DOH)
- Chapter 72, Environmental Policy Act Regulations, 44 DCR 2799 (5-9-97)(DCEO)

DCMR Title 21/Water and Sanitation (February 1998 ed.)

- Chapter 1, §§106.4, 112.1 & 112.2 to Increase Fees for Certain Services, 46 DCR 5943 (7-16-99) (WASA)
- Chapter 1, Water Supply, Sec. 106: Permits for Use of Water From Fire Hydrants, §§106.4; Sec. 112: Fees, §§ 112.1 & 112.2 , and Add §§ 112.4 Retail and Commercial Customer Fees and Charges; 112.5: Engineering Reviews, Sale of Documents, Maps and Manuals; and 112.6: Pre-Treatment Fees, 50 DCR 6448 (8-8-03) (WASA)
- Chapter 2, Public Sewer System; and Chapter 4, Contested Water and Sewer Bills, 46 DCR 5358 (6-18-99) (WASA)
- Chapter 3, Water Meters, Secs. 300 - 311 & 399, 50 DCR 782 (1-24-03) (WASA)
- Chapter 3, Water Meters, Sec. 301: Meter Setters and Connections, § 301.2, 51 DCR 781 (1-16-04) (WASA)
- Chapter 3, Water Meters, Sec. 309: Meter Reading and Billing, 49 DCR 8725 (9-20-02)
- Chapter 4, Contested Water and Sewer Bills), Secs. 407: Adjustment for Leaks Which Occur Between the Meter and the Structures that are Served by the Meter and for Underground Leaks; 408: Inconclusive Findings; and 409: Notice of Investigation Results and Adjusted Bills, 50 DCR 796 (1-24-03) (WASA)
- Chapter 7, Solid Waste Control, §§ 700.11, 707, 707.9, 707.10, 707.11, 707.12, 708 to make amendment to regulations that govern rodent control; secs. 911 and 912 of the Fiscal Year 2001 Budget Support Act of 2000, effective 10-19-00, DC Law 13-172, 47 DCR 6308 (8-11-00) (DC LAW)
- Chapter 11, Water Quality Standards, 47 DCR 284 (1-21-00) (WASA)
- Chapter 11, Water Quality Standards, EXPIRES 5-25-02, 49 DCR 1706 (2-22-02) (DOH)
- Chapter 11, Water Quality Standards, 49 DCR 3012 (4-5-02) (DOH)
- Chapter 11, Water Quality Standard, Sec. 1105: Implementation and Applicability, §§ 1105.5.1005.9 and 1199.1, 49 DCR 4854 (5-24-02) (DOH)
- Chapter 15, Discharges to Wastewater System, 47 DCR 2948 (4-28-00) (WASA)
- Chapter 15, Discharges to Wastewater System, Sec. 1501: Discharge Standards, §1501.4, 48 DCR 5564 (6-15-01) (WASA)
- Chapter 41, Sec. 4102: Rates for Groundwater Sewer Service, 46 DCR 5945 (7-16-99) (WASA)
- Chapter 41, Retail Water and Sewer Rates, to Establish New Retail Water and Sewer Rates; and Amend Chapter 1, Water Supply, Sec. 112: Fees to Establish Metering and Right of Way Occupancy Fees, 49 DCR 5977 (6-28-02) (WASA)

DCMR Title 21/Water and Sanitation Continued

- Chapter 41, Retail Water and Sewer Rates, Sec. 4100: Rates for Water Service; 4101: Rates for Sewer Service, §§4101.1, 4102.1 & 4102.2; and Sec. 4103: Fire Protection Service Fee, §4103.1, 47 DCR 320 (1-21-00) (WASA)
- Chapter 41, Retail Water and Sewer Rates, Sec. 4100: Rates for Water Service, §§ 4100.1 - 4100.4; Sec. 4101: Rates for Sewer Service, §4101.1, 50 DCR 6452 (8-8-03) (WASA)
- Chapter 52, Personnel Regulations, 44 DCR 7144 (11-21-97) (WASA)
- Chapter 52, Personnel Regulations), Sec. 5202: Recruiting and Hiring, §5202.1; Sec. 5203: Probationary Period, §5203.1, 5203.2; Sec. 5204: Leaves, Holidays and Other Absences, §§5204.1, 5204.1(d), 5204.2(a)(b)(c)(f), 5204.3; Sec. 5205: Compensation and Benefits, §§5205.2(a)(b)(c), 5205.3(c)(d), 5205.9(f), 5205.10(d), 5207: Layoff and Recall, §§5207.22(d); and Sec. 5208: Performance, §§5208.1 - 5208.6, 50 DCR 799 (1-24-03) (WASA)
- Chapter 52, Personnel Regulations, Sec. 5207: Layoff and Recall; Sec. 5214: Restoration to Duty; and Sec. 5215: Severance Pay Not Pursuant to a Reduction In Force Under Section 5207, 49 DCR 532 (1-18-02) (WASA)
- Chapter 53, Procurement, EXPIRED, 46 DCR 613 (1-22-99) (WASA)
- Chapter 53, Procurement Regulations, 46 DCR 7348 (9-17-99) (WASA)
- Chapter 54, Cross Connections; and Chapter 4 (Contested Water and Sewer Bills), Secs. 400, 401, 402, 410, 416, 424 & 499, 47 DCR 1743 (2-23-01) (WASA)

DCMR Title 22/Public Health and Medicine (Aug. 1986 ed.)

- Chapter 1, Secs. 130 - 154, Immunization of School Children, 44 DCR 1656 (3-21-97)(OM)
- Chapter 1, 7, 20 - 23, Sec. 111.16, Civil Enforcement Alternative, Sec. 8 of the DCRA Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990, effective 3-29-91 DC Law 8-237, 38 DCR 314 (1-11-91) (DC LAW)
- Chapter 2, Communicable and Reportable Diseases, §201.5(a), 205.8; Sec. 206: Human Immunodeficiency Virus (HIV) Infection; and Sec. 211: Laboratories and Blood Banks, 47 DCR 10209 (12-29-00) (DOH)
- Chapter 2, Sec. 215: Monitoring and Reporting the Occurrence of Cancer; Sec. 216: Quality Assurance/Access to Records; Sec. 217: Confidentiality; and Sec. 218: Penalties, 42 DCR 6379 (11-17-95) (DHS)
- Chapter 2, Communicable and Reportable Diseases), Secs. 215 - 218, 47 DCR 3493 (5-19-99) (DOH)
- Chapter 2, Communicable and Reportable Diseases), §201.5(a), 205.8; Sec. 206: Human Immunodeficiency Virus (HIV) Infection; and Sec. 211: Laboratories and Blood Banks, 48 DCR 472 (1-19-01) (DOH)
- Chapter 2, Communicable and Reportable Diseases), Sec. 201:Communicable Diseases, 201.1 (k) Severe Acute Respiratory Syndrome (SARS), 50 DCR 6169 (8-1-03) (DOH)
- Chapter 4, Drug Manufacture and Distribution, 39 DCR 7729 (10-16-92) (DCRA)
- Chapter 5, Sec. 502, Rescheduling of the Drug Buprenorphine, 33 DCR 6908 (11-7-86)(DCRA)
- Chapter 5, Controlled Substances, 32 DCR 1097 (2-22-85)(DCRA)
- Chapter 7, Spay-neuter Fees, 32 DCR 3021 (5-31-85)(DHS)
- Chapter 7, Sec. 700.12, Civil Enforcement Alternative, Sec. 39 of the DCRA Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990, D.C. Law 8-237, effective March 29, 1991, 38 DCR 314
- Chapter 7, Secs. 730 to 733 - DELETED, Animals, Pet Shops and Animal Hospitals, superseded at 35 DCR 6630 (9-2-88)(DCRA)
- Chapter 10, Sec. 1001, Deschedules the Drug Loperamide from Schedule V of the Uniform Controlled Substances Act, 34 DCR 4370 (7-10-87)(DCRA)
- Chapter 10, Sec. 1030: Controlled Substances Fees; and Amend 20 DCMR, Chapter 23, Sec. 2303: Medical Devices Fees, 43 DCR 3858 (7-19-96) (OM)

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- Chapter 12, Controlled Substances Act Rules, 39 DCR 1882 (3-20-92)(DCRA)
- Chapter 12, Transferring the Narcotic Levo-alphaacetylmethadol (LAAM) from Schedule I to Schedule II, and Adds Specific Anabolic Steroids to Schedule III of the D.C. Controlled Substances Act of 1981, 41 DCR 7967 (12-16-94)(DCRA)
- Chapter 12, Controlled Substances Act Rules) to Add New Substances and Correct Errors, EXPIRED 12-21-00, 47 DCR 7512 (9-15-00) (DOH)
- Chapter 12, Controlled Substances Act Rules), Secs. 1200, 1201, 1202, 1203, 1204, 1205 to Add New Substances and Correct Errors, 47 DCR 914 (2-2-01) (DOH)
- Chapter 12, Controlled Substances Act Rules, 51 DCR 4080 (4-23-04) (DOH)
- Chapter 32, Civil Infractions, Sec. 3239: Operation of Group Homes for Mentally Retarded Persons§§3239.1(c), 3239.1(d), and 3239.2(d) , 47 DCR 3209 (5-5-00) (DOH)
- Chapter 13, Sec. 1330, Therapeutically Equivalent Prescription Drugs, 36 DCR 8154 (12-1-89)(DHS)
- Chapter 13, Sec. 1331, Pharmacy Fees; and Sec. 1332, Drug Manufacturers and Distributors, 42 DCR 5016 (9-1-95) (DCRA)
- Chapter 16, Provision of Respite Care for Mentally Retarded Persons, 34 DCR 3319 (5-22-87)(DHS)
- Chapter 17, Standards for Payment of Habilitation and Care for Customers of the Mental Retardation and Developmental Disabilities Administration, EXPIRES 120 DAYS, 48 DCR 10358 (11-9-01) (DHS))
- Chapter 19, Pharmacies, 38 DCR 6734 (11-8-91)(DCRA)
- Chapters 20 - 23,Civil Enforcement Alternative, Sec. 7 of the DCRA Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990, D.C. Law 8-237, effective March 29, 1991, 38 DCR 314
- Chapters 20 & 31, Licensing Fees for Health-Care and Community Residence Facilities, 43 DCR 4731 (8-30-96) (OM)
- Chapter 20, Hospitals and Clinics, Sec. 2099: Definitions; Chapter 22 (Categories of Hospital Services, Sec. 2204: Newborn Hearing Screening Service; and Chapter 26 (Maternity Centers), §2600.8, 49 DCR 4857 (5-24-02) (DOH)
- Chapter 20, Hospitals and Clinics, Sec. 2099: Definitions; Chapter 22 (Categories of Hospital Services, Sec. 2204: Newborn Hearing Screening Service; and Chapter 26 (Maternity Centers), §2600.8, CORRECTED NOTICE, 49 DCR 6130 (7-5-02) (DOH)
- Chapters 20, 21, & 22 to Authorize Qualified Health Professionals to Perform Duties Formerly Done Only by Physicians and to Require Physicians to Have an Annual Health Examination Performed by Another Physician, 50 DCR 4162 (5-30-03) (DOH)
- Chapter 22, Categories of Hospital Services, Sec. 2204: Newborn Hearing Screening Service, 49 DCR 4857 (5-24-02) (DOH)
- Chapter 24, Sec. 2411, Fee for the Distribution of Cadavers, 35 DCR 9052 (12-30-88)(AB)
- Chapter 24, Sec. 2409, Fees for Copies of Records and Reports, 42 DCR 4085 (8-4-95)(DHS)
- Chapter 26, Maternity Centers, 46 DCR 2779 (3-19-99) (DOH)
- Chapter 26, Maternity Centers, CORRECTED NOTICE, 46 DCR 3970 (4-30-99) (DOH)
- Chapter 26 (Maternity Centers), §2600.8, 49 DCR 4857 (5-24-02) (DOH)
- Chapters 27 & 28, Criteria for Adult and Pediatric Trauma Centers, 39 DCR 3530 (5-22-92)(DHS)
- Chapter 27, Adult Trauma Care; and Chapter 28 (Pediatric Trauma Care), 46 DCR 8741 (10-29-99) (DOH)
- Chapter 28, Pediatric Trauma Care, 46 DCR 8741 (10-29-99) (DOH)
- Chapter 29, Public Health Laboratory, Sec. 2900: Public Health Laboratory Fees, 49 DCR 3693 (4-19-02) (DOH)
- Chapter 29, Public Health Laboratory to Add Test Service Categories, Services and Fees, 50 DCR 995 (1-31-03) (DOH)
- *Chapters 30 - 38, *Health Care and Community Residence Facilities Supplement* Published as a Separate Volume Dated February 1995

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- Chapter 30, Sec. 3013, Revised Rates for Selected Services Provided by Commission on Public Health Clinics, 40 DCR 6262 (8-27-93)
- Chapter 30, Sec. 3023.1(a), Rules Governing Reimbursement Rates for Medical Charities Patients - Amended, 37 DCR 5896 (9-7-90)(DHS)
- Chapter 30, Sec. 3019, Physical Therapist's Fee for the Home Care Services Bureau, Dept. of Human Services, 32 DCR 6565 (11-15-85)(OM)
- Chapter 30, §§ 3020, 3020.3, 3020.5, 3020.6, 3020.11, 3020.13, 3020.16, 3020.17 to amend the Community Residence Facilities Licensure Act of 1977 to abolish certain health-related duties and to transfer others to the Department of Health; sec. 301 of the Fiscal Year 1998 Revised Budget Support Act of 1997, effective 3-20-98, DC Law 12-60, 44 DCR 7378 (DC LAW)
- Chapter 30, Sec. 3023, Rates for Reimbursement for Inpatient Hospital Services, Newborn Care and Outpatient/Emergency Room Services for D.C. Medical Charities Eligibles, 33 DCR 7388 (11-28-86)(DHS)
- Chapter 30, Sec. 3023, Reimbursement for Services to Persons Eligible for D.C. Medical Charities, 41 DCR 7675 (11-25-94)(DHS)
- Chapter 30, Sec. 3023, Reimbursement for Services to Persons Eligible for D.C. Medical Charities, §§ 3023.1, 3023.3 & 3023.6, 46 DCR 7290 (9-17-99) (DOH)
- Chapter 30, Sec. 3024, Medical Services at Sharpe Health School, 38 DCR 2129 (4-12-91)(OM)
- Chapter 30, Sec. 3024, Copayment Charges (Prescription Drugs and Eyeglasses), EXPIRES 7-29-97, 44 DCR 3122 (5-30-97)(DOH)
- Chapter 30, Sec. 3025, Fees/Sliding Fee Scale for Comm. on Mental Health Services, 35 DCR 6026(8-5-88)(OM)
- Chapter 30, Sec. 3026: Alcohol and Drug Abuse Services Fees, 42 DCR 3876 (7-28-95)(OM)
- Chapter 30, Sec. 3027, Sliding Fee Scale for Early Intervention Svces, 42 DCR 1460 (3-24-95)(OM)
- Chapter 30, Secs. 3027 & 3028, Standards for Payment of Early Intervention Services for Families of Children with Developmental Delay), Sec. 3027: Purpose; and Sec. 3028: Fees for Early Intervention Services, 44 DCR 5501 (9-26-97)(DHS)
- Chapter 30, Sec. 3030, Maximum Per Diem Rates for Medical Services Provided to Patients at Forest Haven and D.C. Village, 31 DCR 559 (2-10-84)(OM)
- Chapter 30, Sec. 3035: Copayment Charges, 44 DCR 5671 (10-3-97)(DOH)
- Chapter 31, Licensing of Health Care and Community Residence Facilities, 39 DCR 5098 (7-10-92)(DCRA)
- Chapter 32, Sec. 3233.8, Qualifications of Patient Activities Director, D.C. Law 2-35, Sec. 501(d)(9)(B), 24 DCR 1458 (8-19-77)(Errata)
- *Fees for Certain Mental Health, Therapy, and Alcohol and Drug Rehabilitation Services, 31 DCR 3312 (7-6-84)(OM)
- Chapter 32, Nursing Facilities, 49 DCR 473 (1-18-02) (DOH)
- Chapter 32, Nursing Facilities, Sec. 3211: Nursing Personnel; Sec. 3216: Freedom from Restraints, Sec. 3222: Immunizations; and 3299: Definitions, 49 DCR 6824 (7-19-02) (DOH)
- Chapter 33, Intermediate Nursing Care Facilities (DELETED), 42 DCR 567 (1-27-95)(DHS)
- Chapter 33, Health Care Safety Net Administration, 48 DCR 9140 (10-5-01) (FRMAA)
- Chapter 34, Mental Health Rehabilitation Services Provider Certification Standards, 48 DCR 10297 (11-9-01) (DMH)
- Chapter 34, Mental Health Rehabilitation Services Provider Certification Standards), §§ 3423.1 to Conform with the D.C.'s State Medicaid Plan and Define "Assertive Community Treatment", 50 DCR 7746 (9-12-03) (DMH)
- Chapter 35, Licensure of Group Homes for Mentally Retarded Persons, 39 DCR 3280 (5-8-92)(DHS)
- Chapter 35, Group Homes for Mentally Retarded Persons, §§3519.10 & 3599, 47 DCR 1898 (3-17-00) (DOH)
- Chapter 35, Secs. 3520, 3521 & 3522, Regarding the Licensure of Group Homes for Mentally Retarded Persons - Amended, 44 DCR 7445 (12-5-97)(DHS)

