

APPOINTED COUNCIL DISTRICT OF COLUMBIA 1967-1974

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Regulation No. 72 - 1



January 14, 1972  
Enactment Date

# Regulation of the District of Columbia

TITLE REGULATION ENACTING THE 1972 ELECTRICAL CODE

Vice Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, the Council is authorized to promulgate building regulations  
2 for the District of Columbia; and

3  
4 WHEREAS, the Council wishes to promulgate a new electrical code for  
5 the District of Columbia.

6  
7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
8 that:

9  
10 Section 1. The regulation attached hereto as Appendix I, and denominated  
11 "1972 Electrical Code of the District of Columbia", and the 1971 National Electrical  
12 Code, which is incorporated into Appendix I by reference, are hereby enacted.  
13 The regulations shall govern the installation, maintenance, and repair of all  
14 electrical wiring in the District of Columbia, except for power plants or buildings  
15 of corporations engaged in the production and distribution of electric current for  
16 public service or use, and except for buildings owned by the government of the  
17 United States.

18  
19 Section 2. Any person who violates any provision of this regulation shall  
20 be fined not more than \$300, or imprisoned for not more than 10 days, or both,  
21 for each and every violation.

22  
23 Section 3. This regulation shall take effect thirty days following  
24 enactment. Upon the effective date of the regulation the Rules and Regulations

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 21, 1971

Adopted on second and final reading January 4, 1972

Presented to the Mayor-Commissioner January 5, 1972  
Date

*David H. Schwartz*  
Secretary of the City Council

Approved *Peter Washington*  
Mayor-Commissioner

1/14/72  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*David H. Schwartz*  
Secretary of the City Council

REGULATION 72-1

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1 Governing Electric Wiring and Apparatus in the District of Columbia, promulgated  
2 April 17, 1951 and effective on and after July 1, 1951, as amended and the Electrical  
3 Code of the District of Columbia promulgated by Commissioners' Order and effective  
4 November 1, 1963, as amended, shall be repealed; Provided, however, that said  
5 rules and regulations effective November 1, 1963 as amended, shall be considered  
6 as remaining temporarily in effect for the purpose of permitting the completion of  
7 any electrical work for which plans were filed prior to the effective date hereof,  
8 but permits issued for such work shall not be renewable. Provided further, that  
9 said 1963 D. C. Electrical Code effective November 1, 1963 as amended, shall  
10 continue in full force and effect with respect to offenses committed during the  
11 effective period of said Code and with respect to prosecution of such offenses,  
12 whether such prosecutions are commenced before or after the effective date hereof.

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Regulation No. 72-2



January 14, 1972  
Enactment Date

# Regulation of the District of Columbia

TITLE REGULATION ENACTING THE POLICE MANUAL FOR THE DISTRICT OF COLUMBIA

Reverend Carlton W. Veazey Presents the following regulation:

1 WHEREAS, the District of Columbia Council has determined that the  
2 existing rules and regulations of the Metropolitan Police Department are in  
3 many respects obsolete; and  
4

5 WHEREAS, the District of Columbia Council, pursuant to paragraph  
6 95 of Section 402, Reorganization Plan No. 3 of 1967, is authorized to alter and  
7 amend rules and regulations regarding the Metropolitan Police Force.  
8

9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia  
10 Council that:

11  
12 Section 1. The Manual of the Metropolitan Police Department except  
13 Chapter 32 thereof regarding Special Policemen as revised April 15, 1967 by the  
14 Board of Commissioners is hereby repealed. Any amendments or changes since  
15 April 15, 1967 and not expressly incorporated are repealed to the extent that they  
16 may be inconsistent with an expressed provision contained herein.  
17

18 Section 2. The Manual of the Metropolitan Police Department as set  
19 out below as Section 4 hereof is hereby adopted.  
20

21 Section 3. This regulation shall take effect immediately upon enactment.  
22  
23  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 21, 1971

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Presented to the Mayor-Commissioner January 5, 1972  
Date

*David H. Schwartz*  
Secretary of the City Council

Approved *[Signature]*  
Mayor-Commissioner

1/14/72  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

\_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

\_\_\_\_\_  
Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein

*David H. Schwartz*  
Secretary of the City Council

Section 4. Metropolitan Police Department Manual  
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CHAPTER I

ORGANIZATION OF THE METROPOLITAN POLICE DEPARTMENT

1.1 Districts

The Police Patrol Division shall consist of seven districts. The seven districts shall be composed of station houses maintained as police facilities open to provide services to the public, and no such existing (precinct) station house shall be closed to the public except upon approval of the City Council.

1.2 Harbor Jurisdiction

1.2:1 The harbor jurisdiction shall be under the command of an official of the Metropolitan Police Force. He shall be held

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1 responsible for enforcing the laws and regulations relating to  
2 the harbors and rivers within the District of Columbia, and in  
3 the conduct of his office shall be subject to the rules for the  
4 guidance of commanders insofar as such rules are applicable.  
5

6 1.2:2 The harbor commander, while on duty, shall devote his  
7 entire time and attention to the preservation of life and  
8 property, maintenance of peace and order, and the proper  
9 regulation, according to law, of any and all vessels, of whatso-  
10 ever character and kind, on the Potomac River and its navigable  
11 tributaries within the jurisdiction of the District of Columbia.  
12

13 1.2:3 The harbor commander shall require observance of the  
14 laws and regulations applying to the wharves and places  
15 adjacent thereto and see that they are kept free from nuisances,  
16 improper encroachments or obstructions, and anything dangerous  
17 to life and limb.  
18

1.3 Personnel

19  
20  
21 1.3:1 The Metropolitan Police Force of the District of Columbia  
22 shall consist of one chief of police and such number of assis-  
23 tant chiefs, deputy chiefs, inspectors, captains, lieutenants,  
24 sergeants, investigators, technicians, and privates as Congress  
25 may from time to time authorize.  
26

27 1.3:2 Officers assigned as station clerks shall be designated  
28 as desk sergeants while so assigned and shall be obeyed and  
29 respected as sergeants of the force, but shall be subordinate  
30 to sergeants promoted in accordance with United States Civil  
31 Service regulations. When on active duty and during absence of  
32 other superior officers they shall be in charge of the station.  
33

34 1.3:3 Station clerks shall be discreet and courteous and shall  
35 call the attention of their superiors to any matters requiring  
36 special attention.  
37

38 1.3:4 Station clerks shall be held responsible for money  
39 received as bond or collateral, property taken from prisoners,  
40 either as evidence of crime or for safekeeping, and for any  
41 other money or valuables entrusted to them by virtue of their  
42 official position and they shall see that all property which  
43 should be forwarded to the property clerk is forwarded to that  
44 official in conformity with law and department orders.  
45

46 1.3:5 It shall be a requisite to permanent assignment as a  
47 station clerk that such officer be bonded in compliance with  
48 existing law.  
49

50 1.3:6 When prisoners show evidence of injury the station clerk  
51 shall immediately advise the officer then in command, who shall  
52 institute a prompt and thorough investigation to ascertain how  
53 the injury was sustained, and where necessary, submit a com-  
54 plete report to the commanding officer with recommendation.  
55

56 1.3:7 The civilian employees of the Metropolitan Police Depart-  
57 ment shall consist of such number of positions as Congress may  
58 from time to time authorize.  
59

60 1.3:8 To be eligible for appointment as a member of the Metro-

1 politan Police Force of the District of Columbia an applicant  
2 must:

- 3
- 4 (a) Be a citizen of the United States.
- 5
- 6 (b) [Have reached his or her twentieth birthday but not have  
7 passed his or her thirtieth birthday on date of appoint-  
8 ment;] provided that any applicant who meets the age  
9 requirement at the time of application and who is denied  
10 appointment on the basis of racial discrimination as  
11 determined by the Human Relations Commission, may be  
12 appointed on a nunc pro tunc basis. This provision shall  
13 not be retroactive.
- 14
- 15 (c) Be at least sixty-seven inches in height, barefoot, and  
16 must be of proportional weight. Maximum height  
17 seventy-seven inches.
- 18
- 19 (d) Be of good moral character.
- 20 (e) Be of physical health and vigor as determined by such  
21 examinations as may be prescribed.
- 22
- 23 (f) Pass such mental test as may be prescribed by the  
24 United States Civil Service Commission.
- 25
- 26 (g) Applicants for appointment to the police department must  
27 have successfully completed a four year high school  
28 course or have had one year of experience as a sworn  
29 officer or member of the principal municipal police  
30 force of a city with a population of 500,000 or more  
31 persons. (Individuals who have been granted a high  
32 school diploma on the basis of an equivalency test  
33 will be considered as meeting the educational require-  
34 ment.)
- 35
- 36 (h) No former member of the Metropolitan Police Department who  
37 has resigned shall be eligible for reinstatement as a  
38 member of the Department unless he or she shall meet the  
39 requirements indicated herein; except the height require-  
40 ment regarding female officers as contained in section (c).  
41 Provided, however, that an applicant for reinstatement may  
42 be examined and appointed if he has not passed his thirty-  
43 fifth birthday at the time of appointment, provided further,  
44 that former members requesting reinstatement shall not be  
45 required to take the United States Civil Service Commission  
46 mental test. All such requests for reinstatement shall be  
47 made in writing to the Chief of Police.

48

49 1.3:9 Applications for appointment on the Metropolitan Police  
50 Force shall be made on forms furnished by the United States  
51 Civil Service Commission, which forms may be procured from said  
52 commission. Such applications shall be in the handwriting of  
53 and signed by the applicant and shall be filed with the United  
54 States Civil Service Commission.