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- Chapter 38, Community Residence Facilities for Mentally Ill Persons, 42 DCR 569 (1-27-95)(DHS)
Chapter 39, Home Care Agencies, 51 DCR 2876 (3-19-04) (DOH)
Chapter 40, Sec. 4004, Standards for Exemption of Transactions and Projects from the Certificate of Need Process, 42 DCR 7286 (12-29-95) (DHS)
Chapters 41 & 46, Sec. 4100.2, 4600-4607, 4699; Revised Special Certificate of Need Procedures, Considerations and Criteria for Review of Magnetic Resonance Imaging (MRI) Scanners, 35 DCR 5803 (7-29-88)(DHS)
Chapter 44, Provision of Uncompensated Care and Community Services, 36 DCR 5819 (8-11-89)(DHS)
Chapter 44, Sec. 4414, Compliance Alternative for CON Holders with Small Annual Obligations, 36 DCR 7608 (11-3-89)(DHS)
Chapter 47, Health-Care Facility Unlicensed Personnel Criminal Background Check, 47 DCR 294 (1-12-01)
Chapter 47, Health-Care Facility Unlicensed Personnel Criminal Background Check, 49 DCR 6835 (7-19-02) (DOH)
Chapter 50, Revised Hospital/Physician Billing Rates at D.C. General Hospital, 34 DCR 189 (1-9-87)(DGH)
Chapter 50, Hospital Rates for D.C. General Hospital, 31 DCR 6258 (12-14-84)(DGH)
Chapter 50, Hospital Rates for D.C. General Hospital - Amended, 38 DCR 881 (2-1-91)(DGH)
Chapter 50, Increase in Hospital and Physician Billing Rates for FY 1992 at D.C. General Hospital, 38 DCR 6777 (11-8-91)(DCGH)
Chapter 50, Rate Increases for D.C. General Hospital, 41 DCR 4166 (6-24-94)(DCGH)
Chapter 55, Standards for Prepaid Providers Qualifying to Serve D.C. Medicaid Recipients, 34 DCR 1550 (3-6-87)(DHS)
Chapter 60, Health Benefits Plan Members Bill of Rights, 47 DCR (1-14-00) (DOH)
Chapter 60, Health Benefits Plan Members Bill of Rights, Sec. 6013: Assessment of the Insurer, §6013.1 Regarding the Health Insurers Assessment Formula, 48 DCR 6444 (7-20-01) (DOH)
Chapter 64, Swimming Pools and Spas, 50 DCR 760 (1-24-03) (DOH)
Chapters 67, 68 & 69, Radiation: Administration & Enforcement; Licensing Users of Radioactive Material; and Specific License Procedures (to be recodified from Chapters 20, 21 & 22 of DCMR Title 22)
Chapter 73, Neonatal Testing for Metabolic Disorders, 46 DCR 10170 (12-17-99) (DOH)
Chapter 75, Criteria for Establishment of a List of Potential Receivers, 35 DCR 762 (2-5-88)(DCRA)
Chapter 80, Procedures Governing the Administration of Public Health Grants, 38 DCR 4431 (7-19-91)(DHS)
Chapter 80, Sec. 800.3, Amend Rules Governing the Administration of Public Health Grants, 40 DCR 3168 (5-14-93)(DHS)
Chapters 81 - 90 to Issue Policies, Practices, and Procedures Relating to the Terms and Conditions of Employment of Personnel, 45 DCR 7353 (10-9-98) (HHPBC)
Chapters 81 - 90, to Issue Policies, Practices, and Procedures Relating to the Terms and Conditions of Employment of Personnel, CORRECTION NOTICE, 45 DCR 7727 (10-30-98) (HHPBC)
Chapters 95 - 98, D.C. General Hospital Procurement Regulations, 41 DCR 4508 (7-8-94)(DCGH)

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- Chapter 1, Consent to Treatment, 12-13-02, 49 DCR 11245 (12-13-02) (DMH)
Chapter 3, Consumer Grievance Procedures, 50 DCR 8480 (10-10-03) (DMH)
Chapter 12, Department of Mental Health Priority Populations - General Requirements, 49 DCR 5811 (6-21-02) (DMH)
Chapter 22, Standards for Supported Housing for HMH Consumers, 50 DCR 3175 (4-25-03) (DMH)

DCMR Title 23 Alcoholic Beverages and Food (June 1997 ed.)

- Chapters 1 and 2, §§ 199.1, 200.17, 200.18, 202.5 & 203.20, to provide a definition of "DC Arena", Sec. 3 of the Alcoholic Beverage Control DC Arena Amendment Act of 1998, effective 3-26-99, DC Law 12-202, 46 DCR 8412 (DC LAW)
- Chapter 1 through Chapter 18 with New Chapter 1 through Chapter 9, and Chapter 11 through Chapter 19, 51 DCR 4309 (4-30-04) (ABC)
- Chapter 2, §203.18 to Establish Annual Fee for a Retailer's License Class CX for the Washington Convention Center, 45 DCR 8183 (11-20-98) (OM)
- Chapter 3, §§ 302.9, 306.11, 307.11, to prohibit the expansion of activities of licensees in certain moratorium zones; sec. 202 of the Title 25, D.C. Code Enactment and Related Amendments Act of 2001, effective 5-3-01, DC Law 13-298, 48 DCR 2959 (DC LAW)
- Chapter 3, Sec. 305: Georgetown Moratorium Zone, 45 DCR 6040 (8-21-98) (ABC)
- Chapter 3, Sec. 305: Georgetown Moratorium Zone, EXPIRED, 45 DCR 7910 (11-6-98) (ABC)
- Chapter 3, Sec. 305: Georgetown Moratorium Zone, 45 DCR 601 (1-22-99) (ABC)
- Chapter 3, Limitations and Licenses), Sec. 305: Georgetown Moratorium Zone, EXPIRES 120 DAYS, 51 DCR 3309 (3-26-04) (ABC)
- Chapter 3, Limitations on Licenses, Sec. 306: East Dupont Circle Moratorium Zone, 47 DCR 282 (1-21-00) (ABC)
- Chapter 3, Limitations on Licenses, Sec. 307: West Dupont Circle Moratorium Zone, 47 DCR 6215 (8-4-00) (ABC)
- Chapter 3, Limitations on Licenses, Sec. 308: New Retailer's License Class B Moratorium, Sec. 2 of the Moratorium on the Issuance of New Retailer's License Class B Amendment Act of 1999, effective 10-22-99, DC Law 13-47, 46 DCR 6602 (DC LAW)
- Chapter 3, Limitations on Licenses, Sec. 308: New Retailer's License Class B Moratorium, §§ 308.1, 308.5, Sec. 65 of the Technical Amendments Act of 1998, effective 4-20-99, DC Law 12-264, 46 DCR 2118 (DC LAW)
- Chapter 3, Limitations on Licenses, Sec. 309: Glover Park Moratorium Zone, 48 DCR 6438 (7-20-01) (ABC)
- Chapter 3, Limitations on Licenses, Sec. 311: Adams Morgan Moratorium Zone, EXPIRED 120 DAYS, 47 DCR 6245 (8-4-00) (ABC)
- Chapter 3, Limitations on Licenses, Sec. 311: Adams Morgan Moratorium Zone, 47 DCR 10074 (7-20-01) (ABC)
- Chapter 7, General Operating Requirements, Sec. 709: Hours of Sale, Consumption, and Delivery, §709.3, "The holder of a Retailer's License Class A may sell and deliver alcoholic beverages only between the hours of 12:00 p.m. and 9:00 p.m. on Sunday, December 31, 2000", Liquor Sales Temporary Amendment Act of 2002, effective 4-3-01, DC Law 13-260, 48 DCR 3502 (4-20-01) (DC LAW)
- Chapter 23, §203.18, Establishment of Annual License Fee for Washington Convention Center, EXPIRES 12-24-97, 44 DCR 5103 (9-5-97)(OM)
- Chapter 23, §203.19, Establishment of annual license fee for D.C. Arena, EXPIRES 12-24-97, 44 DCR 5104 (9-5-97)(OM)
- Chapter 25, Food Products, Sec. 2501: Prevention of Contamination, REPEALED, Sec. 8(c) of the Food Regulation Amendment Act of 2002, effective 5-2-02, DC Law 116, 49 DCR 1945 (3-8-02) (DC LAW)
- Chapter 30, Restaurants, Delicatessens, and Caterers, Sec. 3023: Penalties and Sanctions, §3023.1 to permit civil fine alternatives; sec. 913, Fiscal Year 2001 Budget Support Act of 2000, effective 10-19-00, DC Law 13-172, 47 DCR 6308 (DC LAW)

DCMR Title 24/Public Space and Safety (Dec. 1996)

- Chapter 1, Occupation and Use of Public Space, §§101.7 & 199.1; and Chapter 34 (Public Space or Public Rights of Way Management of Excavation Work), §§3401.16, 3401.17 & 3401.18), 48 DCR 3075 (4-6-01) (DPW)
- Chapter 1, Occupation and Use of Public Space, Sec. 107: Streetlights, Street Signs, Trees, and Fixtures, § 107.8 to allow for the erection of banners, ornaments, and lights on public lampposts, buildings, or traffic lights across a street or avenue to celebrate national and District holidays; sec. 2 of the Banner Amendment Act of 2000, effective 4-3-01, DC Law 13-233, 48 DCR 588 (DC LAW)
- Chapter 1, Occupation and Use of Public Space, Sec. 116: Installation of Personalized Markers in the Public Space by the Make a Difference Foundation; and Chapter 11 (Downtown Streetscape), Sec. 1105: Standards for Sidewalk Treatment, §1105.7, 49 DCR 4099 (5-3-02) (DPW)
- Chapter 1, Occupation and Use of Public Space, §199.1 to Amend the Definition of "Person", 49 DCR 6566 (7-12-02) (DOT)
- Chapter 5, §§ 501.4, 501.11, 501.15, 501.16, 501.17, 502.4, 502.6, 502.10, 502.12, 502.13, 503.6, 503.8, 505.4, 505.10, 508.5, 509.1, 509.3, 510.21, 512.1, 513.9, 515.3, 515.16, 515.26, 515.31, 515.32 & 599.1, to regulate the number of vendors allowed to occupy a side of any block and to establish procedures for assigning vendors to locations in the central vending zone; sec. 1101 of the Omnibus Regulatory Reform Amendment Act of 1998, effective 4-29-98 (DC Law 12-86, 46 DCR 1172 (DC LAW)
- Chapter 4, Sec. 513: Food Vending Operations, §513.1, to make a conforming amendment; sec. 7 of Food Regulation Amendment Act of 2002, effective 5-2-02, DC Law 14-116, 49 DCR 1945 (3-8-02) (DC LAW)
- Chapter 5, Sec. 515.13, to Add a New Vending Site in the Ward 6 Neighborhood Commercial Zone, 44 DCR 4691 (8-15-97)(DCRA)
- Chapter 5, Secs. 513.7, 513.8, 515.19(j) & 599.1 to Add to the List of Approved Food Items and Establish Additional Health Inspection Requirements, 44 DCR 4115 (7-18-97)(DCRA)
- Chapter 5, §§513.7, 513.8, 515.19(j), 513.9 & 513.10 to Add to the List of Approved Food Items, 46 DCR 4512 (5-21-99) (DCRA)
- Chapter 5, Sec. 515.16 to Add Certain Streets to the List of Non-Vending Streets in the Central Vending Zone, 44 DCR 7304 (11-28-97) (DCRA)
- Chapter 5, Sec. 515.16 to Add to the List of Non-Vending Streets (FBI Facility), 45 DCR 468 (1-23-98) (DCRA)
- Chapter 5, §515.16 to Add to the List of Non-Vending Streets (FBI Facility), 46 DCR 4516 (5-21-99) (DCRA)
- Chapter 5, Secs. 515.17, To Delete Certain Vending Sites from the Central Vending Zone, EXPIRES 5-11-98, 44 DCR 3505 (6-20-97)(DCRA)
- Chapter 7, Parades and Public Events, Sec. 720: Special Events User Fees, 43 DCR 6577 (12-13-96) (OM)
- Chapter 11, Downtown Streetscape, 47 DCR 7117 (9-1-00) (DPW)
- Chapter 13, Sec. 1380, Schedule of Fines for Violations of the Litter Control Regulations - Amended, 44 DCR 1864 (3-28-97) (DPW)
- Chapter 13, Civil Fines Under DC Law 6-100), Sec. 1380: Schedule of Fines for Violations of the Litter Control Administration Act, §1380.2 to Establish Penalties for Violations for Excavations, EXPIRES 120 DAYS, 48 DCR 6465 (7-20-01) (DPW)
- Chapter 13, Civil Fines Under DC Law 6-100), Sec. 1380: Schedule of Fines for Violations of the Litter Control Administration Act, §1380.4 to Establish Penalties for Violations for Excavations, 49 DCR 8225 (8-23-02) (DOT)
- Chapter 25, Metropolitan Police Department Use of Closed Circuit Television, 49 DCR 11443 (12-20-02) (MPD)
- Chapter 33, (Public Rights-Of-Way Occupancy Permits, §§3300, 3304, 3305 & 3399, 43 DCR 6581 (12-13-96) (DPW)

DCMR Title 24/Public Space and Safety Continued

- Chapter 33, Public-Rights-Of-Way Occupancy Permits, Sec. 3301: Occupation of Public Sidewalks with Personalized Pavers, 45 DCR 1644 (3-20-98) (DPW)
- Chapter 33, Public Right-Of-Way Occupancy Permits, by Adding Sec. 3302: Occupancy of Public Right-Of-Way with Stand-Alone Conduit, Pipes, Aerial Wire, or Surface Structures Housing Transmission Facilities; and Amending Secs. 3304 & 3399, 47 DCR 2353 (3-31-00) (DPW)
- Chapter 33, Public Right-Of-Way Occupancy Permits, §§ 3302.8, 3302.9, 3302.10, to revise the fees established for public rights of way occupancy permits; sec. 502 of the Fiscal Year 2001 Budget Support Act of 2000, effective 10-19-00, DC Law 13-172, 47 DCR 6308 (DC LAW)
- Chapter 33, Public Rights-of-Way Occupancy Permits, Sec. 3303: Occupancy of Public Rights-of-Way for the Purpose of Accessing Manholes, 48 DCR 5375 (6-8-01) (DPW)
- Chapter 33, Public Rights-of-Way Occupancy Permits), Sec. 3304: Occupancy of the Public Right of Way by Tour Buses; Sec. 3310 & 3399, 49 DCR 8562 (9-13-02) (DOT)
- Chapter 34, Public Space Management of Excavation Work, 47 DCR 2360 (3-31-00) (DPW)
- Chapter 34, Public Space Management of Excavation Work, §§ 3401.9, 3401.10 & 3404.7, and Add 3403.5 & 3403.6 to Revise Procedures and Standards Governing the Excavation and Restoration of Public Space or Public Rights-of-Way, 50 DCR 1905 (2-28-03) (DOT)
- Chapter 34, Public Space or Public Rights of Way Management of Excavation Work, §§3401.16, 3401.17 & 3401.18, 48 DCR 3075 (4-6-01) (DPW)
- Chapter 34, Public Space Management of Excavation Work, §§ 3403.1, 3403.3, and New Secs. 3404 & 3405, 47 DCR 9505 (12-1-00) (DPW)

DCMR Title 25/Food and Food Operations (Aug. 2003)

No Amendments

DCMR Title 26/Insurance (Feb. 1985)

- Broker-Dealer and Investment Adviser Regulations, EXPIRES 120 DAYS, 48 DCR 1987 (3-2-01) (ISR)
- Chapter 1, Licensure as Insurance Agent or Insurance Broker, 47 DCR 3498 (5-19-00) (ISR)
- Chapter 1, Licensure as Insurance Produced, 50 DCR 10371 (12-5-03) (ISR)
- Chapters 3, 4, 5, 6, 8, 17, & 18, Rules to Implement Provisions of D.C. Law 6-96, Compulsory/No Fault Motor Vehicle Insurance Act of 1982 Amendments Act of 1985; and to Establish the Uninsured Motorist Fund, 35 DCR 7649 (10-21-88)(DCRA)
- Chapter 5, Secs. 500.8 & 503.2, 31 DCR 1287 (3-16-84)(DCRA)
- Chapter 6, To Reflect Modifications to the D.C. Automobile Insurance Plan, 40 DCR 7428 (10-22-93)(DCRA)
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- Chapter 6, Motor Vehicle Insurance: D.C. Automobile Insurance Plan, §§602.6, 605.2(d), New §§627.11& 627.1, 629.7, and 630.5, 47 DCR 6220 (8-4-00) (ISR)
- Chapter 6, D.C. Automobile Insurance Plan, Secs. 603, 605, 607, 612, 614, 616, 618, 621, 625, 627 & 630, 45 DCR 8544 (12-4-98) (ISR)
- Chapter 6, Motor Vehicle Insurance: D.C. Automobile Insurance Plan, Secs, 604, 616, 623 & 625, 46 DCR 9838 (11-26-99) (ISR)
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- Chapter 50, Unfair Trade Practices, Sec. 5000: Permissible Reasons for Non-Renewal and Use of Claims History Information; and Sec. 5001: Use of Claims History - New Business, 51 DCR 3880 (4-16-04) (ISR)
- Chapter 93, Partnership Program for Affordable Housing), Secs. 9300 through 931, EXPIRES 120 DAYS, 51 DCR 974 (1-23-04) (ISR)
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- Chapters 1 - 5, General Provisions; Applications; Powers; Administrative Procedures; Supervision and Enforcement Procedures; & Definitions, 35 DCR 6276 (8-19-88)(OBFI)
- Chapter 2, § 207.2, to establish the fees to be paid for banking institutions that operate in D.C.; sec. 3401 of the Fiscal Year 2002 Budget Support Act of 2000, effective 10-19-00, DC Law 14-28, 48 DCR 6981 (DC LAW)
- Chapter 11, Mortgage Lenders and Brokers, 51 DCR 2388 3-5-04) (OBFI)
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- Chapters 1, 2, & 3, Rules of Practice, Contract Dispute Procedures and Protest Procedures, 36 DCR 2684, pub. 4-21-89 (CAB)
- Chapters 1, 2 & 3, Rules of the Board, 45 DCR 1384 (3-13-98) (CAB)
- Chapters 1, General Rules of the Board; 2, Appeal Procedures of the Board, 3, Protest Procedures of the Board; and New Chapter 4, Electronic Filing, 49 DCR 2078 (3-8-02)(CAB)
- Chapter 8, Local Small and Disadvantaged Business Enterprises Contracting, 39 DCR 9052 (12-4-92)(DHMBD)
- Chapter 9, Surplus Property, Sec. 918: Audit, §918.1, to repeal the authority of the D.C. Auditor for the biennial audit requirement of the D.C. Surplus Property Plan, sec. 2406 Fiscal Year 2001 Budget Support Act of 2000, effective 10-19-00, DC Law 13-172, 47 DCR 6308 (DC LAW)
- Chapter 13, Sec. 1300: Notice of Proposed Solicitations, §§1300.1 - 1300.9; Sec. 1301: Notice of Contract Awards, §1301.1; and Sec. 1399: Definitions, §1399.1, EXPIRES 120 DAYS, 47 DCR 4703 (6-2-00) (OM)
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- Chapter 16, Sec. 1614: Source Selection, §1614.1(c); and Sec. 1617: Evaluation Factors of Proposals, §1617.5 (a)(b), 48 DCR 2168 (3-9-01) (OM)

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- Chapter 16, Sec. 1614: Source Selection, §; and Sec. 1617: Evaluation Factors of Proposals, EXPIRED, 46 DCR 8464 (10-22-99) (OM)
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- Chapter 18, Secs. 1800 - 1803, Small Purchase Procedures - Amended, EXPIRED 10-9-99, 46 DCR 5715 (7-2-99) (CPO)
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- Chapter 18, Small Purchase and Other Simplified Purchase Procedures), Secs. 1800, 1801, 1802 & 1803 to Reflect Increases in Small Purchase Authority for Procedures on Behalf of the Metropolitan Police Department, EXPIRES 120 DAYS, 49 DCR 9874 (11-1-02) (OCP)
- Chapter 18, Secs. 1800 - 1804, Small Purchase Procedures - Amended, 44 DCR 4450 (8-1-97) (CPO)
- Chapter 18, Secs. 1800 - 1804 Establishing Procedures for Small Purchases of Goods and Services, EXPIRED February 12, 1998, 44 DCR 7181 (11-21-97)(OCP)
- Chapter 18, Secs. 1800 - 1804, Use of Small Purchase Procedures, EXPIRED, 45 DCR 2009 (4-3-98) (OCP)
- Chapter 18, Secs. 1800 - 1804, Small Purchase Procedures, EXPIRED 9-4-98, 45 DCR 3834 (6-12-98) (OCP)
- Chapter 18, Secs. 1800 - 1804, Delegating Small Purchase Authority, EXPIRED January 1, 1999, 45 DCR 7095 (10-2-98) (OCP)
- Chapter 18, Secs. 1800 through 1804 Regarding Small Purchase Procedures. EXPIRED, 46 DCR 608 (1-22-99) (OCP)
- Chapter 18, Secs.1800 - 1803, Small Purchase Procedures - Amended, EXPIRES 120 DAYS, 47 DCR 1261 (2-25-00) (OCP)
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- Chapter 19, Sec. 1901: Expert and Consulting Services, 43 DCR 1620 (3-29-96) (OM)
- Chapter 19, Contracting For Services, Secs. 1900.4 (m), 1905, 1906, 1907, 1908 & 1999, 48 DCR 5819 (6-22-01) (OM)
- Chapter 19, Contracting Services, §§1901.2 through 1901.10, EXPIRES 120 DAYS, 48 DCR 548 (1-19-01) (OM)
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- Chapter 20, Secs. 2005.6, 2005.7 & 2099.1, Regarding Option Periods for City-Wide Telecommunications Systems, 41 DCR 398a, pub. 1-28-94 (OM)
- Chapter 22, Contractors, Sec. 2218: Debarment and Suspension Panel, EXPIRES 120 DAYS, 51 DCR 102 (1-2-04) (OCP)
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- Chapter 32, Contract Financing and Funding), Sec. 3205: Advance Payments, §3205.1 (h), 49 DCR 7918 (8-16-02) (OM)
- Chapter 32, Contract Financing and Funding, §§3205.1 (h) & 3299, 48 DCR 5562 (6-15-01) (OM)
- Chapter 32, ERRATA - Premature Publication of Final Rules to Amend 27 DCMR, Chapter 32, Contract Financing and Funding, 48 DCR 8042 (8-24-01) (OM)
- Chapter 32, Contract Financing and Funding, Sec. 3205: Advance Payments, §3205.1; and Sec. 3299: Definitions, EXPIRES 120 DAYS, 48 DCR 8456 (9-7-01) (OM)

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- Chapter 38, Protects, Claims and Disputes, EXPIRED, 49 DCR 9348 (10-11-02)
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- Chapter 80, Office of Contracting and Procurement, EXPIRED July 17, 1998, 45 DCR 2571 (4-24-98) (CP)
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- Chapters 1 & 2, Clarifying language construing grant of parole, Sec. 52 of the Technical Amendments Act of 1994," D.C. Law 10-255, effective May 16, 1995, 41 DCR 5193 (8-5-94), REPEALED, 47 DCR 8669 (10-27-00) (US Parole Commission)
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- Chapter 1, Vocational Rehabilitation Services, §§ 100.1 through 118.11, 50 DCR 6189 (8-1-03) (DHS)
- Chapter 1, Secs. 105 - 139, 199, Regulations for Administrative Reviews and Fair Hearings for the Vocational Rehabilitation Program, 38 DCR 2034 (4-5-91)(DHS)
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- Chapter 3, Secs. 300.2 & 300.3, "Before-and-After School Care Exemption Emergency Act of 1977," D.C. Act 12-156, effective October 17, 1997, 44 DCR 6044 (D.C. Law)
- Chapter 3, Sec. 303, Fees for Licensing of Child Development/Care Facilities, 42 DCR 1696 (4-7-95)(OM)
- Chapter 3, Sec. 308: Rates Paid by the D.C. Government to Child Development Centers, Child Development Homes and In-Home Caregivers for Child Care Services, 42 DCR 3170 (6-23-95)(OM)
- Chapter 3, Sec. 308: Rates Paid by the D.C. Government to Child Development Centers, Child Development Homes and Relative and In-Home Caregivers for Child Care Services, 45 DCR 5226 (8-7-98) (DHS)
- Chapter 3, Child Development Facilities), Sec. 308: Rates Paid by the Government of D.C. to Child Development Centers and Child Development Homes Operated for Child Care Services, EXPIRES 120 DAYS, 49 DCR 7733 (8-9-02) (DHS)
- Chapter 3, Sec. 308: Rates Paid by the D.C. Government to Child Care Centers, Child Development Homes and In-Home Caregivers for Child Care Services, §§308.2 & 308.3 to Establish Child Care Subsidy Rates for Child Care Services Provided During Non-Traditional Hours, 46 DCR 5825 (7-9-99) (DHS)
- Chapter 3, Sec. 309: Schedule of Parent Fees for D.C. Government Subsidized Child Care Services in Child Development Centers and Child Development Homes, and By In-Home Caregivers, 43 DCR 3860 (7-19-96) (OM)
- Chapter 3, Child Development Facilities, Sec. 309: Sliding Fee Scale and Schedule of Parent Fees for D.C. Government Subsidized Child Care Services, EXPIRES 120 DAYS, 48 DCR 4492 (5-18-01) (DHS)
- Chapter 3, Child Development Facilities), Sec.309: Schedule of Parent Fees for D.C. Government Subsidized Child Care Services in Child Development Centers and Child Development Homes, and by Relative and In-Home Caregivers, 48 DCR 10447 (11-16-01) (DHS)
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- Chapter 7, Medicaid Day Treatment Program, Sec. 718: Reimbursement Policy, § 718.8, to Amend Reimbursement Rates Negotiated for Day Treatment Programs, 50 DCR 6702 (8-15-03) (DOH)
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- Chapter 9, §§901.2 & 901.3 to Expand the Medicaid Program, EXPIRED, 45 DCR 7432 (10-9-98) (DOH)

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- Chapter 9, Sec. 908: Qualifications for a Disproportionate Share Hospital (Corrected Notice), EXPIRES 1-17-98, 44 DCR 5839 (10-10-97)(DOH)
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- Chapter 9, Qualifications for a Disproportionate Share Hospital, §§Delete 908.4 & 908.9, New §§908.10 through 908.17, 48 DCR 8967 (9-28-01) (DOH)
- Chapter 9, Qualifications for a Disproportionate Share Hospital, Delete §908.7, Amend §908.10, Add New §§908.11 - 908.14, 47 DCR 6897 (8-25-00) (DOH)
- Chapter 9, Secs. 909 - 913, Skilled Nursing Facility Criteria, 37 DCR 3944 (6-15-90)(DHS)
- Chapter 9, Sec. 914, D.C. Medicaid Prior Approval Required for Selected Pharmaceuticals Provided to D.C. Medicaid Ambulatory Care Patients, 34 DCR 4400 (7-10-87)(DHS)
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- Chapter 9, Medicaid Program, Sec. 924: Method Established for Determining Prescription Reimbursement, § 924.1, to Increase the Pharmacy Dispensing Reimbursement, 50 DCR 8183 (10-3-03) (DOH)
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- Chapter 9, Medicaid Program, Sec. 940: Case Management Services EXPIRES 120 DAYS, 49 DCR 10947 (11-29-02) (DOH)
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- Chapter 51, Medicaid Reimbursement for Services Provided by Home Health Aides, 50 DCR 3957 (5-23-03) (DOH)
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- Chapter 53, §5308.5, Rate Change for Medicaid Managed Care, 43 DCR 5559 (10-11-96) (DHS)[EXPIRED]
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- Chapter 53, §5308.5 Regarding Medicaid Managed Care Capitated Rates , 44 DCR 5834 (10-10-97)(DOH)
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- Chapter 58, Temporary Assistance for Needy Families ,EXPIRES 120 DAYS, 47 DCR 5615 (7-7-00) (DHS)
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- Chapter 2, Lottery Licenses, Sec. 208: Instant Ticket Distribution Center Licenses, 46 DCR 2814 (3-19-99) (DCLB)
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- Chapters 3, 5, 6, 8 & 9 to Provide for Lottery Game Enhancements that Will Generate Substantial Transfers to the General Fund, 49 DCR 111241 (12-13-02) (DCLB)
- Chapter 5, Lottery Ticket §§503.4 & 503.5; and Chapter 9 (Description of On-Line Games) Secs. 915 & 916, 46 DCR 3080 (4-2-99) (DCLB)
- Chapters 5, 6, 8, 9 & 99 Regarding Lottery Games, 45 DCR 1438 (3-13-98) (DCLB)
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- Chapter 5, General Provisions, §500.1; Chapter 6, Claims and Prize Payment, §§ 600.3, 601.1; Chapter 9 Description of Online Games, Sec. 908: Powerball® Grand Prize Payment, §909.5; and Sec. 922: Annuitized Grand Prize Payment Conversion, EXPIRES 120 DAYS, 47 DCR 9192 (11-17-00) (DCLB)
- Chapter 5, General Provisions, §500.1; Chapter 6, Claims and Prize Payments, §§600.3, 601.5 & 610.1; and Chapter 9, Description of On-Line Games, Sec. 908: Powerball Grand Prize Payment, §909.5, Sec. 913: Description of the Powerball Power Play Promotion, and Sec. 914: Powerball Power Play Prize Pool and Prize Payment, EXPIRES 120 DAYS, 48 DCR 8053 (8-24-01) (DCLB)
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- Chapter 5, Lottery Ticket, §503.4; Chapter 9, Description of On-Line Games, Sec. 925: Description of Keno, Sec. 926: Keno Prize and Prize Structure, Sec. 927: Keno Validation and Prize Claims; and Chapter 99, Definitions, §9900.1, 50 DCR 1520 (2-14-03) (DCLB)
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- Chapter 6, Claims and Prize Payments), Sec. 611: Discharge of Liability Upon Payment, § 611.1, Sec. 612: Deleted, Sec. 614: Release of Information About Winners, §§ 614.1, 614.3, 614.4, 614.5 & 614.6, 50 DCR 8816 (10-17-03) (DCLB)
- Chapter 6, Sec. 612: Withholding From Prize Payments, §612.2, 45 DCR 6887 (9-25-98) (DCLB)
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- Chapter 9, Description of On-Line Games, §932.1 Governing the Cash 4 Life On-Line Lottery Game, EXPIRED, 45 DCR 1856 (3-27-98) (DCLB)
- Chapter 9, Description of On-Line Games, §932.1 (c) Governing the Cash 4 Life On-Line Lottery Game, 46 DCR 604 (1-22-99) (DCLB)
- Chapter 9, Description of On-Line Games, Secs. 940 through 944, 51 DC 2400 (3-5-04) (DCLB)
- Chapter 10, Other Games, §§1000.4, 1000.5 & 1000.9, 49 DCR 4098 (5-3-02) (DCLB)
- Chapter 10, Sec. 1000: Sweepstakes, Bonus and Promotional Games, §1000.8, 44 DCR 7684 (12-19-97) (DCLB)
- Chapter 10, ERRATA NOTICE, Sec. 1000: Sweepstakes, Bonus and Promotional Games, §1000.8, 47 DCR 240 (1-16-98)
- Chapter 10, Other Games), Sec. 1000: Sweepstakes, Bonus and Promotional Games, § 1000.9, 50 DCR 8816 (10-17-03) (DCLB)
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- Increase Fuel Surcharge to the Current Rates for Taxicab Service in D.C., EXPIRES 120 DAYS, 47 DCR 9774 (12-8-00) (TC)
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- Chapter 6, Taxicab Parts and Equipment, §§601.9, 601.10 & 601.12 to Extend the Deadline for the Installation of Safety Devices in Taxicabs, EXPIRES 12-1-01, 48 DCR 9885 (10-26-01) (TC)
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- Chapter 6, Taxicab Parts and Equipment, Sec. 601: Parts and Equipment, §601.4 to Require Rear Seats to be Covered in Vinyl, Leather or Plastic Which Shall be Removable, 50 DCR 2868 (4-11-03) (TC)
- Chapter 6, Taxicab Parts and Equipment, Sec. 601: Parts and Equipment, §§ 601.17 & 899 to Allow Taxicab Operator to Carry a Trunk Tote, 50 DCR 5577 (7-11-03) (TC)
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- Chapter 8, Operation of Taxicabs, Sec. 823: Manifest Record, § 823.2, 50 DCR 3477 (5-2-03) (TC)
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- Chapter 8, Operation of Taxicabs, Appendix 8-2 (Taxicab Zone Map and Charges); and Sec. 802: Other Charges, §802.1, 51 DCR 4101 (4-23-04)
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LIST OF AGENCY ABBREVIATIONS