55

56 1.3:10 Appointments to the police force are for a probationary  
57 period of one year; continuation in the service after the expira-  
58 tion of that period being dependent upon the conduct of the  
59 appointee and his or her capacity for the performance of the  
60 duties to which assigned, as indicated by reports of superior

1 officers. The probationary period is an extension of the examina-  
2 tion period.

3  
4 1.3:11 If the Board of Police and Fire Surgeons shall find any  
5 probationer physically or mentally unfit to continue his duties,  
6 such probationer shall be required to appear before the Police  
7 and Firemen's Retirement and Relief Board, and such Board shall  
8 make such findings as are required pursuant to Section 4-529,  
9 D.C. Code, 1961 edition, and such findings shall be incorporated  
10 in a recommendation submitted to the Commissioner.

11  
12 All police officers appointed on or after January 1, 1959 must  
13 maintain an appropriate weight level in accordance with their  
14 age and height throughout their entire police career.

#### 15 16 1.4 Leave of Absence

17  
18 1.4:1 Each of the members of the Metropolitan Police Force  
19 shall be entitled to such leave of absence with pay, which  
20 includes annual leave; sick leave; compensatory leave; and  
21 holiday leave, as Congress shall from time to time provide.

### 22 23 CHAPTER II

#### 24 25 GENERAL RULES

#### 26 27 2.1 Performance of Duties

28  
29 2.1:1 It shall be the duty of every member of the force to  
30 thoroughly familiarize himself with the Metropolitan Police  
31 Manual by the time he completes recruit training school.

32  
33 2.1:2 Notwithstanding the assignment of specific duties and  
34 responsibilities to members of the Metropolitan Police Force  
35 by the provisions of this manual, all members of the force  
36 shall perform all such other duties as may be required of them  
37 by competent authority. Policewomen shall, according to rank,  
38 be governed by the rules laid down for the guidance of male  
39 members of the department.

40  
41 2.1:3 In carrying out the functions of the department, namely,  
42 the preservation of peace, the protection of life and property,  
43 the prevention of crime, and the arrest of violators of the law,  
44 all members of the force and employees of the department and all  
45 branches, districts and bureaus thereof shall direct and coordi-  
46 nate their efforts in such manner as will tend to establish and  
47 maintain the highest standard of efficiency.

48  
49 2.1:4 Members of the force are held to be always on duty, although  
50 periodically relieved from the routine performance of it; are  
51 always subject to orders from the proper authorities and to  
52 call from citizens; and the fact that they may be technically  
53 off duty shall not be held as relieving them from the responsi-  
54 bility of taking proper police action in any matter coming to  
55 their attention requiring such action.

56  
57 2.1:5 Members of the force shall promptly obey any order  
58 emanating from any superior officer. Should any such order  
59 conflict with a previous order from any other superior officer,  
60 or with any general, special or memorandum order, or provisions

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1 of the manual, the member of the force to whom such order is  
2 given shall respectfully call attention to such conflict of  
3 orders, and if the officer giving the order does not change  
4 same so as to obviate such conflict, his order shall stand and  
5 the responsibility shall be his, and the person obeying same will  
6 not be held in any way responsible for disobedience of any orders  
7 theretofore issued.

8  
9 2.1:6 On the occurrence of a disturbance it is the duty of the  
10 police to restore order and disperse the crowd by moderate efforts  
11 or persuasion, if possible. If such efforts fail, force must be  
12 used and the principals arrested.

13  
14 2.1:7 Members of the force shall display coolness and firmness  
15 at all times and shall act in concert and protect each other in  
16 times of peril. Any shrinking from responsibility or danger will  
17 be deemed gross neglect of duty, for which penalty is removal  
18 from the force.

19  
20 2.1:8 Members of the force shall not be concerned, directly  
21 or indirectly, in making any compromise or arrangement, between  
22 suspected violators of the law and persons who are alleged to  
23 have suffered by their acts.

24  
25 2.1:9 Members of the force shall not communicate, verbally or  
26 in writing, directly or indirectly, in any manner or form, any  
27 information which may enable persons guilty of criminal or  
28 quasi-criminal acts to escape arrest or punishment, or dispose  
29 of or secrete any money or other valuables the proceeds of  
30 crime, or to destroy any evidence which would establish guilt.

31  
32 2.1:10 Members of the force shall not, except by permission of  
33 a superior officer, communicate to anyone but a member of the  
34 force any information respecting specific orders he has received,  
35 or about his contemplated movements.

36  
37 2.1:11 Members of the force shall not serve civil process; nor  
38 shall they render assistance in civil cases. They shall, however,  
39 prevent breaches of the peace and quell disturbances growing out  
40 of such matters and protect United States Marshals in the dis-  
41 charge of their duties.

42  
43 2.1:12 Members of the force shall not smoke, nor carry unlighted  
44 cigars, pipes, or cigarettes in their mouths while in uniform on  
45 any public space except between the hours of 12 midnight and 8:00  
46 A.M.. They shall not during these permissible hours or at any  
47 other time smoke or carry unlighted cigars, pipes, or cigarettes  
48 in their mouths if on detail at any public or private assembly,  
49 while directing traffic, or while engaged in conversation with  
50 citizens or superior officers. The term "public space" as used  
51 in this section shall be held to include streets, sidewalks,  
52 tree space, public parking and public parks, but shall not  
53 include alleys or courts. Smoking in storerooms and garages  
54 shall not be permitted at any time.

55  
56 2.1:13 Members of the force shall familiarize themselves with  
57 the statutes, laws, and regulations in force in the District of  
58 Columbia, and failure to do so, or to take action respecting  
59 violations of such statutes, laws, and regulations coming to  
60 their attention or about which they have knowledge will be

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1 deemed neglect of duty.

2  
3 2.1:14 Members of the force and employees of the department  
4 shall not intentionally come in contact with persons suffering  
5 from diphtheria, scarlet fever, smallpox, or other contagious  
6 diseases, or with those in attendance on such persons, except  
7 by authorization of a member of the Board of Police and Fire  
8 Surgeons.

9  
10 2.1:15 When a member of the force has come in direct contact  
11 with a patient having a contagious disease, or has been exposed  
12 to contagion, he shall at once notify his police surgeon and  
13 comply with instructions.

14  
15 2.1:16 Members of the force shall be vigilant in the matter of  
16 locating persons suffering from malignant, infectious, or  
17 epidemical diseases, reporting such cases promptly to the health  
18 department through their stations.

19  
20 2.1:17 In all cases of accident or illness requiring an officer's  
21 attention, members of the force shall render prompt assistance,  
22 taking such action as may be necessary in the premises.

23  
24 2.1:18 Members of the force shall not allow any excavation in  
25 public space or the construction of any building, stand, fence,  
26 or structure of any kind, without proper permit therefor.

27  
28 2.1:19 Members of the force shall promptly report the existence  
29 of leaking water pipes on any premises to the occupant thereof  
30 or to the agent or owner. If unable to locate either, or if it  
31 is on public space, it shall be reported through the station  
32 to the water department.

33  
34 2.1:20 When a member of the force discovers a fire he shall first  
35 make every effort to arouse the occupants of the premises and in  
36 order to better accomplish this end, he should seek all possible  
37 aid from persons available at the scene. He shall then sound an  
38 alarm of fire by telephone to fire-alarm headquarters, or turn in  
39 an alarm from the nearest fire alarm box, whichever means is more  
40 readily available. He shall prevent interference with the  
41 firemen by pedestrians or traffic, and make a report at the  
42 station of all facts and circumstances. If the fire is of  
43 suspicious origin he shall make a thorough investigation with  
44 a view to prosecution.

45  
46 2.1:21 Any member of the force who finds a dead body or learns  
47 of a case where death has ensued without a physician having  
48 been in attendance shall immediately notify the Communications  
49 Division and the station clerk on duty in the district where  
50 the body is found and receive instructions relative to further  
51 proceedings. The officer on the scene shall note all particulars,  
52 not disturb or permit the disturbance of the body or surroundings  
53 and shall allow no unauthorized person within the premises or  
54 near the point where the body is found until such time as a  
55 member of the Homicide Section or the Medical Examiner has  
56 arrived and taken charge. He shall not handle or permit the  
57 handling of weapons, glassware, furniture, or other smooth sur-  
58 faced objects. He shall maintain, as near as possible, the  
59 scene in exactly the same condition as discovered by him.

60

## REGULATION 72-2

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1 2.1:22 Every member of the force shall be held responsible for  
2 the proper performance of the duties assigned him and for strict  
3 adherence on his part to the rules and regulations adopted from  
4 time to time for the government of the police department, and it  
5 will not be received as an excuse or justification for anything  
6 he may do contrary to the rules and regulations, or for anything  
7 he may omit to do, that he followed the advice or suggestion of  
8 any other person, whether connected with the police force or not,  
9 except when an officer of higher rank may take upon himself the  
10 responsibility of issuing direct and positive orders.