AB	Anatomical Board
ABC	Alcoholic Beverage Control Board
ACAED	Assistant City Administrator for Economic Development
ARB	Armory Board
BA	Board of Accountancy
BE	Board of Education
BER	Board of Equalization & Review
BOEE	Board of Elections & Ethics
BON	Board of Nursing

LIST OF AGENCY ABBREVIATIONS Continued

BRPAA	Board of Real Property Assessments & Appeals
BWC	Boxing and Wrestling Commission
C	Dept. of Corrections
CAB	Contract Appeals Board
CCRB	Civilian Complaint Review Board
CFPR	Committee on Family Placement Regulations
CFSA	Child and Family Services Agency
CHR	Commission on Human Rights
CJDT	Commission on Judicial Disabilities and Tenure
CSTALJ	Commission on Selection and Tenure of Administrative Law Judges
CME	Chief Medical Examiner
CPO	Chief Procurement Officer
DAS	Dept. of Administrative Services
DCAC	D.C. Apprenticeship Council
DCEO	D.C. Energy Office
DCLB	D.C. Lottery & Charitable Games Board
DCOP	D.C. Office of Personnel
DCPS	D.C. Public Schools
DCRA	Dept. of Consumer & Regulatory Affairs
DCRB	D.C. Retirement Board
DCSL	D.C. School of Law
DES	Dept. of Environmental Services
DFR	Dept. of Finance & Revenue
DGH	D.C. General Hospital
DHCD	Dept. of Housing & Community Development
DHS	Dept. of Human Services
DM/F	Deputy Mayor for Financial Management
DHRMB	Dept. of Human Rights and Minority Business
DMH	Dept. of Mental Health
DOES	Dept. of Employment Services
DOH	Dept. of Health
DOMH	Dept. of Mental Health
DOMV	Dept. of Motor Vehicles
DOPR	Dept. of Parks and Recreation
DOT	Dept. of Transportation
DOR	Dept. of Recreation
DORP	Dept. of Recreation and Parks
DPAH	Dept. of Public & Assisted Housing
DPCRБ	Drug Prevention & Children at Risk Board
DPW	Dept. of Public Works
DUCB	Unemployment Compensation Board
EEFSC	Escheated Estates Fund Application Screening Committee
ELC	Education Licensure Commission
ETB	Emergency Transition Board of Trustees
FRMAS	Financial Responsibility and Management Assistance Authority
FEMS	Fire and Emergency Medical Services
GMD	Grants Management and Development
GSAB	Gas Station Advisory Board
HA	Housing Authority
HHPBC	Health and Hospitals Public Benefit Corporation
HRLBD	Human Rights and Local Business Development

LIST OF AGENCY ABBREVIATIONS Continued

HPRB	Historic Preservation Review Board
IA	Insurance Administration
ISR	Insurance and Securities Regulation
MBOC	Minority Business Opportunity Commission
MPD	Metropolitan Police Department
MYIO	Mayor's Youth Initiative Office
OAH	Office of Administrative Hearings
OBED	Office of Business & Economic Development
OBFI	Office of Banking & Financial Institutions
OCC	Office of Corporation Counsel
OCP	Office of Contracting and Procurement
OCT	Office of Cable Television
ODAI	Office of Documents & Administrative Issuances
OEA	Office of Employee Appeals
OHR	Office of Human Rights
OGMD	Office of Grants Management and Development
OM	Office of the Mayor
OP	Office of Planning
OPE	Office of Policy and Evaluation
OPR	Office of Public Records
OTR	Office of Tax and Revenue
AR	Board of Parole
PERB	Public Employee Relations Board
PL	Public Library
PSC	Public Service Commission
REC	Real Estate Commission
RHC	Rental Housing Commission
SC	Sports Commission
SEC	Sports and Entertainment Commission
SEO	State Education Office
TAGPO	Tuition Assistance Grant Program, D.C.
TC	Taxicab Commission
UCB	Unemployment Compensation Board
UDC	University of the District of Columbia
USPC	US Parole Commission
WASA	D.C. Water and Sewer Authority
WCC	Washington Convention Center
WHB	Wage Hour Board
WSA	Water and Sewer Authority
ZC	Zoning Commission

District of Columbia
BOARD OF ELECTIONS AND ETHICS

Monthly Report
of
VOTER REGISTRATION STATISTICS

as of

March 31, 2004

Covering Citywide Totals by:

WARD, PRECINCT, and PARTY

One Judiciary Square
441 - 4th Street, NW, Suite 250N
Washington, DC 20001
(202) 727-2525
<http://www.dcboee.org>

MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

CITYWIDE SUMMARY

Party Totals and Percentages by Ward for the period ending March 31, 2004

<i>WARD</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
<i>1</i>	<i>28,860</i>	<i>2,320</i>	<i>996</i>	<i>7,551</i>	<i>212</i>	<i>39,939</i>
<i>2</i>	<i>24,227</i>	<i>5,189</i>	<i>461</i>	<i>8,134</i>	<i>140</i>	<i>38,151</i>
<i>3</i>	<i>29,316</i>	<i>7,934</i>	<i>389</i>	<i>8,713</i>	<i>71</i>	<i>46,423</i>
<i>4</i>	<i>41,366</i>	<i>2,457</i>	<i>622</i>	<i>6,338</i>	<i>175</i>	<i>50,958</i>
<i>5</i>	<i>39,549</i>	<i>1,774</i>	<i>622</i>	<i>5,649</i>	<i>163</i>	<i>47,757</i>
<i>6</i>	<i>34,026</i>	<i>4,222</i>	<i>602</i>	<i>6,742</i>	<i>152</i>	<i>45,744</i>
<i>7</i>	<i>37,618</i>	<i>1,362</i>	<i>488</i>	<i>4,916</i>	<i>133</i>	<i>44,517</i>
<i>8</i>	<i>29,268</i>	<i>1,339</i>	<i>543</i>	<i>4,375</i>	<i>112</i>	<i>35,637</i>
<i>TOTALS</i>	<i>264,230</i>	<i>26,597</i>	<i>4,723</i>	<i>52,418</i>	<i>1,158</i>	<i>349,126</i>
<i>TOTAL Percentage (by party)</i>	<i>75.7%</i>	<i>7.6%</i>	<i>1.4%</i>	<i>15.0%</i>	<i>0.3%</i>	<i>100.0%</i>

Ward Index

D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

PRECINCT STATISTICS

Ward 4

For the Period Ending: March 31, 2004

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
45	1,839	80	36	295	11	2,261
46	2,539	76	39	390	15	3,059
47	2,114	132	40	441	12	2,739
48	2,394	137	47	364	10	2,952
49	591	33	17	119	2	762
51	2,873	599	27	581	7	4,087
52	1,114	276	8	219	1	1,618
53	992	81	16	189	5	1,283
54	1,893	114	37	347	14	2,405
55	2,244	81	32	311	10	2,678
56	2,732	73	38	438	9	3,290
57	2,269	78	34	329	15	2,725
58	2,048	54	32	277	7	2,418
59	2,387	71	32	313	10	2,813
60	1,583	87	31	349	8	2,058
61	1,430	60	16	176	4	1,686
62	2,995	168	38	318	6	3,525
63	2,690	120	59	384	12	3,265
64	2,184	68	20	240	6	2,518
65	2,455	69	23	258	11	2,816
TOTALS	41,366	2,457	622	6,338	175	50,958

D.C. BOARD OF ELECTIONS AND ETHICS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

PRECINCT STATISTICS

Ward 7

For the Period Ending: March 31, 2004

<i>PRECINCT</i>	<i>DEM</i>	<i>REP</i>	<i>STG</i>	<i>N-P</i>	<i>OTH</i>	<i>TOTALS</i>
80	1,177	43	18	163	7	1,408
92	1,189	56	18	163	7	1,433
93	1,135	54	14	152	4	1,359
94	1,525	63	19	183	5	1,795
95	1,218	27	19	179	2	1,445
96	1,640	65	25	243	2	1,975
97	885	34	20	134	1	1,074
98	1,441	38	16	175	10	1,680
99	986	40	16	157	5	1,204
100	1,284	50	21	178	4	1,537
101	1,404	33	11	159	6	1,613
102	1,787	56	16	200	7	2,066
103	2,655	92	33	367	8	3,155
104	1,884	75	27	269	7	2,262
105	1,704	65	34	206	4	2,013
106	2,507	80	31	286	8	2,912
107	1,124	46	18	183	2	1,373
108	1,047	46	6	88	4	1,191
109	953	40	12	97	1	1,103
110	3,454	113	37	418	14	4,036
111	1,625	46	27	241	3	1,942
112	1,681	57	23	228	10	1,999
113	1,801	85	11	250	7	2,154
132	1,512	58	16	197	5	1,788
TOTALS	37,618	1,362	488	4,916	133	44,517

**DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT
RESIDENTIAL AND COMMUNITY SERVICES DIVISION**

**PUBLIC NOTICE
NOTICE OF FUNDING AVAILABILITY**

**NEIGHBORHOOD-BASED ACTIVITIES:
Storefront Façade Development
Community Development Block Grant**

The Department of Housing and Community Development (DHCD) is soliciting applications under the federal Community Development Block Grant (CDBG) Program dedicated to neighborhood-based community development activities. Funding under this notice will be available for FY 2005-06 (October 1, 2004, to June 30, 2006), consistent with the Department's Consolidated Plan FY 2004 Action Plan submission to the U.S. Department of Housing and Urban Development (HUD).

The general scope of activities to be funded will be described in the Request for Applications.

The Request for Application (RFA) will be released on or before May 7, 2004, and the deadline for submission is June 4, 2004, at 4:00 p.m. Applications can be obtained from 801 North Capitol Street, NE, 6th Floor Reception Desk, Washington, DC 20002. For additional information, please contact the Department of Housing and Community Development, Residential and Community Services Division at (202)442-7161. The RFA will be available on the DHCD website, located at www.dhcd.dcgov.gov, on or about May 14, 2004.

A Pre-Application Conference will be held at the Department of Housing and Community Development on May 19, 2004, at 10:00 a.m., 801 N. Capitol Street, NE, 9th Floor. Attendance at the conference is encouraged for all potential applicants.

Anthony A. Williams, Mayor
Government of the District of Columbia
Eric Price, Deputy Mayor for Planning & Economic Development
Stanley Jackson, Director
Department of Housing & Community Development

Office of the Secretary of the
District of Columbia

April 15, 2004

Notice is hereby given that the following named persons have been appointed as Notaries Public in and for the District of Columbia, effective on or after May 15, 2004.