11  
12 2.1:23 For any serious neglect of duty or violation of the rules  
13 of the department an officer may suspend from duty any subordinate,  
14 and for similar causes the Chief of Police may be suspended by the  
15 Commissioner. When a member of the force is suspended, a report  
16 will be made to the Chief of Police through proper channels, who,  
17 if he approves of same, will make recommendations to the Commissioner.  
18

19 2.2 Standards of Conduct  
20

21 2.2:1 Members of the force shall at all times maintain decorum and  
22 command of temper; shall be patient and discreet; and shall not use  
23 harsh, violent, profane or insolent language; and be courteous and  
24 considerate under all circumstances.  
25

26 2.2:2 Gambling in any form by any member of the force in a  
27 station is strictly prohibited; nor shall members of the force  
28 frequent buildings or premises known as or suspected of being  
29 gambling resorts except in line of duty.  
30

31 2.2:3 Members of the force shall not play cards or games in  
32 the station houses on Sundays, nor at any time when actually  
33 on duty.  
34

35 2.2:4 Members of the force shall not swing or toy with their  
36 batons.  
37

38 2.2:5 Members of the force shall not carry an umbrella while  
39 in uniform.  
40

41 2.2:6 Members of the force shall not have their hands or batons  
42 in their pockets while in uniform.  
43

44 2.2:7 Members of the force while on duty shall devote their  
45 whole time and attention to the business of the department.  
46

47 2.2:8 Members of the force shall give their names and badge  
48 numbers to persons who request them.  
49

50 2.2:9 Members of the force shall not testify in civil cases  
51 unless legally summoned to do so.  
52

53 2.2:10 Members of the force shall not be connected with any  
54 military body other than the Army, Air Force, Navy, Marine or  
55 Coast Guard Reserve Corps.  
56

57 2.2:11 Members of the force shall not belong to any political  
58 club or organization or be a delegate or representative to any  
59 political or partisan convention or take an active part in behalf  
60 of any candidate for political office.

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1 2.2:12 Members of the force shall not solicit or make contribu-  
2 tion in money or other thing, directly or indirectly, on any  
3 pretext, to any persons, committee, or association for political  
4 purposes, nor shall they engage in any plan or scheme for raising  
5 money for any such organization or individual.  
6

7 2.2:13 Members of the force shall not engage in any contest or  
8 solicit votes for presents or prizes offered to members of the  
9 department for securing or receiving votes nor engage directly  
10 or indirectly in the sale of tickets or the soliciting of adver-  
11 tisements or business of any character or promoting same except  
12 by permission of the Commissioner.  
13

14 2.2:14 Superior officers shall not receive presents from subordi-  
15 nates, nor shall subscriptions be solicited or made for presents  
16 by members of the force to other members without the consent and  
17 approval of the Chief of Police.  
18

19 2.2:15 Members of the force shall not, by threat or recommendation,  
20 or in any other manner, directly or indirectly, use their office  
21 for the purpose of influencing the lawful business, profession, or  
22 occupation of any person or persons.  
23

24 2.2:16 All rewards received by members of the force shall be  
25 promptly turned over to their commanding officer, together with  
26 a detailed report of the circumstances under which received and  
27 by whom paid.  
28

29 2.2:17 Members of the force shall not, directly or indirectly,  
30 seek publicity concerning any specific matter that is or may be  
31 involved in a trial board proceeding, grand jury hearing or crim-  
32 inal prosecution.  
33

34 2.2:18 Nothing contained in this chapter shall be construed so as  
35 to prohibit any member of the force from appearing and testifying  
36 before a Committee of the Congress, or a Subcommittee thereof,  
37 provided: (1) he shall have been requested by the Chairman of said  
38 Committee to so appear and testify; (2) he shall first advise the  
39 Chief of Police of such request and of the time and place for his  
40 appearance, and, if known, the subject matter to be discussed; and  
41 (3) he shall, unless in his testimony he presents the official views  
42 of the Commissioner, state to the Committee that the views expressed  
43 by him are his own or those of any specific group he represents.  
44

45 2.2:19 Nothing contained in this chapter shall be deemed or  
46 construed to limit the rights of members of the Metropolitan  
47 Police Department: (a) to prosecute or defend complaints or  
48 grievances in accordance with applicable law, or department  
49 rules or regulations, or (b) to answer questions and inquiries  
50 propounded by any public official or body duly authorized to  
51 propound such questions or make such inquiries.  
52

### 53 2.3 Badges, Cap Plates, Identification Cards and Revolvers

54  
55 2.3:1 Members of the force, when off duty any place in the  
56 District of Columbia, except in their residences, shall  
57 carry their badges, identification cards and service  
58 revolvers at all times.  
59

60 2.3:2 When off duty and not in full uniform, members of the

1 force shall wear their service revolvers in such a  
2 manner as to conceal them from view.  
3

4 2.3:3 Provided, however, that members of the force admitted  
5 to hospitals for treatment while in an off-duty status  
6 shall leave their service revolvers in a safe place at  
7 home or surrender them to an official of this department  
8 for safekeeping during their hospital confinement and,  
9 provided further, that members of the force admitted to  
10 hospitals for treatment during the course of a tour of  
11 duty shall surrender their service revolvers to an  
12 official of this department for safekeeping during their  
13 hospital confinements, and provided further, that, when  
14 a member of the force is under professional care of a  
15 member of the Board of Police and Fire Surgeons, and  
16 when, in the opinion of such Board Member, an officer  
17 should be relieved of the immediate possession of his  
18 service revolver, such officer, upon direction of such  
19 Board Member, shall forthwith surrender his service re-  
20 volver to the police official on duty at the Police and  
21 Fire Clinic or, if at a place other than the Police and  
22 Fire Clinic, to an official of this department. Service  
23 revolvers so received shall be forwarded for safekeeping  
24 to the commanding officer of the district, bureau or  
25 division to which the officer is attached.  
26

27 2.3:4 In each instance in which an officer surrenders his  
28 service revolver upon direction of a member of the  
29 Board of Police and Fire Surgeons, the Administrator  
30 of the Police and Fire Clinic shall submit a written  
31 report to the Chief of Police at the earliest prac-  
32 ticable time.  
33

34 2.3:5 When members of the force sever their connections with  
35 the department they shall deliver to their commanding officers  
36 their revolver, badge, identification card and cap plates at the  
37 expiration of their last active tour of duty. They shall also  
38 return to the Property Division all government property issued  
39 to them. All articles of uniform must be in a clean and sanitary  
40 condition.  
41

#### 42 2.4 Use of Firearms and Other Weapons

43  
44 2.4:1 It is hereby declared that:

- 45  
46 (a) It is the policy of the Metropolitan Police Department  
47 that each member of the department shall in all cases  
48 use only the minimum amount of force which is consis-  
49 tent with the accomplishment of his mission, and shall  
50 exhaust every other reasonable means of apprehension or  
51 defense before resorting to the use of firearms.  
52  
53 (b) No member of the Metropolitan Police Force shall discharge  
54 a firearm in the performance of police duties except under  
55 the following circumstances:  
56  
57 (1) To defend himself or another from an attack which  
58 the officer has reasonable cause to believe could result  
59 in death or serious bodily injury.  
60

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1 (2) To effect the arrest or to prevent the escape, when  
2 every other means of effecting the arrest or preventing  
3 the escape has been exhausted, of a person who has commit-  
4 ted a felony or has attempted to commit a felony in the  
5 policeman's presence, or when a felony has been committed  
6 and the policeman has reasonable grounds to believe the  
7 person he is attempting to apprehend committed the felony;  
8 provided, that the felony for which the arrest is sought  
9 involved an actual or threatened attack which the officer  
10 has reasonable cause to believe could result in death or  
11 serious bodily injury; and provided further, that the  
12 lives of innocent persons will not be endangered if the  
13 officer uses his firearm.

14  
15 (3) To kill a dangerous animal or one that is so badly  
16 injured that humanity requires its removal from further  
17 suffering.

18  
19 (4) For target practice or competition on an approved  
20 range.

21  
22 (c) No member of the Metropolitan Police Force shall discharge  
23 his firearm under the following circumstances:

24  
25 (1) As a warning.

26  
27 (2) At or from any moving vehicle except when the officer  
28 is justified in firing under Sections 2.4:1(a) (1) and  
29 2.4:1(b) (2) and the officer has no cause to believe that  
30 any innocent person will be injured as the result of firing  
31 at or from such moving vehicle.

32  
33 (3) In any felony case which does not involve an actual  
34 or threatened attack which the officer has reasonable  
35 cause to believe could result in death or bodily injury.

36  
37 (4) In any case involving a misdemeanor offense.

38  
39 (d) No member of the Metropolitan Police Force, in the normal  
40 exercise of his responsibility as a police officer, shall  
41 carry, use or discharge any firearm or other weapon except  
42 those issued or approved for use by the Metropolitan  
43 Police Department under general order of the Chief of  
44 Police.

45  
46 2.4:2 Any member of the force shall:

47  
48 (a) When he uses any weapon, other than a firearm issued for  
49 use by the Metropolitan Police Department, report the  
50 incident to his commanding officer no later than the  
51 conclusion of the tour of duty in which the incident  
52 occurs. The commanding officer shall make a thorough  
53 investigation and, in his discretion, forward a report  
54 of the incident to the Chief of Police.

55  
56 (b) Any member of the force who discharges a firearm either  
57 accidentally or in the performance of duty shall file a  
58 written report of the incident with his commanding  
59 officer and with the Chief of Police within 24 hours.  
60 The Chief of Police shall promptly advise the Mayor-

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1 Commissioner of the incident. The commanding officer  
2 shall, as soon as possible, conduct a thorough investi-  
3 gation of the circumstances surrounding the discharge  
4 of firearms and shall submit a detailed written report  
5 of the results of the investigation and his conclusions  
6 as to whether the discharge was justified and his rec-  
7 ommendations to the Chief of Police. The Chief of Police  
8 shall advise the Mayor-Commissioner as to the result of  
9 the investigation and any disciplinary action taken  
10 against the police officer as a result of the discharge  
11 of a firearm. If the police officer who discharged his  
12 firearm is killed or incapacitated his supervisor is  
13 responsible for filing the initial report.  
14

- 15 (c) Members of the force whose use of firearms or other weapons  
16 results in the death of another will be automatically  
17 placed in off-duty status (with full pay and allowances)  
18 pending investigation of the circumstances surrounding  
19 the death.  
20

## 21 2.5 Outside Employment

22  
23 2.5:1 Members of the force shall not engage in any line of busi-  
24 ness where such action will in any manner, directly or indirectly,  
25 interfere with the proper and efficient performance of police duty,  
26 nor shall members of the force engage in competitive bidding to  
27 furnish either labor or materials or both, or in such manner as  
28 to constitute unfair competition with the normal civilian market  
29 for either labor or materials.  
30

31 2.5:2 Members of the force shall not perform at any time for  
32 wage, salary, fee, gift, or other compensations any work or  
33 service of any character for any person, firm, or corporation  
34 other than that required by their official position in the police  
35 department where such work will, directly or indirectly, interfere  
36 with the proper and efficient performance of police duty, nor  
37 shall members of the force engage in competitive bidding to furn-  
38 ish either labor or materials or both, or in such manner as to  
39 constitute unfair competition with the normal civilian market  
40 for either labor or materials.  
41

## 42 CHAPTER III

### 43 COURTESIES

44  
45  
46 3.1 Members of the force shall at all times treat citizens, associates,  
47 and superior officers with respect and civility, and shall, even in the  
48 face of provocation refrain from the use of harsh, profane or abusive  
49 language.  
50

51 3.2 Salute to national anthem. Whenever the national anthem is played  
52 where members of the force are present and not in formation, they shall  
53 stand at attention, and, if in uniform and equipped with baton, they shall  
54 render the baton salute at the first note of the anthem, retaining the  
55 position until the last note of the anthem; if in uniform, covered and  
56 not provided with baton, they shall render the hand salute; if not in  
57 uniform and covered, they shall uncover at the first note of the anthem,  
58 holding the headdress opposite the left shoulder and so remain until  
59 its close, except that in inclement weather the headdress may be slightly  
60 raised; if in formation, the organization shall be brought to attention

1 and the salute rendered by the officer in command. If the flag is pre-  
 2 sent, such salute shall be rendered while facing the flag; if the flag  
 3 is not present, such salute shall be rendered while facing in the direc-  
 4 tion of the music.

5  
 6 3.3 Salute to flag. When uncased colors pass, members of the force in  
 7 uniform and not in formation will render the hand salute if not equipped  
 8 with baton, and the baton salute if so equipped; if in civilian dress and  
 9 covered, they will uncover, holding the headdress opposite the left  
 10 shoulder with the right hand.

11  
 12 3.4 Flags on all police department buildings shall be placed at  
 13 half mast upon notification of the death of an active or retired  
 14 member of the department and remain at half mast until after the  
 15 funeral.

16  
 17 3.5 Flags will be raised on all police department buildings at  
 18 7:00 A.M. and lowered at sundown. In rainy and stormy weather old  
 19 flags in good condition should be used if available; in fair weather,  
 20 clean bright flags should always be used.

21  
 22 CHAPTER IV

23  
 24 UNIFORMS AND EQUIPMENT

25  
 26 4.1 Uniform Board

27  
 28 4.1:1 The Chief of Police shall appoint a Uniform Board whose  
 29 duties it shall be to annually prepare specifications for uniforms  
 30 and equipment such specifications to be forwarded by such board  
 31 to the Chief of Police who shall forward same to the purchasing  
 32 officer of the District of Columbia with request that proposals  
 33 be invited and contract or contracts be entered into for the  
 34 purchase of such articles.

35  
 36 4.1:2 The term "uniforms" shall be held to include the follow-  
 37 ing articles:

- |    |                   |                              |
|----|-------------------|------------------------------|
| 38 |                   |                              |
| 39 | Reefers           | Helmets                      |
| 40 | Blouses           | Shirts                       |
| 41 | Trousers          | Rubber Boots                 |
| 42 | Caps              | Neckties                     |
| 43 | Sweaters          | Rank Devices or Ornaments    |
| 44 | Pubber Coats      | Service Devices or Ornaments |
| 45 | Rubber Cap Covers | Service Stripes              |
| 46 | Leggings          | Black Leather Belts          |
| 47 |                   | Sam Brown Belts              |
| 48 |                   |                              |

49 The term "equipment" shall be held to include the following  
 50 articles:

- |    |                       |                                   |
|----|-----------------------|-----------------------------------|
| 51 |                       |                                   |
| 52 | Badge                 | Revolver                          |
| 53 | Cap Plate             | Police Manual (Not to be carried) |
| 54 | Baton                 | Police Regulations                |
| 55 | Marksmanship Insignia | (Not to be carried)               |
| 56 | Patrol Box Key        | Identification Card               |
| 57 | Holster               | Identification Name Plate         |
| 58 |                       |                                   |

59 Articles of uniform and equipment will conform in style and  
 60 design to specifications submitted by the Uniform Board for

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1 and approved by the Chief of Police.

2  
3 4.1:3 The Uniform Board shall thoroughly inspect all uniforms  
4 and official equipment furnished by contractors, and no article  
5 of uniform or official equipment shall be accepted unless it con-  
6 forms in specific detail to specifications. The decision of the  
7 Uniform Board in all matters relating to fit, style, necessary  
8 alterations, and all other factors necessary to provide uniforms  
9 in accordance with approved specifications shall be final and  
10 conclusive.

11  
12 4.1:4 Said Uniform Board shall establish and maintain, in such  
13 form as may be directed by the Chief of Police, a record  
14 showing--

- 15  
16 (a) Uniforms and other official equipment ordered;  
17  
18 (b) Uniforms and other official equipment returned to  
19 contractors for alteration;  
20  
21 (c) Uniforms and other official equipment rejected;  
22  
23 (d) Uniforms and other official equipment condemned;  
24  
25 (e) Uniforms and other official equipment accepted;

26  
27 and shall submit to the Chief of Police at the close of such  
28 fiscal year a report showing the work performed by such Uniform  
29 Board during the preceding year.

30  
31 4.2 Wearing and Maintenance of Uniforms and Equipment

32  
33 4.2:1 Title to all uniforms and equipment purchased under the  
34 provisions of the Act of Congress approved May 25th, 1926, shall  
35 be vested in the District of Columbia and members of the force  
36 will be held strictly accountable for the proper care, use and  
37 maintenance of all articles of uniform and official equipment  
38 furnished, and such uniforms and official equipment shall only  
39 be worn or used in accordance with the provisions of this manual.

40  
41 4.2:2 It shall be the duty of members of the force to produce any  
42 article or articles of uniforms and official equipment on demand  
43 of any superior officer.

44  
45 4.2:3 No member of the force shall remove, erase, or in any  
46 manner disfigure any stamp, mark, tag, or label attached to any  
47 uniform or article of official equipment or property of the  
48 District of Columbia. Members of the force, immediately after  
49 being issued uniform caps, rubber boots, cap covers, or raincoats,  
50 shall mark each article with his name or initials to assure  
51 positive identification.

52  
53 4.2:4 Members of the uniform force shall wear the regulation  
54 uniform and carry the prescribed equipment at all times when on  
55 duty, except as otherwise directed.

56  
57 4.2:5 Members of the uniform force shall wear shirts of such  
58 color and design as may be provided and shall wear plain dark  
59 blue four-in-hand neckties.

60

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1 4.2:6 When members of the force on duty are permitted to wear  
2 shirts without blouses, they shall wear dark blue four-in-hand  
3 ties, plain black belts not less than 1-1/4 not more than 1-3/4  
4 inches in width, with square solid brass buckle. Suspenders  
5 over shirts are prohibited.  
6

7 4.2:7 Members of the force shall wear on the left sleeve of  
8 their uniform coats, such number of service designations as  
9 necessary to indicate years of service, one star for each five  
10 years, of such color as prescribed.  
11

12 4.2:8 The regulation uniform of the Metropolitan Police Department  
13 as previously established is altered in the following manner:  
14

15 (a) The addition of a distinctive stripe, light blue in color  
16 and measuring 1-3/16 inches, with a gold color border  
17 3/16 inch, in accordance with bid specifications filed  
18 by the Metropolitan Police Department for altering uniforms.  
19 This stripe with border shall be placed horizontally on each  
20 sleeve of the uniform coat, with an identical stripe with  
21 border placed vertically from the waist-band to cuff on  
22 outer seam of each pants leg. Additionally, an identical  
23 stripe with border shall be placed horizontally on all  
24 uniform caps.  
25

26 (b) The addition of a distinctive shoulder patch on the upper  
27 left shoulder shall indicate "Metropolitan Police Department"  
28 and "District of Columbia" with an appropriate design of the  
29 nation's capital as approved by the Uniform Board. Also  
30 separate gold collar insignia will be worn on the uniform  
31 coat, or shirt to designate assignment within the department.  
32

33 (c) The addition of a "Sam Browne Belt" to the sergeants' and  
34 officers' uniform coat will be of such design as approved  
35 by the Uniform Board.  
36

37 4.2:9 The Identification Name Plate Bar shall be worn at all  
38 times by members of the force while in uniform. It shall be  
39 worn on the right breast, centered one-fourth inch above the top  
40 seam of the pocket or immediately above the Civil Disturbance  
41 Unit Bar. When worn on the reefer, it should be worn on the  
42 right breast at the same height and approximately the same  
43 position as the badge; when worn with the Civil Disturbance Unit  
44 Bar, it shall be placed immediately above same.  
45