Adams, Diane E.	New	4020 5 TH St,NW 20011
Anderson, Hillarie	New	Shaffer Bock Antonoplos 1701 K St,NW#300 20006
Backstrom, Charlene	New	I R Federal Credit Union 650 Mass Ave,NW#3474 20226
Barnes, Christer E.	Rpt	436 Q St,NW 20001
Barrett, Melissa L.	Rpt	Buckley Kolar 1250 24 th St,NW 20037
Belcher, Jeffrey R.	Rpt	Lee & McShane 1211 Conn Ave,NW#324 20036
Best, Nicole M.	Rpt	Rosmack Deli 801 D St,NE 20002
Best, Shirley R.	New	Natl Presbyterian Church 4101 Nebraska Ave,NW 20016
Boone, Lavernia	New	Homebuyer's Group 47 W St,NW 20002
Brasseux, John R.	New	Bank of America 730 15 th St,NW 20005
Brooks, Arvell L.	New	518 Hamilton St,NE 20011

Brooks, Clara J.	Rpt	Wilkie Farr & Gallagher 1875 K St,NW 20006
Brown, G. Gernon	New	Bessemer Trust 1050 Conn Ave,NW#1060 20036
Brown, Ida L.	Rpt	Amalgamated Casualty Ins 500 Morse St,NE2ndFl 20002
Castellucci, Anna Marie	Rpt	912 Perry St,NE 20017
Chatham, Scott D.	New	Bank of America 730 15 th St,NW 20005
Colombo, Kristine	New	Ruesch International 700 11 th St,NW4thFl 20001
Crawford, Aileen M.	New	Bank of America 730 15 th St,NW 20005
Daniel, Jennette P.	New	Quinn Racusin Gazzola 1400 K St,NW#1010 20005
Didden,Jr., Donald A.	New	Natl Cap Bank of Wash 316 Pa Ave,SE 20003
Edwards, Mark J.	New	Wachovia 1100 Conn Ave,NW 20036
Evans, Toni M.	New	Fish & Neave 1899 Pa Ave,NW 20006
Fleming, Joyce A.	New	Wachovia 5701 Conn Ave,NW 20015
Fowler-Robinson, Myrie	New	Mt. Zion Baptist Church 5101 14 th St,NW 20011
Gambrell, Greta	New	Republic Properties 1280 Md Ave,SW 20024

Goins, Michelle L.	Rpt	Council/Instit'l Inves 1730 R I Ave,NW#512 20036
Grant, Khari	New	Bank of America 730 15 th St,NW 20005
Greenidge, Alicia	New	CitiBank 600 Pa Ave,SE 20003
Gregory, Alan S.	New	Attorney at Law 7600 Ga Ave,NW#412 20012
Gutstadt, Megan	New	Wachovia Bank 2000 L St,NW 20036
Haro, Cheryl	New	Oceana 2501 M St,NW#300 20037
Hopkins, Vivian	New	Kriegsfeld Corporation 4301 Conn Ave,NW 20009
James, Shirley L.	New	Corporation Counsel 441 4 th St,NW#1060N 20001
Johnson, Dianne E.	Rpt	D O T 400 7 th St,SW 20590
Kaseoru, Karl	New	L A D Reporting 1100 Conn Ave,NW#850 20036
Kennedy, Gretchen	New	Law Office/Mark Kodama 5125 MacArthur Blvd,NW20016
Koehler, Nancy J.	New	Family Research Council 801 G St,NW 20001
Lee-Stroman, Robin M.	Rpt	Prudential 1325 G St,NW#600 20005
Lewis, Barbara	Rpt	Natl Chamber Litigation 1615 H St,NW 20062

Lewis, Megan	New	Ruesch International 700 11 th St,NW4thFl 20001
Lewis, Talaia Dawn	New	O'Donnell Schwartz et al 1300 L St,NW#1200 20005
Martinez, Nellie	Rpt	Drinker Biddle Reath 1500 K St,NW#1100 20005
Marx, Scott	New	Bank of America 730 15 th St,NW 20005
Monroe, Keisha	New	Wachovia 2000 L St,NW 20036
Owona, Antoine	New	Wachovia 1510 K St,NW 20005
Paul, Meredith R.	New	O'Connell & Glock 1100 Conn Ave,NW 20036
Perry, Latrice	New	Children's Natl Med Ctr 111 Mich Ave,NW 20010
Pirah, Emmanuel M.	New	723 Jefferson St,NW#301 20011
Ponce, Luis A.	Rpt	Sonnenschein Nath et al 1301 K St,NW#600ET 20005
Power, David D.	Rpt	SunTrust Bank 300 Pa Ave,SE 20003
Ray, Larry	New	Attorney at Law 613 R I Ave,NW#1000 20001
Richard,Jr., Frank	New	Wachovia 1850 M St,NW 20036
Roberson, Debbie	New	Wachovia 2000 L St,NW 20036

Rollyson, Deborah M.	Rpt	Craighill Mayfield et al 4910 Mass Ave, NW#215 20016
Scott, Terricita L.S.	Rpt	DOJ/Antitrust Div 601 D St, NW#10805 20530
Sharma, Tarloki	New	District Title 1025 Conn Ave, NW#1000 20036
Solomon, Rebecca	New	Shaffer Bock Antonoplos 1701 K St, NW#300 20006
Spivey, Charlotte M.	Rpt	Amer Pub Health Assoc 800 I St, NW 20001
Taylor, Tommie	New	K D S Group 2701 11 th St, NW#200 20001
Tellis, Lynnette D.	Rpt	Weiner Brodsky et al 1300 19 th St, NW5thFl 20036
Thompson, Maria Carol	New	Wachovia 4340 Conn Ave, NW 20008
Thornton, Jada D.	New	Chevy Chase Bank 1717 Pa Ave, NW 20006
Vollrath, Ellen R.	Rpt	American Bar Assoc 740 15 th St, NW 20005
Wadley, Debbra L.	New	Bank of America 730 15 th St, NW 20005
Washington, Carrie L.	Rpt	Levine Sullivan et al 1050 17 th St, NW#800 20036
Weiss, Alisha	New	Tollefson Gustini & Co 5335 Wis Ave, NW#930 20015
Williams, Faustine Y.	Rpt	WRAMC/CJA 6900 Ga Ave, NW 20307

Williams, Quintell T.	New	I R Federal Credit Union 650 Mass Ave, NW#3474 20001
Williams, Theresa L.	New	Community Mgt Services 2841 Robinson Pl, SE#A 20020
Wilson, Kerry L.	Rpt	Carmen Group 1301 K St, NW8thFl 20005

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

I

Application No. 16553-I of the George Washington University, pursuant to 11 DCMR § 3104.1, for a special exception for the review and approval of the University Foggy Bottom Campus Plan – Years 2000-2010 under sections 210 and 507.

DECISION DATE: February 24, 2004

ORDER ON SECOND REMAND

Preliminary Matters. Following the Board's March 29, 2001 final Order in this proceeding, the George Washington University ("University" or "Applicant") filed a petition for review with the District of Columbia Court of Appeals. It also filed a civil action in the United States District Court for the District of Columbia challenging the constitutionality of the Order. On June 15, 2001 the district court issued a preliminary injunction preventing enforcement of Condition No. 9 of the March 29, 2001 Board Order during academic year 2001-2002, or until further order of the court.

After issuance of the preliminary injunction by the district court, the Office of the Corporation Counsel, with the consent of the Board, filed a motion in the District of Columbia Court of Appeals to remand the case to the Board for further consideration of the Board's decision. On July 31, 2001, the Court of Appeals remanded the case without limitation as to the scope of the remand proceeding. The Board held evidentiary hearings on September 17 and 21, 2001, issued a proposed Order, and then a Final Order on Remand, effective January 23, 2002, that incorporated and adopted the March 29, 2001 Order, except as revised.

The University again sought a preliminary injunction before the district court and the parties filed cross motions for summary judgment. On April 12, 2002, the district court entered a declaratory judgment holding that Condition No. 9 (except the unchallenged reporting requirement) and Condition No. 10 violated substantive due process, but upholding the amended Order and the Zoning Regulations against other challenges. On appeal, the United States Court of Appeals reversed the district court judgment to the extent it had invalidated portions of the Order. *See George Washington University v. District of Columbia*, 318 F.3d 203 (D.C. Cir. 2003). The Supreme Court denied further review. *See George Washington University v. District of Columbia*, – U.S. –, 124 S.Ct. 155, 157 L.Ed.2d 45 (2003).

On September 11, 2003, the District of Columbia Court of Appeals issued its decision in *George Washington University v. BZA*, 831 A. 2d 921 (D.C. 2003), which affirmed the Board Order in major part but invalidated Condition No. 9(f) and Condition No. 9(a). The Court upheld Condition No. 9(b) to the extent it imposed on-campus housing obligations to be met after August 2006 and Condition No. 10, under which the University must require freshmen and sophomores to reside in university housing within the campus plan boundary established by the Board. The Court maintained in place its stay of condition 9(b) to the extent it related to the pre-

August 2006 housing requirements. The Court also deemed part of Condition No. 15(e) moot in light of intervening actions by the Department of Motor Vehicles.

The Court of Appeals sustained Condition No. 8 (capping the total number of students, faculty, and staff) and Condition No. 10 (requiring the University to house freshmen and sophomores on campus) but invited the Board to give further consideration to both Conditions. The Court stated:

If Condition 10 imposes serious hardship on the University, the University is, of course, free to request the BZA, following this remand, to amend its order. ... Indeed ... a negotiated resolution of the issue may be possible and would undoubtedly be in the interests of justice.^{N31}

^{N31}Although the University did not preserve its objection to Condition 8, the parties and the Board may also wish to consider whether the faculty cap on that Condition reasonably serves the land use purposes of the Board's order.

George Washington University v. BZA, 831 A.2d 921, 952 (D.C. 2003).

Effective December 8, 2000, the authority to hear and decide new campus plan applications, and non-minor modifications to approved campus plans, became exclusively vested in the Zoning Commission. 11 DCMR §§ 3035. Since that time, the Zoning Commission has heard and decided several campus plan applications and granted numerous further processing requests, including five under this campus plan.¹ In addition, the Commission granted GW's request to modify a planned unit development with respect to the new location of the Elliot School of International Studies (which resulted in that facility being included within the campus boundaries).² Currently, the Commission is considering the University's request to modify a further processing granted under the previous campus plan³ and to approve a planned unit development for a new dormitory.⁴ In contrast, the Board's last consideration of the merits of a campus plan request was its earlier remand proceeding in this case, which concluded with the issuance of the January 23, 2002 Order on Remand. There has also been a substantial change in Board membership since approval of the March 29, 2001, order adopting Conditions 8 and 10. Only one Member who participated in that decision remains on the Board, and that person is the Chair of the Zoning Commission.

¹ See Zoning Commission Order No. 953, April 3, 2002 (enclosure of terraces on Smith Hall School of Art); Zoning Commission Order No. 954, April 3, 2002 (construction and use of new School of Business and Public Management); Zoning Commission Order No. 957, April 3, 2002 (construction and use of new dormitory at 607 23rd Street, N.W.); Zoning Commission Order No. 958, April 3, 2002 (construction and use of new dormitory at 616 23rd Street, N.W.); and Zoning Commission Order No. 02-03, May 24, 2002 (area variance for closed court on new dormitory at 616 23rd Street, N.W.).

² Zoning Commission Order No. 746-C, August 16, 2002.

³ Zoning Case No. 02-26 (modification of conditions of approval of Lerner Health & Wellness Center).

⁴ Zoning Case No. 03-29 (new residence hall planned unit development at 2025 F Street, N.W.)

Under these circumstances, the Board has unanimously concluded that the Zoning Commission's familiarity with recent campus plan applications and its review of the specific further processing and PUD requests made by GW place it in a better position to determine whether and how to address any request by the University to amend Conditions 8 and 10. The Board therefore will take no action with respect to sustained Conditions 8 and 10.

By this Order, the Board revises the conditions of approval of the Applicant's Campus Plan to be consistent with the Court of Appeals decision.⁵ For convenience, the conditions as revised in this Order are restated in the Appendix. This Order makes the following revisions:

Condition No. 9. This condition is modified to revise and combine former Condition No. 9(a) and 9(b), to revise Conditions No. 9(c), and to delete Condition No. 9(f). New Condition No. 9(a) requires the University to make available beds on campus for at least 5,600 full-time undergraduate students by August 31, 2006. Thereafter, whenever the head count of full-time undergraduate enrollment exceeds 8,000 (the "base number"), the University must make available one bed on campus for each full-time undergraduate in excess of the base number. New Condition No. 9(b) (formerly Condition No. 9(c)) is revised by deleting the first sentence, which is now unnecessary in light of the new Condition No. 9(a).

Condition No. 15(e). The requirement to consult with the Department of Motor Vehicles is stricken, and this provision is revised to state:

Student vehicles: The Applicant, through its Office of the Registrar, shall maintain an accurate record of the license plate numbers of motor vehicles kept by students, updated annually at the beginning of the Fall semester. The Applicant shall direct the students to register their vehicles in the District of Columbia, or obtain a reciprocity sticker. The Applicant shall withhold parking privileges to students who do not comply with D.C. registration or reciprocity requirements. Failure to register student vehicles in the District or to obtain reciprocity stickers shall constitute a violation of the Code of Student Conduct.

For the reasons stated above, the Board hereby **ADOPTS** the conditions of approval of the Applicant's Campus Plan as restated in the Appendix.

VOTE: **4-0-1** (Carol J. Mitten, Curtis L. Etherly, Jr., Geoffrey H. Griffis, and Ruthanne

⁵ Because adoption of this Order is a ministerial act that does not make substantive changes but modifies a prior Board order consistent with the mandate of the Court of Appeals decision, the Board members participating in the vote to adopt this Order who did not hear the matter were not required to read the entire record in this proceeding. All members read the Board's original and first remand orders and the Court of Appeals decision that resulted in this remand.

G. Miller to adopt the conditions of approval of the Applicant's Campus Plan as restated in the Appendix, David A. Zaidain not participating, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this Decision and Order and authorized the undersigned to execute this Decision and Order on his or her behalf.

FINAL DATE OF ORDER: APR 26 2004

UNDER 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBSECTION 3125.6 OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. NM/LP/rsn

APPENDIX

1. The Applicant's proposed campus plan is approved until June 30, 2009, subject to the following conditions intended to mitigate those adverse impacts identified in this Order and any adverse impacts potentially arising from the location of a university use in a residentially zoned district, or until such time prior to June 30, 2009 as the Zoning Commission determines that conditions warrant submission of an updated campus plan.
2. The campus boundary as depicted in the plan offered by the Applicant is modified and expanded to encompass certain University-owned properties located outside of and adjacent to the southern boundary as previously drawn. The campus plan boundary shall be redrawn to include within it the Dakota at 2100 F Street in Square 81; 2201 Virginia Avenue (Riverside Towers), addresses 518 through 526 22nd Street in Square 58; addresses 2206 and 2208 F Street in Square 58; and the University-owned property in Square 43. In addition, in the event that the Zoning Commission approves the University's application for modification of the approved PUD for Square 122, the campus boundary shall be redrawn to include the PUD property in Square 122 once at least 193 beds for undergraduates are made available there.
3. The University shall work with community representatives to form an Advisory Committee for the purpose of fostering consistent communication between the University and the Foggy Bottom/West End community, discussing issues of mutual interest and proposing solutions to problems that existing or arise in implementing the approved campus plan. It is recommended that the Advisory Committee consist of 10 members: five members to be selected by the University and five members chosen by ANC 2A, the Foggy Bottom Association, and the West End Citizens Association. The Advisory Committee should schedule quarterly meetings open to the public, and should keep minutes of each meeting. Upon request, the University will provide timely data relevant to campus plan issues to the Advisory Committee, provided that the data is not confidential or overly burdensome to produce. Decisions regarding the operation of the Committee should be made jointly by the University and the community.
4. The University shall notify the Office of Planning, ANC 2A, and the Advisory Committee of its development plans for a specific site on campus following approval of the proposal by appropriate University committees and the University's Board of Trustees and prior to preparation of final, detailed plans and specifications.
5. The University shall incorporate the following land-use policy into the 2001 Campus Plan: University uses and structures (including the location of any means of approach to and egress from the structure) will be located to avoid adverse impacts on non-University properties, especially those residential properties on the periphery of the campus.
6. The University shall incorporate the following design policy into the 2001 Campus Plan: The height, bulk, and design (including the location of any means of approach and egress) of future University structures will be compatible with and sensitive to the height, bulk, and design of adjacent non-University-owned structures.

7. The University shall prepare a detailed streetscape plan applicable to the entire campus. The plan shall include, among other elements, a discussion of the installation of sign pylons, and it shall be developed in conjunction with the Office of Planning, the Department of Public Works, and the Advisory Committee. Upon completion, the plan shall be submitted to the Board for review.
8. Student enrollment (headcount) over the life of the plan shall not exceed 20,000 students and the student full-time equivalent shall not exceed 16,553. The number of full-time equivalent faculty and staff shall not exceed 1,550 and 9,000 respectively, while the headcounts for faculty and staff shall not exceed 2,236 and 10,293 respectively.
9. The University must ameliorate the adverse consequences of its failure to supply sufficient housing for its full-time undergraduate students on campus by taking the following steps:
 - (a) Beginning no later than August 31, 2006, the University shall make available beds for at least 5,600 full-time undergraduate students on campus. Whenever the head count of full-time undergraduate enrollment exceeds 8,000 (the "base number"), the University shall make available one bed on campus for each full-time undergraduate in excess of the base number.
 - (b) The Zoning Commission may extend this deadline after notice and public hearing but only (1) to the extent of time lost as a result of unusual delays by government agencies in processing applications for special exceptions for residential projects; (2) for the duration of third-party appeals to the District of Columbia Court of Appeals or to another judicial forum from the grant of a special exception for a residential project; (3) to the extent of time lost as a consequence of construction delay resulting from acts of God, contractor delays, or acts of third parties. No extensions may be granted for delays fairly attributable to University actions or for delays resulting from the processing of Planned Unit Development (PUD) applications before the Zoning Commission or from judicial challenges to PUD approvals.
 - (c) Beginning February 28, 2002, and semiannually thereafter in August and February, the University shall file with the Zoning Commission, Zoning Administrator, the Office of Planning, ANC 2A, and members of the Advisory Committee established in accordance with Condition 3 reports under oath giving (1) the number of full-time undergraduate students then enrolled; (2) the number of University-supplied beds (a) occupied by and (b) made available to full-time undergraduate students on campus; (3) the number and location of University-supplied beds (a) occupied by and (b) made available to its full-time undergraduate students outside the Foggy Bottom/West End area; (4) the number and location of University-supplied beds (a) occupied by and (b) made available to its full-time undergraduate students within Foggy Bottom/West End. For purposes of these reports, the term "University-supplied beds" shall include beds

in any property in which the University has an ownership, leasehold, or contractual interest. Each report shall be accompanied by supporting documentation and full explanations of methods, assumptions, and sources used to compile information in the report.