46 4.3 Uniforms and Equipment to be Returned to Property Division  
47

48 4.3:1 Upon removal, resignation, or granting of leave without  
49 pay for a period exceeding thirty (30) days of any member of  
50 the force he shall, at the expiration of his last active tour of  
51 duty, deliver to his commanding officer his service revolver,  
52 identification card, badge, and cap plates. He shall also  
53 deliver all other articles of uniform and equipment in a clean  
54 and sanitary condition to the Property Division and the Chief of  
55 Police is hereby directed to withhold certification of pay account  
56 of such member or members of the force until all such uniforms  
57 or articles of official equipment have been so delivered or  
58 properly accounted for.  
59

60 4.3:2 Upon the suspension of any member of the force, his

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1 commanding officer shall immediately take possession of revolver,  
2 identification card, badge, and cap plates, issued under the  
3 provisions of this chapter, and hold such equipment until final  
4 disposition of the charges for which such officer was suspended.  
5

6 4.3:3 In the event of the death of any member of the force while  
7 in active service, the commanding officer of the district, bureau  
8 or division to which such member of the force is attached shall  
9 immediately take possession of all articles of uniform and  
10 official equipment provided at public expense and theretofore  
11 issued to such deceased member of the force.  
12

13 4.3:4 When a member of the force leaves the service and fails to  
14 make proper accounting of articles of uniform and official equipment  
15 issued him while attached to such service, he shall be proceeded  
16 against under the provisions of the Code of Law of the District  
17 of Columbia.  
18

## CHAPTER V

## PRISONERS

19  
20  
21  
22  
23 5.1 Prisoners shall be treated with consideration. Harsh, violent,  
24 or obscene language on the part of officers toward prisoners will not  
25 be tolerated. The use of force beyond that necessary to maintain an  
26 arrest or restrain a prisoner may subject the offending officer to  
27 removal from the force.  
28

29 5.2 Immediately upon an arrest being recorded at the station,  
30 inquiry shall be made of the prisoner as to the person or persons he  
31 wishes notified of his arrest, and the station clerk shall at once  
32 make every reasonable effort to communicate with such person or persons,  
33 except where such action might serve to defeat the ends of justice or  
34 entail expense to the District of Columbia.  
35

36 5.3 The officer or officers responsible for an arrest shall be  
37 present in Court or before the United States Magistrate as the case  
38 may be to prosecute or to present evidence. An appropriate charge or  
39 charges will be placed against the persons arrested before arraignment.  
40 Any officer who fails to be present in court to prosecute a case, or  
41 any member of the force receiving a message that a case has been set  
42 for trial and fails to promptly notify the witnesses of same will be  
43 cited before the trial board.  
44

45 5.4 Where the condition of a prisoner is such that it is difficult  
46 to determine whether he is ill or intoxicated, or when a prisoner is  
47 taken ill in a station, he shall be immediately conveyed to a hospital.  
48

49 5.5 Female prisoners, subject to detention by the police, shall not  
50 be confined at police stations, but shall be immediately conveyed to  
51 the House of Detention: Provided, however, that no part of this section  
52 shall be held to apply to female prisoners under the age of 18 years,  
53 who shall be detained in accordance with the provisions of this manual.  
54 The House of Detention is maintained by the Department of Corrections  
55 for the detention of women over 18 years of age arrested by the police,  
56 held as witnesses, or held pending final investigation or examination.  
57

58 5.6 No one except persons duly authorized shall be permitted to visit  
59 or converse with a prisoner while confined at a station house, and, except  
60 as to members of the force and counsel for prisoners, such visit and

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1 conversation shall be in the presence and hearing of the officer in charge  
2 or an officer designated by him.

3  
4 5.7 When an attorney visits a station for the purpose of interview-  
5 ing a client who is being held as a prisoner, such client shall, if  
6 requested and if practicable, be brought from the cell room and afforded  
7 every reasonable opportunity for confidential consultation with such at-  
8 torney, consistent with proper safeguards against escape or the commission  
9 of any unlawful act.

## CHAPTER VI

## BONDS AND COLLATERAL

10  
11  
12  
13  
14  
15 6.1 Officials or officers of the department assigned to duty as  
16 station clerks are authorized to receive cash bond or collateral for  
17 the appearance of defendants in court, and to determine eligibility  
18 for release under citation release program. Cash bond or collateral  
19 shall only be taken in the office of the station house, bureau, or  
20 division.

21  
22 6.2 In cases where the amount of bond or collateral to be deposited  
23 for the appearance of a defendant in court is not fixed by court  
24 schedule listing as published by the Chief of Police, it shall be  
25 determined by analogy by the commanding officer of the district,  
26 bureau, or division to which the arresting officer is attached, or in  
27 his absence, by the officer in charge.

28  
29 6.3 No member of the force or employee of the department shall,  
30 directly or indirectly, by inference or suggestion, or in any manner  
31 whatsoever, initiate a request for the services of a bondsman.

32  
33 6.4 Commanding officers and persons in charge of district station  
34 houses or other places where prisoners are held in custody will see that  
35 bondsmen, agent, clerk, or representatives of bondsmen strictly comply  
36 with the provisions of the District of Columbia Code. When the conditions  
37 set forth in the District of Columbia Code have been complied with, the  
38 bondsman or his authorized agent shall be permitted to see the prisoner  
39 concerned, but in no case shall a bondsman or his representative be  
40 permitted to enter the cell room or other room where prisoners are  
41 confined.

42  
43 6.5 Station clerks shall, upon request, furnish to authorized persons,  
44 upon forms provided for the purpose, a transcript of a record of arrest,  
45 addressed to the clerk of the proper court, which transcript shall show  
46 the name of the prisoner, the time of arrest, and the nature of the  
47 charge, and shall contain such information of an extraordinary nature as  
48 should properly be in the possession of such clerk of the court to aid  
49 him in fixing adequate bond.

50  
51 6.6 Upon presentation of the requisite order from the proper court  
52 to the effect that bond has been given for the appearance of a prisoner,  
53 or upon receipt of deposit of the requisite amount of collateral for  
54 such prisoner's appearance, said prisoner shall be immediately released  
55 and advised as to the time he is to appear. Except in cases in which  
56 defendants can elect to forfeit, defendants depositing collateral will  
57 be advised it is for their appearance in court.

58  
59 6.7 The bond and collateral lists established by the Superior Court  
60 for the District of Columbia shall be strictly complied with by members

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1 of the force and no member shall accept or require a greater or lesser  
2 collateral than that specified in these lists.

## CHAPTER VII

## CHIEF OF POLICE

7 7.1 The Chief of Police is the chief executive officer of the  
8 Metropolitan Police Department, and in the exercise of his powers and  
9 duties as such shall be subject to such orders, rules and regulations  
10 as may from time to time be issued by the Commissioner or City Council  
11 and he shall be responsible for the proper and efficient conduct,  
12 control and discipline of the force.

14 7.2 He shall take such measures as will insure prompt and vigorous  
15 enforcement of all criminal statutes, laws, regulations and ordinances, the  
16 enforcement of which come properly within the scope of the police function  
17 and power.

19 7.3 He shall promulgate all orders, rules and regulations of the  
20 Commissioner or City Council which pertain to the work of the Metropolitan  
21 Police Department, and shall issue such instructions, and promulgate  
22 such orders, rules and regulations, not inconsistent with law or with  
23 the overall D.C. Government policy, as he may deem proper in the exercise  
24 of his functions as chief executive of the department.

26 7.4 He shall, when necessary, immediately proceed to the scene of any  
27 riot, tumultuous assemblage, or other unusual occurrence and take  
28 command of the force and direct its efforts in the work at hand.

30 7.5 He shall exact from all members of the department unquestioned  
31 loyalty, unfailing energy and strict obedience and shall take prompt  
32 action in vigorously prosecuting any member guilty of interfering with,  
33 or in any manner obstructing or attempting to obstruct, the orderly and  
34 efficient operation and conduct thereof.

36 7.6 He shall make a written report annually to the Commissioner as to  
37 the operations of the department for the fiscal year ending June 30,  
38 and shall submit recommendations for improvements, together with estimates  
39 of the amounts necessary for its conduct and operation for the year sub-  
40 sequent to the date of such report. He shall make such other general and  
41 special reports as may be required.

43 7.7 Subject to applicable laws, rules, regulations and orders of the  
44 Commissioner or directives pursuant to orders of the Commissioner, the  
45 Chief of Police shall have full power and authority over the department  
46 and all functions, resources, officials and personnel assigned thereto.

48 7.8 The Chief of Police shall have the authority to change or modify  
49 organizational components within the department in conformance with sound  
50 principles of management and organization, and in conformance with appli-  
51 cable orders of the Commissioner and D.C. Government policies.

53 7.9 The Chief of Police is authorized to change the geographical  
54 boundaries of the police patrol districts for the purpose of equalizing  
55 the workload among the various units of the Patrol Division and for the  
56 purpose of equalizing police services to various areas of the city.

58 7.10 The Chief of Police shall have the authority to develop, present  
59 and justify departmental budget estimates.

60

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1 7.11 The Chief of Police shall have authority to refer to a trial board  
2 for adjudication charges brought against any member of the department.

3  
4 7.12 The Chief of Police shall have the authority to summarily suspend  
5 or order the suspension from duty of any member of the department for  
6 any misconduct and to handle disciplinary action in those cases where  
7 the severity of the charges does not necessitate trial board action.