- (d) No special exception shall be granted and no permit to construct or occupy buildings for nonresidential use on campus may be issued, and existing special exceptions and permits issued pursuant to the campus plan approved by this Order shall be subject to suspension and revocation, whenever a semiannual report reveals that the University is not in compliance with the provisions of this condition except special exceptions and permits for projects in which a student housing component would occupy at least 50% of the FAR. In addition, Condition No. 20 of the March 29, 2001 Order shall apply to violations of this condition.
10. Commencing in the Fall 2001 semester, the University shall require all full-time freshmen and sophomore students to reside in University housing located within the campus boundary established by the Board, to the extent that such housing is available. The University may exempt students who commute, are married or have children, or have disabilities or religious beliefs inconsistent with residence hall life. Prior to the Fall 2003 semester, housing commitments made to current University students may be taken into account when determining the amount of housing available.
 11. The University shall institute a program to provide its students who are eligible to live off-campus with information about housing opportunities outside the Foggy Bottom/West End Area. The University shall provide this information using local licensed brokers or apartment locators as appropriate, and shall also provide information on the availability, reliability, and accessibility of public transportation between the campus and the housing opportunities. For those locations that are not Metro accessible, the University shall explore the use of a shuttle bus service to its campus for areas that the University determines contain a critical mass of University students, and shall report its criteria and findings to the Advisory Committee annually, at the beginning of each Fall semester.
 12. The University shall expand the use of disciplinary interventions to acts of misconduct by students living off-campus in the Foggy Bottom/West End Area, even if the students are not in properties owned or controlled by the University. The University shall act on incident reports by residents, the ANC, community associations, building management, building association boards, University security officers, and police. The University shall develop an outreach program with neighboring apartment buildings to educate management companies and tenant associations on the University's disciplinary program and its reporting requirements to facilitate effective use of its program. Additionally, subject to applicable law, the University shall permit management companies to obtain University clearances for student applicants for apartments to prevent students who are not eligible for the University's on-campus housing due to conduct violations from obtaining units in neighboring apartments.

13. The University shall maintain and publicize a hotline line available 24 hours per day, seven days per week to receive calls about student conduct issues and safety and security concerns. The University shall maintain a log of all calls received and all actions taken, including all referrals made. The University shall maintain its Crimes Tips Hotline (presently 994-TIPS), where calls can be made anonymously to a recorded "tip" line. Calls needing a more immediate response shall be directed to the University police (presently 994-6110) 24 hours per day, seven days per week. The University police will aid off-campus complainants in obtaining assistance from the Metropolitan Police Department. Reports of improper off-campus student conduct will also be referred to the appropriate University departments for their attention.
14. The University shall promptly establish a mandatory program for its students that will address "good neighbor" issues, educating students about appropriate conduct in the off-campus community.
15. The University shall implement measures to minimize adverse impacts associated with parking and traffic.
 - a. Support of Mass Transit: The University shall institute the Metrochek program offered by the Washington Metropolitan Area Transit Authority (WMATA) to allow employees to pay for public transportation costs on a pre-tax basis, with a target date for implementation of Spring 2001. In an effort to increase Metro ridership among the student population, the University shall implement an introduction to public transportation program for incoming students that includes provision of WMATA's "SmarTrip" cards to incoming students as of the Fall 2001 new student orientation. The University will work with Metro to schedule a future SmarTrip "carding event" starting in Fall 2001 at various locations around campus to provide additional information about public transportation to the University community.
 - b. Parking: The University shall provide at least 2,800 off-street parking spaces within the campus boundary. Any off-street parking obtained by the University at a location outside the campus plan boundaries, including the University's off-campus spaces located at the Kennedy Center, shall not be counted toward the 2,800 minimum for purposes of satisfying this condition. The number of off-street parking spaces required to be provided within the campus boundary may be increased in any subsequent special exception order issued pursuant to this plan if necessary to mitigate the adverse impact of the approved uses on parking. The University shall monitor its utilization of University parking lots to determine usage patterns and to conduct an ongoing assessment of parking needs.
 - c. Community Parking Program: In addition to its on-campus parking inventory, the University maintains parking facilities in certain off-campus properties. Members of the Foggy Bottom community have expressed an interest in exploring the creation of a parking program pursuant to which non-student residents of the Foggy Bottom community would be permitted to park in

University properties. The University shall provide contracts for parking to residents of the Foggy Bottom/West End Area on a space-available basis. The location of such spaces will be determined by the University. Levels of and changes in availability will be reported to the Advisory Committee on request.

- d. Notice: The University shall notify all affected property owners or occupants in a timely manner of the occurrence of any temporary street closing necessary to accommodate University-related functions.
 - e. Student vehicles: The Applicant, through its Office of the Registrar, shall maintain an accurate record of the license plate numbers of motor vehicles kept by students, updated annually at the beginning of the Fall semester. The Applicant shall direct the students to register their vehicles in the District of Columbia, or obtain a reciprocity sticker. The Applicant shall withhold parking privileges to students who do not comply with D.C. registration or reciprocity requirements. Failure to register student vehicles in the District or to obtain reciprocity stickers shall constitute a violation of the Code of Student Conduct.
16. Within six months of the effective date of this Order, the University shall prepare an updated comprehensive management plan to address traffic and parking associated with attendance at events on campus that are attended by a significant number of persons not normally associated with the University and the campus, who come to the campus for the specific purpose of attending the event. The management plan shall be maintained by the University, made available to the public, and submitted to the Advisory Committee, and shall include the following:
- a. Measures to schedule events at times that reduce conflicts with other traffic and other demands for parking.
 - b. Measures to discourage travel by private automobile and encourage travel by public transportation.
 - c. Measures to encourage persons who drive to park in commercial or University parking garages.
 - d. Any other specific measures to address parking demand and decrease vehicular traffic in the surrounding Foggy Bottom/West End Area.
17. Starting in the Fall 2001 registration process, the University shall gather information about the local addresses of the full-time undergraduate population. The University shall update the information annually. Beginning February 28, 2002, and semiannually thereafter in August and February, the University shall provide the Zoning Commission, Zoning Administrator, ANC 2A, Office of Planning, and Advisory Committee with an audited census of the number of full-time undergraduate students residing in (1) Foggy Bottom/West End outside the campus plan boundaries; (2) the District of Columbia outside the campus plan boundaries and Foggy Bottom/West End, organized by postal

- zip codes; (3) Maryland; and (4) Virginia. Each semiannual report shall also include a good-faith estimate of the number of married students and students with children encompassed in each category, (1)-(4). The latest semiannual report shall be included with each application for a special exception pursuant to the approved 2001 Campus Plan.
18. Within 90 days of the effective date of this Order, the University shall revise the Campus Plan to reflect changes mandated by the above-stated conditions. The revision shall include a revised map of the campus, with the following specifications: The map shall show the campus boundaries and the number of each square within the boundary, and shall identify the approved uses for each square; the map shall be legible and not require color for graphic clarity. Upon completion, the revised copy shall be submitted to the Board. The Board shall certify the revised copy as the approved campus plan. Copies of the approved plan shall be maintained in the Office of Zoning and the Office of the Zoning Administrator.
 19. The University shall submit a special exception application to the Board for each structure or addition to an existing structure that the University proposes to construct over the life of the Plan. In addition to a demonstration of compliance with applicable provisions of the zoning regulations and the contents of the approved 2001 Campus Plan, each application shall include the following:
 - a. A showing that the use, height, bulk, and design (including the location of any means of approach and egress) of the proposed structure is sensitive to and compatible with adjacent and nearby non-University-owned structures and uses;
 - b. An indication of any need for, amount of, and proposed locations of interim leased space necessary to accommodate housing and/or activities displaced by construction, and/or activities intended to be located permanently in the completed structure;
 - c. Recomputation of the University's total FAR, copies of which shall be submitted to the Zoning Administrator. Such information shall be broken down by zone district and include the following: existing and occupied FAR; FAR under construction pursuant to Board approval; and FAR upon completion of the proposed structure;
 - d. An updated student enrollment headcount indicating actual enrollment of full-time undergraduate students, as of 30 days prior to the application date, and the number and percentage of full-time undergraduate students housed on campus, including documentation and an explanation of the methods and assumptions used in the calculation;
 - e. The most recent audited count of full-time undergraduate students residing in the Foggy Bottom/West End Area outside of the campus plan boundaries;

- f. A progress report on the implementation of the streetscape plan required by Condition No. 7;
 - g. The number of off-street parking spaces within campus boundaries, as of 30 days prior to the application date, including documentation and an explanation of the methods and assumptions used in the calculation; and
 - h. A status report on the Transportation Management Program.
20. No special exception application filed by the University for further processing under this plan may be granted unless the University proves that it has consistently remained in substantial compliance with Conditions 1 through 19 set forth in this Order. Further, any violation of a condition of this Order shall be grounds for the denial or revocation of any building permit or certificate of occupancy applied for by, or issued to, the University for any University building or use approved under this plan, and may result in the imposition of fines and penalties pursuant to the Civil Enforcement Act, D.C. Code §§ 6-2701 to 6-2723.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17047-A of 33 P St. LLC, pursuant to 11 DCMR § 3103.2 for a variance from the off-street parking requirements under § 2101.1 (parking schedule), to allow the conversion of a warehouse to an entertainment night club in the C-3-C district at 33 Patterson St., N.E. (Square 672, Lot 255)

HEARING DATE: September 9, 2003

DECISION DATE: October 7, 2003

DATE OF DECISION OF

RECONSIDERATION: February 3, 2004

ORDER DENYING RECONSIDERATION

On January 5, 2004, 30/60 M Street Associates, L.P., (30/60)¹ moved for reconsideration of the Board of Zoning Adjustment's (Board) December 23, 2003 order granting an off-street parking variance to 33 P St. LLC. (33 P St or the applicant), alleging specific errors in the Board's order pursuant to 11 DCMR § 3126.4. On January 12, 2004, 33 P St. filed its opposition to the request for reconsideration. *See*, 11 DCMR § 3126.5. At a decision meeting on February 3, 2004, the Board voted to deny 30/60's motion for reconsideration

30/60 sets forth three separate errors allegedly made by the Board: (1) the Board lacked a factual basis upon which to conclude that adequate off-site parking existed; (2) the Board erred in concluding that the applicant had entered into a parking lease with the adjoining property owner; and (3) the Board erred in concluding that the granting of the variance would not result in any substantial detriment to the public good. For reasons that will be explained below, the Board disagrees and denies the motion for reconsideration.

(1) The Board had ample basis to find that the applicant could provide adequate off-site parking

30/60 alleges that the Board lacked a basis to find that the applicant could provide adequate off-site parking. This assertion is incorrect. Nearly the entire public hearing revolved around this question. The applicant not only proffered that it would provide off-site spaces, it represented that it would provide 105 spaces on lots at a specific location immediately adjacent to the proposed night club. The applicant also submitted a detailed "Parking Management Plan" prepared by a traffic consultant, and as stated in Finding of Fact No. 6, the Parking Management Plan reported that there were several surface parking lots in the nearby vicinity of the applicant's property. In addition, there was evidence of record that off-street parking spaces would become available after working hours between 5:00 and 6:00 pm., the primary hours during which the proposed night club would be in use. 30/60 argues there was no evidence – and thus no finding – that

¹ 30/60 was a party in opposition to the variance request.

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these spaces would remain available for the duration of the evening. This argument misses the point. The applicant maintained throughout the hearing that the uses surrounding the proposed night club were daytime office uses. It was precisely for this reason that these surrounding property owners would be able to lease their parking spaces during the evening.

(2) The Board did not err in concluding that the applicant would provide 100 nearby off-site parking spaces

30/60 alleges that the Board had no basis for concluding that the applicant had entered into a parking lease with the adjoining property owner. Again, 30/60 misses the point. The Board made a conscious decision during its deliberation of this case that it would not require proof of a binding lease agreement before granting the variance. Rather, the Board determined to grant the variance subject to the applicant's providing 100 off-site spaces whenever the club was operating (See, Decision and Order, Condition No. 2). The Board did require the applicant to enter into a binding written lease, but only as a condition to obtaining its certificate of occupancy, not as condition for obtaining the variance (See, Decision and Order, Condition No. 3). In any event, the Board did have before it a letter which, on its face, purported to be a lease. To be sure, the letter may not have been written by the property owner, as pointed out by 30/60.² But that fact does not in any way diminish the applicant's obligations under the Board's order to provide off-site parking. Whether the spaces leased will be those identified in the proffered letter, or some other off-site spaces, the applicant is required under the order to provide the required parking and enter into a binding lease.

(3) The Board did not err in concluding that the variance would not result in any substantial detriment to the public good

30/60 alleges that the Board had no basis for concluding that the variance would result in no substantial detriment to the public good. In support of this contention it states: "...the [a]pplicant has not satisfactorily established that it can and will provide the parking which all agree must be provided". But as explained above, the applicant proffered that it would provide the required parking and the Board, in turn, required it as a condition to obtaining a certificate of occupancy. Of course, a finding of "no substantial detriment to the public good" is necessarily premised upon a projection, and the Board recognized this in its Decision and Order by limiting the duration of the variance. The Board specifically stated:

"The Board's finding of no substantial detriment to the public good is based, in large part, upon a projection of the availability of daytime parking spaces, the impact of a future Metro Station, and the applicant's promise to maintain parking spaces off-site. Because this is an area in

² The letter was written by the DC Department of Housing and Community Development Employee Association regarding space owned by the Government of the District of Columbia.

transition, the Board is limiting the time in which the variance will remain in effect to five years..."

Given the projections made, the conditions upon which this variance was granted, and its five year term, the Board did not err in concluding as it did that the variance would not result in any substantial detriment to the public good.

For these reasons, it is hereby **ORDERED** that the Motion for Reconsideration is **DENIED**.

VOTE: **5-0-0** (Geoffrey H. Griffis, Curtis L. Etherly, Jr., Ruthanne G. Miller, David A. Zaidain and John G. Parsons (by absentee ballot) to deny the motion)

Vote taken on February 3, 2004

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this Decision and Order.

FINAL DATE OF ORDER: APR 19 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT. SG/RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17079 of Mark Lee Phillips pursuant to 11 DCMR § 3104.1 for a special exception to increase the number of sleeping rooms in a bed and breakfast (home occupation) from two (2) to four (4) or six (6) under subsection 203.8 and the provisions governing special exceptions within the Capitol Hill Overlay District under subsection 1202.1, in the CAP/R-4 District at premises 417 A Street, S.E. (Square 818, Lot 27).

HEARING DATE: December 2, 2003
DECISION DATES: January 6, 2004 and February 3, 2004

DECISION AND ORDER

This application was submitted on September 5, 2003 by Mark Lee Phillips ("Applicant"), the owner of the property that is the subject of the application. The application, as revised, requested a special exception to increase the number of sleeping rooms from two to four in an existing home occupation bed and breakfast facility at 417 A Street, S.E. (Square 818, Lot 27). Following a public hearing on December 2, 2003 and a public meeting on January 6, 2004, the Board granted the special exception by a vote of 4-0-1.

PRELIMINARY MATTERS:

Notice of Application and Hearing. By memoranda dated September 10, 2003, the Office of Zoning mailed notice of the application to the Office of Planning ("OP"), the Department of Transportation ("DDOT"), the Councilmember for Ward Six, Advisory Neighborhood Commission ("ANC") 6B, Single Member District/ANC 6B02, and the Architect of the Capitol. In accordance with 11 DCMR § 3113.13, the Office of Zoning mailed letters or memoranda dated September 25, 2003 to the Applicant, ANC 6B, and all owners of property within 200 feet of the subject property, providing notice of the hearing. Notice of the hearing was also published in the D.C. Register on October 3, 2003 (50 DCR 8174).

Requests for Party Status. ANC 6B was automatically a party in this proceeding. The Board granted party status in opposition to the application to a group of residents living on A Street or 5th Street near the subject property: Christopher Anders and Aaron Schuham; Eugene Berry; Jacqueline Eiting; and William Martin.

Applicant's Case. The Applicant presented testimony from witnesses including the owner of the subject property, who described the subject property and the existing two-room bed and breakfast home occupation; an architect and planner; and the president of a reservation service for bed-and-breakfast operations. The Applicant argued that no zoning relief was necessary, on the ground that six sleeping rooms are permitted as a matter of right in a dwelling that is a historic landmark or located in a historic district and certified by the State Historic Preservation Officer as contributing to the character of that historic district. The Applicant also testified that the application satisfied the requirements of the requested special exception.

Government Reports. By memorandum dated November 21, 2003, the Office of Planning declined to recommend approval of the application, citing concerns about noise, traffic, and parking that had not yet been fully addressed by the Applicant. In a supplemental report dated November 26, 2003, OP indicated no further objection to approval of the application, based on a determination by the Department of Transportation ("DDOT") that the proposed increase to four sleeping rooms would not adversely impact parking in the neighborhood.

ANC Report. By letter dated November 12, 2003, ANC 6B indicated that, at a regularly scheduled and properly noticed meeting on November 5, 2003, with a quorum present, the ANC voted 7-1-1 to oppose the application. The ANC expressed concern that the proposed expansion in the number of sleeping rooms would be potentially disruptive with respect to parking, because the Applicant would not provide any off-street parking for guests.

Party in Opposition. The party in opposition to the application objected to the proposed expansion of the bed and breakfast due to concerns about adverse impacts on the surrounding residential neighborhood, including noise, a lack of adequate parking, and traffic congestion.

Persons in Opposition. The Board received approximately 12 letters from persons in opposition to the application. The letters, written primarily by residents living in close proximity to the subject property, generally cited potential adverse impacts attendant to the requested special exception, including the additional demand for scarce parking spaces, increased traffic, and harm to the residential character of the neighborhood as a result of the expansion of a commercial entity. The Capitol Hill Restoration Society, by letter dated November 14, 2003, indicated that its zoning committee had voted unanimously to oppose the application, although the committee would support an increase to four sleeping rooms if the Applicant provided two off-street parking spaces in close proximity to the subject property.

FINDINGS OF FACT

1. The subject property is located at 417 A Street, S.E. (Square 818, Lot 27), at the corner of 5th and A Streets, S.E. in the Capitol Hill neighborhood of Ward Six. The site is improved with a brick rowhouse, built in 1890, that is 36 feet high and contains 3,382 square feet of livable area.
2. The subject property is located in the Capitol Hill Historic District, and the residence has been certified as contributing to the historic district.
3. The rowhouse was used as a rooming house during several periods, including from 1966 until 1990, when the Applicant acquired the subject property and renovated the building for use as a single-family dwelling.
4. The Applicant currently uses the property as a residence. Since November 2002, the Applicant has operated a home occupation bed and breakfast ("B&B") with two sleeping rooms at the subject property, pursuant to a home occupation permit issued June 3, 2002 (HOP 34896).

5. The residence has a total of five sleeping room on three floors and an English basement, with one bathroom per sleeping room.
6. The Applicant proposes to increase the number of sleeping rooms in the bed and breakfast home occupation from two to four. The dwelling currently has a total of four rooms devoted to B&B use, but no more than two sleeping rooms are occupied by guests at any one time. Two of the sleeping rooms can accommodate two guests, while the other two rooms can each accommodate three guests.
7. The only meal served at the Applicant's B&B is a continental breakfast, which is served only to overnight guests. The residence has one main kitchen and a kitchenette; there are no cooking facilities in any of the sleeping rooms.
8. Check-in times for the B&B facility are 3:00 p.m. to 8:00 p.m. Guests are generally not accepted after 10:00 p.m.
9. No signs are posted on the building.
10. No sales are conducted at the subject property.
11. Pursuant to 11 DCMR § 2100.5, the subject property – as a building certified as contributing to the character of a historic district – is not required to provide additional parking spaces.
12. The Board credits the Applicant's testimony that most guests of the B&B operation arrive by taxi or on foot from a Metrorail station.
13. The Board also credits the Applicant's testimony that the proposed B&B operation at the subject property will comply with applicable requirements of 11 DCMR § 203.4.
 - (a) The home occupation B&B, after expansion to four sleeping rooms, will remain secondary to the use of the dwelling unit as the Applicant's primary residence.
 - (b) The B&B operation does not require storage of materials or finished products.
 - (c) The B&B operation has no employees or persons engaged in the home occupation who are not residents of the dwelling unit.
 - (d) The Applicant has maintained the residential character and appearance of the dwelling unit.
 - (e) The Applicant has not undertaken interior structural alterations that would hinder use of the premises as exclusively residential, but instead renovated the dwelling unit for single-family use after its prior use as a rooming house.

- (f) The B&B use is not operated outside the structure, and does not maintain any outside storage. The area outside the dwelling is landscaped as a garden.
 - (g) The B&B operation does not create visual or audible electrical interference in television or radio receivers or cause fluctuations in line voltage outside the subject property. Nor does the B&B home occupation produce noxious odors, vibrations, glare, or fumes detectable outside the subject home.
 - (h) The expanded B&B operation will not produce noise exceeding the level normally associated with the category of dwelling or the immediate neighborhood.
 - (i) No more than two vehicles will be used in the practice of the B&B home occupation, and vehicular trips to the premises by visitors, customers, and delivery persons will not exceed eight trips daily on a regular and continuing basis.
 - (j) The B&B operation, expanded to four sleeping rooms, will not have more than eight customers on the premises in any one-hour period, assuming a maximum of double occupancy of each of the sleeping rooms.
14. The subject property is zoned CAP/R-4. The Capitol Interest (CAP) overlay district was established to promote and protect the U.S. Capitol precinct and adjacent areas through land use controls as well as limits on height and bulk. 11 DCMR § 1200. Uses permitted as a special exception in the R-4 district are generally permitted in the CAP/R-4 district with Board approval. 11 DCMR § 1201.3(a).
15. By letter dated November 17, 2003, the Architect of the Capitol indicated that the application would create no adverse effect on the Capitol Complex or master plan referred to in 11 DCMR § 1200.1.

CONCLUSIONS OF LAW

The Applicant seeks a special exception pursuant to 11 DCMR § 3104.1 to increase the number of sleeping rooms in a bed and breakfast home occupation from two to four in the CAP/R-4 zone under §§ 203 and 1202.1. The Applicant also argued that no special exception was required on the ground that 11 DCMR § 203.8(c)(1) permits six sleeping rooms as a matter of right in a home occupation bed and breakfast in a dwelling that is a historic landmark or located in a historic district and certified as contributing to the character of the historic district. Based on the findings of fact and for the reasons discussed below, the Board concludes that a special exception is required to increase the number of sleeping rooms in the Applicant's home occupation B&B, and that the Applicant has met the burden of proof for a special exception to expand the bed and breakfast operation from two to four sleeping rooms.

The maximum number of sleeping rooms permitted as a matter of right in a home occupation bed and breakfast is two. 11 DCMR § 203.8(c). A dwelling owner may be permitted to increase the number of sleeping rooms to four with Board approval as a special exception pursuant to 11 DCMR § 203.10(b). *See* 11 DCMR § 203.8(c)(1). In the case of “a dwelling that is an historic landmark, or that is located in a historic district and certified by the State Historic Preservation Officer as contributing to the character of that historic district,” the dwelling owner may be permitted to increase the number of sleeping rooms to six with Board approval as a special exception pursuant to 11 DCMR § 203.10(b). *Id.* *See, e.g.,* the Board’s orders in Application No. 16823 (February 9, 2004) and Application No. 16793 (January 24, 2002). Thus, a home occupation bed and breakfast operated on the subject property is permitted two sleeping rooms as a matter of right, and up to six if approved by the Board as a special exception pursuant to 11 DCMR §§ 203.10(b) and 3104. In this case, the Applicant seeks special exception approval for four sleeping rooms.

The Board is authorized to grant special exceptions where, in the Board’s judgment, a special exception would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and would not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. 11 DCMR § 3104. With respect to an application to increase the number of sleeping rooms in a bed and breakfast home occupation, the requested special exception must also comply with the general purpose and intent of § 203 of the Zoning Regulations. 11 DCMR §§ 203.8(c)(1) and 203.10(b).

Based on its findings of fact derived from substantial evidence in the record, the Board concludes that the Applicant has demonstrated that the expanded B&B home occupation at the subject property will comply with the applicable requirements of 11 DCMR § 203. The requested special exception is consistent with the purpose and intent of the home occupation regulations; that is, to allow a home occupation, including a bed and breakfast operation, as an accessory use to a residential use when compatible with the neighborhood, and to protect residential areas from adverse effects of activities associated with home occupations while permitting residents of the community the opportunity to use the home as a workplace and source of livelihood. 11 DCMR § 203.1.

The Board was not persuaded by ANC 6B or by the party in opposition that expansion of the existing bed and breakfast home occupation to four sleeping rooms would create adverse impacts on neighboring property. The ANC expressed concern about the effect of the expanded B&B operation on parking, but the Board does not find that the addition of two sleeping rooms would adversely affect the supply of parking in the neighborhood, particularly since a large proportion of guests will arrive at the subject property by taxi or public transportation or on foot. The Board credits DDOT’s conclusion that the requested special exception would not adversely affect parking in the neighborhood of the subject property.

Similarly, the Board was not persuaded by the party in opposition that noise created by the expanded bed and breakfast operation would have adverse impacts on neighboring property. The adverse noise impacts claimed by the party in opposition would not be greater than noise impacts

normally associated with the residential uses permitted as a matter of right in the neighborhood surrounding the subject property.

The Board also concludes that the requested special exception is consistent with the requirements for a special exception in the Capitol Interest overlay pursuant to 11 DCMR § 1202.1. The requested special exception does not entail any change to the height or bulk of the building on the subject property, but will expand an existing home occupation that will maintain the residential use and character of the building. The Board credits the conclusion of the Architect of the Capitol that the requested special exception would create no adverse effect on the Capitol Complex.

The Board has accorded ANC 6B the "great weight" to which it is entitled. In so doing, the Board fully credited the unique vantage point held by the ANC with respect to the impact of the proposed B&B expansion on the ANC's constituents. However, ANC 6B did not offer persuasive advice that would cause the Board to find that the proposed bed and breakfast home occupation with four sleeping rooms is contrary to the Zoning Regulations and would adversely affect the use of neighboring property. The Board has also accorded great weight to the recommendation of the Office of Planning, which indicated no objection to approval of the application.

For the reasons stated above, the Board concludes that the Applicant has satisfied the burden of proof with respect to the application for a special exception to increase the number of sleeping rooms in a bed and breakfast home occupation from two to four in the CAP/R-4 district pursuant to 11 DCMR §§ 203.8, 1202.1, and 3104. Accordingly, it is therefore **ORDERED** that the application is **GRANTED**.

VOTE: **4-0-1** (Geoffrey H. Griffis, Ruthanne G. Miller, Curtis L. Etherly, Jr., and David A. Zaidain to grant the application; Anthony J. Hood, not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring Board member approved the issuance of this order.

FINAL DATE OF ORDER: APR 19 2004

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17102 of Robert and Jennifer Beylickjian, pursuant to 11 DCMR § 3104.1, for a special exception to allow the construction of a two-story rear addition to a single-family detached dwelling under § 223 of the Zoning Regulations, not meeting the side yard requirements (§ 405) in the R-1-B District at premises 3415 McKinley Street, N.W. (Square 1997, Lot 76).

HEARING DATE: January 20, 2004

DECISION DATE: February 3, 2004

DECISION AND ORDER

Robert and Jennifer Beylickjian, the property owner (the owner or the applicant) of the subject premises, filed an application with the Board of Zoning Adjustment (Board) on October 23, 2003 for a special exception under § 223 to construct an addition to their residence¹ where the addition would not conform to the minimum side yard requirements of § 405 of the Zoning Regulations. Following a hearing on January 20, 2004, the Board voted to approve the special exception.

Preliminary Matters

Self-Certification Stephen Gell, Esq., an attorney retained by the applicant, submitted a "self-certification" form with the Board which describes the zoning relief that is requested (Exhibit 19).

Notice of Public Hearing Pursuant to 11 DCMR 3113.3, notice of the hearing was sent to the applicant, all owners of property within 200 feet of the subject site, the Advisory Neighborhood Commission (ANC) 3/4G, and the District of Columbia Office of Planning (OP). The applicant posted placards at the property regarding the application and public hearing and submitted an affidavit to the Board to this effect.

ANC Report In its report dated November 28, 2003, ANC 3/4G indicated that, at a regularly scheduled monthly meeting with a quorum present, the ANC voted to support the special exception (Exhibit 20).

Request for Party Status The Board received a request for party status from a neighboring property owner, Mary Conroy (Exhibit 22). Ms. Conroy resides at the adjacent property located at 3419 McKinley Street (the Conroy property). The request for party status was granted and Ms. Conroy opposed the application at the public hearing. Most of her concerns pertained to problems that she claims to have experienced during the construction of the addition, or problems she expected during future maintenance of the subject property. However, Ms. Conroy also asserted that the new addition would adversely impact upon her privacy and light and air.

¹ As will be explained in the Findings of Fact, most of the addition was constructed prior to the public hearing.

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Other Persons in Support/Opposition No other persons appeared in support or in opposition to the application.

OP Report OP's report supported the special exception. In addition, Karen Thomas, the OP representative who prepared the report, testified at the public hearing in support of the application.

FINDINGS OF FACT

The Site and Surrounding Area

1. The subject property is a single-family dwelling that was built prior to 1958 and is located at 3415 McKinley Street, N.W., Square 1997.
2. The Square is bounded by Northampton Street to the north, Broad Branch Road to the west, McKinley Street to the south, and Nevada Avenue to the west. The surrounding area is also zoned R-1-B and is developed with single-family detached dwellings.
3. Plats and surveys filed at the Office of the Surveyor beginning in 1925 show the existing side yard as measuring approximately 5 feet. Minimum side yards of 8 feet are now required in the R-1-B zone. However, § 405.8 of the Regulations specifically allows an addition that continues a 5 feet side yard where a building -- such as this one -- was constructed prior to 1958.

The Application

4. The applicants purchased the property in 1999 and took steps to build a two-story addition that extended the existing side yard. Based upon the plats showing a 5 feet side yard and the owner's proposal to continue the existing side yard, the owners obtained a building permit to construct the addition.
5. After the addition was well under construction, a wall check by a private surveyor revealed that the existing wall was only 2.9 feet from the side lot line. The District of Columbia Building and Land Regulation Administration (BLRA) issued a stop work order to halt construction of the addition when it discovered that the side yard was less than 5 feet. Although BLRA later permitted the owners to secure the project and make it weather tight, the construction stopped. This application was filed for relief from the side yard requirement so the owner could complete the addition.