8  
9 7.13 The Chief of Police shall have the authority and responsibility  
10 necessary to effectively carry out the District of Columbia Government  
11 policy which requires its employees to pay all lawful claims and debts  
12 owed to the District of Columbia, Federal, State or local government and  
13 encourages employees to pay all legally incurred indebtedness to commer-  
14 cial establishments and individuals.

15  
16 7.14 The Chief of Police shall have the authority to order and direct  
17 such instruction and training for and by the members of the force as he  
18 may deem necessary.

19  
20 7.15 The Chief of Police shall have the authority to develop and propose  
21 such major programs and policies to the Commissioner and the City Council  
22 as are necessary to maintain a modern, efficient and effective police  
23 department.

24  
25 7.16 The Chief of Police shall have the authority to plan and prescribe  
26 departmental policy within the limits of overall policy enunciated by the  
27 Commissioner and City Council to include the coordination, direction and  
28 control of all Metropolitan Police programs, services and operations.

29  
30 7.17 The Chief of Police shall have the authority to advise and assist  
31 the Commissioner and City Council on all District of Columbia matters  
32 relating to police service, responsibility and operation.

33  
34 7.18 The Chief of Police shall have the authority to assign the  
35 Metropolitan Police Department Band to perform at municipal or civic  
36 functions and events.

37  
38 7.19 The Chief of Police shall have the authority to approve all weapons  
39 to be used by members of the department.

40  
41 7.20 The Chief of Police shall have the power to delegate authority  
42 and assign functions to officials and personnel of the department in  
43 such degree as in his judgement is necessary to establish and maintain  
44 efficiency and good administration.

## CHAPTER VIII

## PROPERTY CLERK

45  
46  
47  
48  
49  
50 8.1 An official of the Metropolitan Police Force shall be designated  
51 as property clerk of the department. In his absence, official assigned  
52 to his command, or such other official as the Chief of Police may design-  
53 ate shall perform the duties of the property clerk.

54  
55 8.2 As property clerk, he shall strictly comply with the requirements  
56 of existing law and particularly with Sections 4-152 to 4-167, inclusive,  
57 D.C. Code, which pertain to the conduct of his office.

58  
59 8.3 All property found in the possession of prisoners claimed to be  
60 proceeds of crime, and for which there is a lawful claimant, or which

REGULATION 72-2  
-----20 23  
----of----

1 is to be used as evidence in court such as stolen articles or money,  
2 weapons and the like shall be taken to the Superior Court with the  
3 prisoner, the claimant, if any, and duly prepared return. Immediately  
4 after the preliminary hearing the property shall be delivered forthwith  
5 to the property clerk for receipt and registry. After action on the  
6 case has been finally completed by the court, the property clerk shall  
7 dispose of such property according to law.  
8

9 8.4 The property or money of a person who dies in the District of  
10 Columbia, upon the determination of the district commander that such  
11 property or money is without adequate protection, shall, at his direction,  
12 be taken into the possession of a member of the police force and delivered  
13 to the property clerk of the Metropolitan Police Department; and the pro-  
14 perty clerk shall hold, and at the proper time, dispose of such property  
15 or money as provided by law.  
16

17 8.5 Except in cases of crime, fowl and small animals abandoned or found  
18 astray shall be considered as perishable, and as other perishable pro-  
19 perty, may be sold at once under the direction of the property clerk, and  
20 the net proceeds thereof duly returned to him.  
21

22 8.6 The property clerk shall make a report to the Chief of Police at the  
23 end of each fiscal year showing the business transacted by his office.  
24

## CHAPTER IX

## GENERAL PRINCIPLES OF LAW

25  
26  
27  
28  
29 9.1 Any member of the police force may legally arrest without  
30 warrant in the following cases:  
31

32 (a) When a felony has been committed or when the officer  
33 has reason to believe that a felony has been committed,  
34 whether in his presence or not, and the officer in good  
35 faith has reasonable grounds for believing from facts  
36 within his knowledge or from facts communicated to him  
37 by a reliable informant that the person to be arrested has  
38 committed the felony.  
39

40 (b) For breaches of the peace, such as assaults and batteries,  
41 affrays, riots, unlawful assemblies, and forcible entry and  
42 detainer, committed in his presence, and for all violations of  
43 municipal ordinances or police regulations when committed in  
44 the presence or view of the officer.  
45

46 A vague belief in the officer's mind, suggested by his own  
47 thoughts, is, under no circumstances, probable cause. There  
48 should be reasonable grounds for suspicion, supported by  
49 circumstances sufficient to warrant a cautious man to believe  
50 that the party is guilty of the offense. Arrests shall not  
51 be made for investigation.  
52

53 9.2 A police officer may legally break and enter a building to  
54 make an arrest without a warrant where all of the following circum-  
55 stances exist:  
56

57 (a) When a felony has been committed or when he has probable  
58 cause to believe that a felony has been committed; and  
59

60 (b) When he has probable cause to believe that the person

21 of 23

1 believed to have committed the felony is within the building  
2 involved; and

3  
4 (c) After he has identified himself, stated the nature of  
5 his business, demanded entrance and entrance has been refused;  
6 and

7  
8 (d) Where the circumstances of the case are such that to  
9 attempt to secure a warrant would, in all probability, enable  
10 the person believed to have committed the felony to flee and  
11 prevent the officer from making the arrest. In all cases where  
12 it is possible for the officer to secure a warrant he should do  
13 so before attempting to break and enter and arrest without a  
14 warrant.

15  
16 9.3 The circumstances under which a policeman may use his  
17 revolver are set forth in the Manual. Shooting at another is  
18 a crime except when proven to be done as authorized by law.  
19 A police officer, sworn to execute the laws, should be doubly  
20 careful. For if he should, through cowardice, passion, or  
21 malice, shoot at, wound or kill another, he would be guilty  
22 not only of violating the law, but also of violating his oath  
23 of office.

24  
25 9.4 Knowledge of the fact that a warrant has been issued and  
26 is in the possession of the department for service is suffi-  
27 cient to authorize an officer who does not have the warrant  
28 with him to make an arrest for any offense, felony or non-  
29 felony. If the officer does not have the warrant in his  
30 possession at the time of arrest, he shall then inform the  
31 defendant of the offense charged and of the fact that a warrant  
32 has been issued. Upon request the officer shall show the war-  
33 rant to the defendant as soon as possible.

34  
35 CHAPTER X

36  
37 DISCIPLINARY PROCEDURES

38  
39 10.1 Rules of Procedures Before Police Trial Boards

40  
41 10.1:1 The Chief of Police shall cause the chairman of the  
42 concerned trial board to be notified of the pendency of a  
43 trial; and said chairman shall be responsible for the conven-  
44 ing of the trial board.

45  
46 10.1:2 No member of the force (except probationers) shall be  
47 dismissed from office except upon written charges preferred  
48 against him in the name of the Chief of Police and after an  
49 opportunity shall have been afforded him of being heard in his  
50 defense. No person so removed shall be reappointed to any office  
51 within the force.

52  
53 10.1:3 Complaints by any person other than the Mayor-Commissioner,  
54 or a member of the force, in order to form the basis of charges,  
55 shall be made in writing and under oath. Whenever a citizen's  
56 complaint serves as the basis for trial board action the complain-  
57 ing citizen shall be so notified of the pendency and date of hear-  
58 ing before board.

59  
60 10.1:4 When a formal charge is preferred, a copy of the same,

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1 with full specification, shall be served upon the accused at  
2 least 5 days, exclusive of Sundays and legal holidays, before  
3 the day of the trial.  
4

5 10.1:5 The charges and specifications shall be numbered in order  
6 and shall set forth clearly the charge which the accused is called  
7 upon to answer. The Letter of Notice shall include only the prin-  
8 cipal charge which is the basis for the trial board action.  
9

10 10.1:6 An accused member of the force shall have the right to  
11 be defended by counsel and to bring witnesses and any complaining  
12 witness may be represented by counsel, as the board may determine;  
13 Provided: That when a member of the force is to be represented by  
14 counsel before the trial board, he shall notify the chairman of  
15 the trial board 24 hours in advance of the date the case is set  
16 for trial.  
17

18 10.1:7 If a continuance of a hearing is desired, the accused shall  
19 make application therefor to the chairman of the trial board in  
20 writing at least 24 hours prior to the time set for the hearing.  
21

22 10.1:8 A challenge to any member of a police trial board shall  
23 be made to the chairman thereof at least 24 hours before the date  
24 set for trial. Said challenge shall be in writing and set forth  
25 specific reasons for the challenge. The remaining member or mem-  
26 bers of the board shall decide whether the challenge is justified.  
27 Any member of the board challenged shall, if the remaining member  
28 or members of the board deem it necessary, answer in writing the  
29 charges contained in such challenge.  
30

31 10.1:9 If the accused member desires that witnesses, books,  
32 records, papers or documents be subpoenaed for use in his defense  
33 at a hearing before a trial board, he shall notify the chairman of  
34 such trial board 72 hours in advance of the date the case is set  
35 for trial.  
36

37 10.1:10 The board shall at all times require respectful conduct on  
38 the part of any and all persons in attendance, will enter into no  
39 arguments over this question, but shall make a record of its action  
40 in any such case and may clear the courtroom at any time if such  
41 course becomes expedient.  
42

43 10.1:11 Attending counsel shall be governed by the rulings of the  
44 board on all questions at issue in the taking of testimony or sub-  
45 mitting of evidence, but may have exceptions noted to rulings of  
46 the board.  
47

48 10.1:12 At its discretion, the board may revoke the privilege ex-  
49 tended for the attendance of any counsel during a hearing for suffi-  
50 cient cause, but such action shall in no way prevent the accused  
51 or a complaining witness from substituting other counsel.  
52