The Impact of the Addition

6. With their application, the owner submitted photographs of the property and elevation plans. He also submitted a site plan showing the relationship of the addition to adjacent buildings and views from the public ways.

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7. The site plan indicates a very deep rear yard (over 50 feet between the rear of the dwelling and the rear lot line) and a comparatively large amount of open space. The photographs of the property depict large, mature trees on the property, also suggesting the existence of open space and light and air. Side elevations indicate that the addition is only 29 feet tall and the roof pitch line, shape, and massing of the addition is in character with the existing dwelling.
8. There is a consistent distance of approximately 12 feet between the subject property and the Conroy property. The two properties are separated by a wooden fence that is lined by maintained landscaping on both sides of it.
9. The addition is not visible from the street due to its location at the rear of the dwelling, and the existing vegetation along the side yard of the property.

CONCLUSIONS OF LAW

The Special Exception

The Board is authorized under § 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799, as amended; D.C. Official Code § 6-641.07(g)(2) (2001)), to grant special exceptions as provided in the Zoning Regulations. The applicant is seeking a special exception pursuant to 11 DCMR § § 223 and 3104.1 to construct an addition to a one-family dwelling in an R-1-B District, where the addition will not comply with the side yard requirements of § 405.

The Board may grant a special exception where, in its judgment, two general tests are met, and, the special conditions for the particular exception are granted.

The general tests. First, the requested special exception must "be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps." 11 DCMR § 3104.1. Second, it must "not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Map" 11 DCMR § 3104.1. As to the first test, the proposed addition will not change the residential use of the dwelling and will be in harmony with the existing residential neighborhood. Because of the roof and other design features, when completed, the addition will blend in with the residence and those residences at nearby properties. While the addition will result in a taller structure, the height will not exceed the maximum allowed in the zone. Since the second test is nearly identical to the criteria for the special conditions under § 223, it will be discussed in the section below entitled "The 'special conditions' for an addition under § 223.1".

The "special conditions" for an addition under § 223.1. Under Section 223.1 of the Zoning Regulations, the Board may permit an addition to a single family dwelling where it does not comply with applicable area requirements, such as the side yard requirement, subject to its not having a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- a. The light and air available to neighboring properties shall not be unduly affected.

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Light and air to neighboring properties will not be unduly affected. As stated in the Findings of Fact, the addition is only 29 feet tall. Also, since the addition aligns the original structure, it extends the length of the house and not the width. As such, the addition results in no decrease to the existing side yard, whether it is measured correctly at 2.76 feet or, incorrectly, at 5 feet. Even though the length of the residence was extended, the remaining rear yard is over 50 feet deep, allowing for significant light and air at the property. Finally, while Ms. Conroy claims that her light and air will be diminished by the addition, she presented no evidence to this effect and specifically testified that she had noticed no impact to date.

b. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised. The privacy of neighboring properties will not be effected by the addition. As explained, the Conroy property is approximately 12 feet from the subject property and there is also a wooden fence separating the two properties (Finding of Fact 8).

c. The addition, together with the original building, 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 frontage. The addition to the subject property does not deviate from the pattern of development in the area with respect to its scale or design. Due to its location at the rear of the dwelling and vegetation along the side yards, the addition is not visible from the street (Finding of Fact 9). Thus, the addition causes no visual intrusion as viewed from the street.

The Board is required under Section 13 of the Advisory Neighborhood Commission Act of 1975, effective October 10, 1975 (D.C. Law 1-21), as amended; D.C. Official Code § 1-9.10(d)(3)(A)), to give "great weight" to the issues and concerns raised in the affected ANC's recommendations. For the reasons stated in this Decision and Order, the Board finds the ANC's advice to be persuasive.

In reviewing a special exception application, the Board is also required under D.C. Official Code § 6-623.04(2001) to give "great weight" to OP recommendations. For the reasons stated in this Decision and Order, the Board finds OP's advice to be persuasive.

For the reasons stated above, the Board concludes that the applicant have satisfied the burden of proof with respect to the application for a special exception under § 223 to allow the construction of an addition that does not comply with the side yard requirements an R-1-B zone.

Therefore, for the reasons stated above, the application for a special exception is **GRANTED**.

VOTE: 3-0-2 (David A. Zaidain, Geoffrey H. Griffis, and Ruthane A. Miller, in favor of the motion to grant, none opposed, Curtis L. Etherly, Jr. being necessarily absent, and no Zoning Commission member having participated in the application)

Vote taken on February 3, 2004

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this Decision and Order.

FINAL DATE OF ORDER: April 19, 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, 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 PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 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, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. SG/RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17130 of James Brady and Neysa Rich, pursuant to 11 DCMR § 3104.1, for a special exception to allow the construction of an accessory garage serving a single family row dwelling under section 223, not meeting the lot occupancy requirements (section 403) and pursuant to 11 DCMR § 3103.2, a variance from the alley centerline setback requirement for an accessory garage under subsection 2300.2(b) in the R-4 District at premises 407 11th Street, S.E. (Square 972, Lot 7).

HEARING DATE: March 23, 2004
DECISION DATE: April 13, 2004

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. ANC 6B did not participate in the application. The Office of Planning (OP) submitted a report in support of the application. The Capitol Hill Restoration Society submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for special exceptions pursuant to 11 DCMR §§ 3104.1 and 223, and a variance under 11 DCMR § 3103.2 from the strict application of the requirements of § 2300.2(b). No party appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board closed the record at the conclusion of the hearing. Based upon the record before the Board, and having given great weight to the Office of Planning report filed in this case, the Board concludes that the applicant has met the burden of proof pursuant to 11 DCMR §§ 3104.1, for a special exception under section 223, that the requested relief can be granted as in harmony with the general

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purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

The Board also concludes that the applicant has met its burden of proof under 11 DCMR §§ 3103.2 and 2300.2(b), that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Ruthanne G. Miller, John A. Mann III, and Anthony J. Hood to approve, Curtis L. Etherly, Jr., not hearing the case, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: APR 16 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, 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 PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 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, UNLESS

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THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17133 of Jose I. Reyes (El Tamarindo Restaurant), pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 771, and a variance from the off-street parking requirements under subsection 2101.1, to expand an existing restaurant's dining area to the second floor in the C-2-A District at premises 7331 Georgia Avenue, N.W. (Square 2964, Lot 40).

HEARING DATE: April 20, 2004
DECISION DATE: April 20, 2004 (Bench Decision)

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 4A, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 4A. ANC 4A submitted a letter in support of the application. The OP submitted a report recommending approval of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 771 and 2101.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Ruthanne G. Miller, Anthony J. Hood and John A. Mann, III to approve, Curtis L. Etherly, Jr. not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring Board member has approved the issuance of this order.

FINAL DATE OF ORDER: APR 26 2004

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3125 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, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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,

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PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17140 of Dwight Sterling, pursuant to 11 DCMR § 3104.1, for a special exception to allow the enclosure and enlargement of an existing front and side porch to an existing single family dwelling under section 223, not meeting the side yard requirements (section 405) in the R-2 District at premises 4311 Brandywine Street, N.W. (Square 1649, Lot 820).

HEARING DATE: April 6, 2004
DECISION DATE: April 6, 2004 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3E, which is automatically a party to this application. ANC 3E submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under § 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted, subject to the conditions set forth below, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: **5-0-0** (Geoffrey H. Griffis, Ruthanne G. Miller, Curtis L. Etherly, Jr., John A. Mann III, and John G. Parsons to approve).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: APR 16 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, 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 PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 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, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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,

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PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17141 of Brian and Katharine Sexton, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear addition to an existing single-family detached dwelling under section 223, not meeting the side yard requirements (section 405), in the R-5-B District at premises 2505 P Street, N.W. (Square 1264E, Lot 815).

HEARING DATE: April 6, 2004
DECISION DATE: April 6, 2004 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E, which is automatically a party to this application. ANC 2E submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under § 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted, subject to the conditions set forth below, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., John A. Mann III, and John G. Parsons to approve, Ruthanne G. Miller not hearing the case having recused herself).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: APR 16 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, 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 PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 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, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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,

BZA APPLICATION NO. 17141**PAGE NO. 3**

PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17144 of Ken Golding, pursuant to 11 DCMR § 3104.1, for a special exception to allow a one story family room addition to the rear of a single-family detached dwelling under section 223, not meeting the rear yard requirements (section 404), in the R-1-B District at premises 5519 Carolina Place, N.W. (Square 1449, Lot 98).

HEARING DATE: April 20, 2004
DECISION DATE: April 20, 2004 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3D, which is automatically a party to this application. ANC 3D submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under § 223. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted, subject to the conditions set forth below, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Ruthanne G. Miller, Anthony J. Hood and John A. Mann III, and to approve, Curtis L. Etherly, Jr. not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: APR 26 2004

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, 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 PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 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, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. 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,

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PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17146 of The United House of Prayer, pursuant to 11 DCMR § 3103.2, for variances from the minimum lot area and width requirements under section 401, to allow the construction of a flat (two-family dwelling) in the R-4 District at premises 1312 5th Street, N.W. (Square 480, Lot 820).

HEARING DATE: April 20, 2004
DECISION DATE: April 20, 2004 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2C, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 2C. ANC 2C submitted a letter in support of the application. The OP submitted a report recommending approval of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC report filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 401, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of

BZA APPLICATION NO. 17146

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fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Anthony J. Hood, Ruthanne G. Miller, and John A. Mann, III to approve, Curtis L. Etherly, Jr. not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring Board member has approved the issuance of this order.

FINAL DATE OF ORDER: ~~APR 26 2004~~

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, 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 PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 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, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

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ZONING COMMISSION ORDER NO. 972**Z.C. Case No. 01-33****(Proposed Text Amendment to Establish New High-Density Residential Retail Overlay)****January 12, 2004****ORDER DENYING PETITION**

This Zoning Commission proceeding arose out of a different case, Case No. 00-27M, which involved a petition to amend the zoning map for certain portions of Square 37 to resolve inconsistencies with the Comprehensive Plan for the National Capital ("Comprehensive Plan") and the D.C. Code. In Case No. 00-27M, the petitioner's lot, as well as six (6) other lots in the southern half of Square 37, are zoned R-5-B, but are designated on the Generalized Land Use Map for high-density residential and medium-density commercial uses. Since the constraints of R-5-B zoning allow only low- to moderate-density residential development and do not allow principal commercial uses, such zoning does not permit the types and intensity of development that are called for by the Generalized Land Use Map designation. The petitioner requested that the southern half of Square 37 be re-zoned C-2-C, CR, or some other appropriate intermediate zone district. The Office of Planning ("OP"), however, feared that rezoning to one of these commercial districts would result in excessive commercial development, with a concomitant loss of residential opportunities.

OP concluded that the Zoning Commission had only two existing alternatives to bring the zoning into harmony with areas designated for mixed-use on the Generalized Land Use Map: 1) it could map part of the area residential and part commercial, or 2) it could map the entire area commercial, which would still permit residential uses. Practically speaking, however, once land is zoned commercial, the value of the land tends to increase and it becomes less likely that it will be developed for residential uses. OP, therefore, decided to propose a third alternative, a floating overlay zone that would mandate a certain amount of commercial uses within the least restrictive residential districts, R-5-D and R-5-E. This overlay was called the High-Density Residential Retail Overlay ("HDRR") and was presented to the Zoning Commission in OP's November 15, 2001, set down report.

On November 25, 2001, the Zoning Commission set down HDRR, Case No. 01-33, for public hearing. The original HDRR text was advertised on June 7, 2003, at 49 DCR 5163, and the public hearing was set for July 29, 2002. Even before the hearing, OP began receiving negative feedback on the text. At the hearing, which was continued until September 6, 2002, virtually no one spoke in favor of the text as it was then constituted. Questions were raised about many of the technical aspects of the proposed Overlay, such as the requirement that at least 50% of the ground floor of certain buildings be reserved for commercial uses, the required commercial

Z.C. ORDER NO. 972
Z.C. CASE NO. 01-33TA
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density, and the lot occupancy permitted. One of the major objections of participants was that the commercial uses within the residential buildings in the HDRR Overlay were to be mandatory and not discretionary. The most common concern, however, was that the Overlay would encourage commercial uses and drive out residential uses.

The Zoning Commission itself found the text prolix and felt that the changes already made to it made it sufficiently different from the text originally advertised that a second hearing, with re-advertisement, was required. First, however, at its September 9, 2002, meeting, the Commission asked OP to further explain certain aspects of the Overlay and to elaborate on where in the District OP felt this Overlay might be appropriately mapped.

For approximately one year, between September 2002, and August 2003, OP continued meeting with the community concerning HDRR, worked to refine the HDRR text, and prepared a response to the Commission's question as to its applicability. A significantly re-worked HDRR text was published on August 29, 2003, at 50 DCR 7167. OP filed a report with the Zoning Commission dated October 31, 2003, recommending still further changes. A public hearing on the newly advertised text was held on November 13, 2003.

At the November 2003 hearing, many of the same concerns arose as at the first hearing in July 2002. The complaint of mandatory versus discretionary commercial uses was reiterated, and several participants testified that HDRR would displace "thousands of tenants," "drastically change [the] residential density mix of neighborhoods," and "create serious traffic congestion problems." The case was put forth that there is already a significant amount of vacant retail space in the District and that this space should be filled before new retail space is mandated. Individuals also expressed concerns as to how HDRR's provisions would affect historic properties. Hearing participants complained generally about a lack of supporting data and analysis behind the HDRR concept and specifically about individual provisions of the text, such as the mandatory 15-foot ceiling height for first-floor retail.

The Commission is supportive of the intent of the HDRR Overlay as an additional tool to address the competing interests of residential and commercial uses in areas designated for mixed use. The Overlay was not proposed for any particular land area, but would have been established in the future, where appropriate. Of course, its establishment in any area would have been subject to public hearings, and many of the concerns voiced could have been addressed during these public hearings. It was never the intent of the Commission to arbitrarily "plop down" the HDRR Overlay willy-nilly throughout the city without first doing the proper thoughtful analysis as to each particular area.

That said, however, the Commission is not, at this point, particularly sanguine about the specific proposed HDRR text and its application. The text has undergone many significant changes, not all of which help to clarify its meaning. The language of the text is still therefore, in some cases, unclear. What is clear is that there exists substantial opposition to the HDRR concept and text. The concept has caused much fear of development in residential communities, and it appears that the time is not ripe for its implementation.

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Z.C. CASE NO. 01-33TA
PAGE 3

In consideration of all the above, the Zoning Commission for the District of Columbia hereby **ORDERS DENIAL** of Case No 01-33, the petition of OP for a text amendment to Chapters 3 and 13 of Title 11 of the District Columbia Municipal Regulations, to establish a new Overlay, the High-Density Residential Retail Overlay.

VOTE: At the public meeting held on January 12, 2004, the Zoning Commission voted to **DENY** the petition, by a vote of 4-0-1 (Carol J. Mitten, Peter G. May, Anthony J. Hood, and John G. Parsons to deny; James H. Hannaham not present, not voting.)

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the D.C. Register, that is, on _____.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

and

ORDER NO. 02-28

Z.C. Case No. 02-28

(Text Amendments – 11 DCMR)

(Police Department – General and Local Facilities)

January 12, 2004

The full text of this Zoning Commission order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

and

Order No. 02-44

Case No. 02-44

(Text Amendment – Enclosure of Open Arcades -- 11 DCMR)

The full text of this Zoning Commission order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

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3	DCMR ELECTIONS & ETHICS (JUNE 1998)	\$20.00
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