53 10.1:13 Any member of the force cited to appear before a trial  
54 board shall be present in person on the date and at the time set  
55 for the hearing, and then and there be governed by the action of  
56 the board as to whether such case or cases shall be taken up or  
57 continued, unless such member shall have the written consent of  
58 the chairman of the trial board, excusing him from such atten-  
59 dance at the stated time.  
60

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..23 of 23

1 10.1:14 When a member of the force has been cited before a  
2 Trial Board, either as defendant or witness, he shall not be  
3 excused from attendance thereat on account of sickness, except  
4 upon presentation of a certificate from a member of the Board  
5 of Surgeons setting forth the fact that he is unable to attend.  
6

7 10.1:15 All trial board cases shall be stenographically recorded  
8 and transcribed in case of appeal.  
9

10 10.1:16 When an accused member of the force has refused to accept  
11 services of charges, a plea of "not guilty" shall be entered and  
12 the board shall proceed with the hearing and determination of the  
13 case.  
14

15 10.1:17 The board shall investigate all cases clearly and justly;  
16 any one of the members shall ask questions as may suggest them-  
17 selves to the charge as specified looking to that end and require  
18 a positive and direct answer thereto.  
19

20 10.1:18 A trial board shall forward to the Chief of Police its  
21 findings and recommendations, together with the papers in each case,  
22 and at the same time shall notify the accused of its findings, and  
23 the fact that such notification has been sent shall be included in  
24 the report of the board. The board shall cause notice of its  
25 findings and recommendations to be sent to the complaining citizen  
26 where applicable.  
27

28 10.1:19 The findings of a trial board shall be final and conclusive  
29 unless an appeal be taken therefrom in writing to the Mayor-  
30 Commissioner within five days, exclusive of Sundays and legal holi-  
31 days, after notice is sent.  
32

33 10.1:20 Where an appeal is taken, a copy of the findings, all  
34 records, and a complete transcript of the hearing shall be forwarded  
35 to the Mayor-Commissioner within sixty days after notice of findings  
36 is sent.  
37

38 10.1:21 Upon receipt of the trial board's findings and recommenda-  
39 tions, and no appeal to the Mayor-Commissioner has been made, the  
40 Chief of Police may either confirm the findings and impose the  
41 penalty recommended, reduce the penalty, or may declare the board's  
42 proceedings void and refer the case to another regularly appointed  
43 trial board.  
44

45 10.1:22 The fact that a member of the force has been charged with  
46 and is awaiting trial for a criminal offense involving matters prima  
47 facie prejudicial to the reputation and good order of the force, in  
48 this or any other jurisdiction, shall not be a bar to his immediate  
49 trial by a police trial board.  
50

51 10.1:23 Three convictions before trial boards or any summary  
52 hearings as authorized by the Mayor-Commissioner, or both, within  
53 a period of twelve months upon charges involving violations of the  
54 rules and regulations of the department shall be prima facie evi-  
55 dence of inefficiency. Commanding officers shall, upon the third  
56 conviction within a period of twelve months of any member of their  
57 command, either submit a report recommending to the Chief of Police  
58 that the officer be cited before a police trial board for ineffi-  
59 ciency, or submit a report giving the reasons why the officer should  
60 not be cited on the charge of inefficiency.

Regulation No. 72-3



January 28, 1972  
Enactment Date

# Regulation

of the  
District of Columbia

TITLE REGULATION ESTABLISHING ADMINISTRATIVE RULES FOR OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS

Mr. Henry K. Willard, II Presents the following regulation:

WHEREAS, the District of Columbia Council is authorized to promulgate regulations governing the practice of a number of businesses and professions; and

WHEREAS, the Council wishes to establish administrative rules governing the procedures to be followed upon the issuance, denial, suspension and revocation of licenses to practice such businesses and professions.

NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

Section 1. The regulation attached hereto as Appendix I is hereby adopted as Title 5DD of the Rules and Regulations of the District of Columbia.

Section 2. This regulation shall take effect 30 days following enactment.

### APPENDIX I

#### Part 1 - Definitions and Scope

Sec.

1.1 Meaning of Terms

1.2 Grounds for denial, censure, suspension, cancellation or revocation of license

1.3 Investigation of grounds

### RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON				X		MEYERS	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 21, 1971

Adopted on second and final reading January 18, 1972

Presented to the Mayor-Commissioner January 21, 1972

Approved Robert M. Washington  
Mayor-Commissioner

Samuel H. Schwartz  
Secretary of the City Council  
1/28/72  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner \_\_\_\_\_  
Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
Samuel H. Schwartz  
Secretary of the City Council

1     Sec. 1.1 Meaning of Terms.

2  
3             As used in these Rules, unless the context otherwise requires, terms shall  
4 have the meaning ascribed in this section.

5  
6             (a) "Act" means that law, statute or order pursuant to which a Board was  
7 created and presently exists.

8  
9             (b) "Board" means any one of the following twenty Boards and Commissions:  
10 Board of Examiners and Registrars of Architects; Board of Barber Examiners; Boxing  
11 Commission; Board of Cosmetology; Board of Dental Examiners; Electrical Board;  
12 Commission on Licensure to Practice the Healing Art; Nurses' Examining Board;  
13 Board of Optometry; Board of Pharmacy; Physical Therapists Examining Board;  
14 Plumbing Board; Board of Podiatry Examiners; Practical Nurses Examining Board;  
15 Board of Registration for Professional Engineers; Real Estate Commission;  
16 Refrigeration and Air Conditioning Board; Steam and Other Operating Engineers  
17 Board; Board of Funeral Directors and Embalmers; and Board of Examiners in  
18 Veterinary Medicine.

19  
20             (c) "Director" means the Director of the Department of Economic Develop-  
21 ment or his authorized agent.

22             (d) "Commissioner" means the Commissioner of the District of Columbia.

23  
24             (e) "Council" means the District of Columbia Council.

25  
26             (f) "District" means the District of Columbia.

27  
28             (g) "License" includes any approval, certificate, registration, permit,  
29 statutory exemption, or other form of permission to practice an occupation or  
30 profession, as granted by a Board.

31  
32             (h) "Licensee" means any holder of any license granted by a Board.

33  
34             (i) "Person" means any individual, corporation, company, association,  
35 firm, organization, partnership, or society.

36  
37             (j) "Renewal" means the certificate of annual registration granted by a  
38 Board to a licensee.

39  
40  
41     Sec. 1.2 Grounds for Denial, Censure, Suspension, Cancellation or Revocation  
42             of License.

43  
44             A Board may refuse to issue, or may revoke, suspend or cancel any license  
45 or any renewal by annual registration thereof or may censure the holder of such  
46 license, for any reason for which such refusal to issue a license, revocation,  
47 suspension or cancellation is permitted under the Acts of Congress or regulations  
48 governing the practice of those businesses and professions regulated by the Boards.

49  
50     Sec. 1.3 Investigation of Grounds.

51  
52             The Board may, upon its own motion, and shall upon the sworn complaint in  
53 writing of any person setting forth charges which, if proved, would constitute  
54 grounds for disciplinary action as hereinabove set forth, request the Director to  
55 investigate the actions of any person who is an applicant for or holder of any  
56 license provided for in the Act.

1 Sec.

2 20.1 Opportunity for a Hearing

3 20.2 Notice of Contemplated Action - Request for Hearing and Notice of Hearing

4 20.3 Procedure when a Person Fails to Request a Hearing

5  
6 Sec. 20.1 Opportunity for a Hearing.

7  
8 Every applicant for or holder of a license, except applicants for a tempo-  
9 rary license or applicants for reinstatement after revocation, shall be afforded  
10 notice and an opportunity to be heard prior to the action of the Board, the effect of  
11 which would be:

12  
13 (a) To deny permission to take an examination for a license, for which an  
14 applicant has correctly filed and whose application has been accepted as meeting  
15 the qualifications for examination;

16  
17 (b) to deny a license after an examination for any cause other than failure  
18 to pass the examination;

19  
20 (c) to deny a license by reciprocity, endorsement, or transfer to an appli-  
21 cant who meets the qualifications set forth in the Act;

22 (d) to suspend a license;

23  
24 (e) to revoke a license;

25  
26 (f) to cancel a license;

27  
28 (g) to censure a licensee; or

29  
30 (h) to refuse to issue a renewal by annual registration for any cause other  
31 than failure to pay the prescribed renewal fee.

32  
33  
34 Sec. 20.2 Notice of Contemplated Action - Request for Hearing and Notice of  
35 Hearing.

36  
37 (a) When the Board contemplates taking any action of the type specified in  
38 Subsections (a), (b), or (c) of Section 20.1 of this part, it shall give to the appli-  
39 cant a written notice containing a statement:

40  
41 (1) That the applicant has failed to satisfy the Board as to his quali-  
42 fications to sit for examination or to be approved for licensure, as the case may be;

43  
44 (2) indicating in what respect the applicant has failed to satisfy the  
45 Board; and

46  
47 (3) that the applicant may secure a hearing before the Board by deposit-  
48 ing in the mail within twenty days after service of said notice, a certified letter  
49 addressed to the Board and containing a request for a hearing.

50  
51 (b) When the Board contemplates taking any action of the type specified in  
52 Subsections (d), (e), (f), (g), or (h) or Section 20.1 of this part, it shall give the  
53 person concerned a written notice containing a statement:

54  
55 (1) That the Board has sufficient evidence, and setting forth the nature  
56 of the same, which, if not rebutted or explained, justifies the Board in taking  
57 the contemplated action; and

58  
59 (2) that unless the person concerned, within twenty days after service  
60 of said notice, deposits in the mail a certified letter addressed to the Board and  
containing a request for a hearing, the Board will take the contemplated action.  
P.110

--4 of 7--1 Sec. 20.3 Procedure when a Person Fails to Request a Hearing.

2  
3 If the person concerned does not mail a request for a hearing within the  
4 time and in the manner required by Section 20.2 of this part, the Board may, with-  
5 out a hearing, take the action contemplated in the notice. The Board shall, in  
6 writing, inform the person concerned, the Corporation Counsel, and the Director,  
7 of the Board's action.

8  
9 Part 30 - Notice of Hearings10  
11 Sec.

12 30.1 Notice of Hearing

13 30.2 Method of Serving Notice of Contemplated Action and Notice of Hearing.

14 30.3 Procedure when a Person Fails to Appear for a Requested Hearing.

15  
16 Sec. 30.1 Notice of Hearing.

17  
18 If the person concerned does mail a request for a hearing as required in  
19 Section 20.2 of this Chapter, the Board shall, within twenty days following receipt  
20 of a request, notify the person concerned of the time and place of hearing, which  
21 hearing shall be held by the Board not more than sixty days nor less than thirty days  
22 following the date of service of such notice, unless specifically stated otherwise  
23 in the Act.

24  
25 Sec. 30.2 Method of Serving Notice of Contemplated Action and Notice of Hearing.

26  
27 Any notice required by Section 20.2 or Section 30.1 of these Rules, may be  
28 served either personally by the Director or by certified mail, return receipt reques-  
29 ted, directed to the person concerned at his last known residence or business  
30 address as shown by the records of the Department of Economic Development. If  
31 notice is served personally, it shall be deemed to have been served at the time when  
32 delivery is made to the person concerned. When notice is served by certified mail,  
33 it shall be deemed to have been served on the date borne upon the return receipt  
34 showing delivery of the notice to the person concerned or refusal of the person con-  
35 cerned to receive notice. In the event that the person concerned is no longer at the  
36 last known address as shown by the records of the Department of Economic Develop-  
37 ment and no forwarding address is available, the notice shall be deemed to have  
38 been served on the date the return receipt bearing such notification is received by  
39 the Director.

40  
41 Sec. 30.3 Procedure when a Person Fails to Appear for a Requested Hearing.

42  
43 If a person who requested a hearing does not appear and no continuance has  
44 been or is granted, the Board may hear the evidence of such witnesses as may have  
45 appeared, and the Board may proceed to consider the matter and render a decision  
46 on the basis of evidence before it, in the manner required by Section 40.2 of this  
47 Chapter.

48  
49 Part 40 - Conduct of Hearings50  
51 Sec.

52 40.1 Hearings Public

53 40.2 Majority of Board to Hear and Decide

54 40.3 Rights of Person Entitled to Hearing

55 40.4 Powers of the Board in Holding Hearings

56 40.5 Contempt Procedures

57 40.6 Evidence

58 40.7 Burden of Proof

59 40.8 Transcript of Proceedings

60



Sec. 40.7 Burden of Proof.

(a) In any Board proceeding resulting from the Board's contemplated action to deny licensure, the applicant shall have the burden of satisfying the Board of his qualifications.

(b) In any Board proceeding resulting from the Board's contemplated action to refuse to renew, to cancel, to suspend, or to revoke a license, or to censure a licensee, the District shall have the burden of proving that such action should be taken.

Sec. 40.8 Transcript of Proceedings.

In all hearings conducted by the Board, a complete record shall be made of all evidence presented during the course of a hearing. Any party to the proceedings desiring it shall be furnished with a copy of such record, upon payment of such fee as the Commissioner shall prescribe.

Part 50 - Findings and Decisions

Sec.

50.1 Manner and Time of Rendering Decision

50.2 Content of Decision

50.3 Service of Written Decision

Sec. 50.1 Manner and Time of Rendering Decision.

The members of the Board who conduct the hearing shall render their decision, in writing, as soon as practicable, but not later than ninety days after the date the hearing is completed.

Sec. 50.2 Content of Decision.

The decision of the Board shall contain:

(a) Findings of fact made by the Board;

(b) application by the Board of the Act and these Rules to the facts as found by the Board;

(c) the decision of the Board based upon (a) and (b) of this section; and

(d) a statement informing the person concerned of his right to have the Board's decision reviewed by the District of Columbia Court of Appeals, and the time within which such judicial review must be sought.

Sec. 50.3 Service of Written Decision.

Within five days after the decision is rendered, the Board shall serve upon the person concerned, or his attorney of record, a copy of the written decision either personally or by certified mail. If sent by certified mail, it shall be deemed to have been served on the date contained on the return receipt, or refusal of the person concerned to receive notice or the date of the unsuccessful attempt of the postal service to make delivery.

Part 60 - Reopening, Judicial Review and Reconsideration

Sec.

60.1 Reopening Proceedings

60.2 Judicial Review; Waiver of Judicial Review

60.3 Record Filed by the Board with the Reviewing Court

60.4 Reconsideration or Reinstatement

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Sec. 60.1 Reopening Proceedings.

Where, because of accident, sickness, or other good cause, a person fails to receive a hearing or fails to appear for a hearing which he has requested, the person may, within thirty days from the date of the decision of the Board, apply to the Board to reopen the proceedings; and the Board upon finding such cause sufficient, shall immediately fix a time and place for hearing and give such person, the Corporation Counsel, and the Director notice thereof as required by these Rules. The Board may also reopen a proceeding for any other cause sufficient to it, provided no appeal is pending before a court or has been decided by a court.

Sec. 60.2 Judicial Review; Waiver of Judicial Review.

A person aggrieved by an adverse decision of the Board, issued after a hearing, may seek a review of the Board's decision by the District of Columbia Court of Appeals. Failure to seek such judicial review in the manner and within the time as said Court by rule may prescribe, shall result in the decision of the Board's becoming final.

Sec. 60.3 Record Filed by the Board with the Reviewing Court.

(a) Within such time as may be fixed by rule of the reviewing Court, the Board shall certify and file with the Clerk of the Court, the record of the case, comprising:

- (1) A copy of the notice of action contemplated by the Board, required by Section 20.2 of this Chapter;
- (2) a copy of the notice of hearing required by Sections 20.2 and 30.1 of this Chapter;
- (3) a complete transcript of the testimony taken at the hearing;
- (4) copies of all pertinent documents and other written evidence introduced at the hearing; and
- (5) a copy of the Board's written decision.

(b) The record may be shortened if, with permission of the Court, all parties to the review proceedings so stipulate.

Sec. 60.4 Reconsideration or Reinstatement.

A person whose application for a license or renewal of a license has been denied or whose license has been cancelled, suspended, or revoked by the Board may, by filing a new application accompanied by the proper fee, request the Board to reconsider the matter. Upon showing of cause satisfactory to it, the Board may issue the license or renewal of license for which application has been made.

Regulation No. 72-4



February 26, 1972  
Enactment Date

# Regulation of the District of Columbia

TITLE REGULATION DEFINING DISABILITY AND INCAPACITY

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the Department of Health, Education and Welfare requires all  
2 states to define disability in the Aid to the Permanently and Totally Disabled  
3 category, Title XIV, Section 1405, of the Social Security Act; and

4  
5 WHEREAS, Title IV, Aid to Families with Dependent Children, defines the  
6 four basic reasons for deprivation as death, absence, incapacity and unemployment;  
7 and

8  
9 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorganization  
10 Plan No. 3 of 1967, the District of Columbia Council is authorized to establish rules  
11 and regulations to carry out the provisions of the District of Columbia Public  
12 Assistance Act of 1962, and to approve regulations under which shall be determined  
13 the amount of public assistance which any person shall receive.

14  
15 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

16  
17 Section 1. The Director, Department of Human Resources, shall for the  
18 purpose of the Aid to Families with Dependent Children, General Public Assistance  
19 and the Aid to Permanently and Totally Disabled Programs, use the definitions of  
20 Incapacity and Disability in Section 2 with respect to parents or other adults who  
21 meet the other criteria for eligibility under such programs.

22  
23 Section 2. Incapacity in AFDC and GPA is defined as any physical or  
24 mental defect, illness or disability, whatever its cause, degree or duration. The  
number of hours worked by an individual shall not be considered as a bar to

### RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					HAYWOOD				X		VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON	X					MEYERS	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 2, 1971

Adopted on second and final reading February 15, 1972

Presented to the Mayor-Commissioner February 17, 1972

*David H. Schwartz*  
Secretary of the City Council

Approved *Thelma Washington*  
Mayor-Commissioner

FEB 26 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein

*David H. Schwartz*  
Secretary of the City Council

1 assistance by reason of incapacity if such individual suffers from an incapacity,  
 2 as herein defined, and by reason thereof is employed at a level which is less than  
 3 the level for which his age, training, education and experience would otherwise  
 4 fit him. In the event that an individual claims that he is employed at a lower  
 5 level than one for which his age, training, education and experience would  
 6 otherwise fit him, by reason of a physical or mental defect, illness or disability,  
 7 he shall be referred to the Medical Review Team for a decision with respect to  
 8 that issue.

9  
 10 Section 3. Disability in APTD. An individual is "permanently and totally  
 11 disabled" if that individual has some permanent physical or mental impairment,  
 12 disease, or loss, or combination thereof that substantially precludes him from  
 13 engaging in a useful occupation within his competence, such as, holding a job.

14  
 15 Section 4. This regulation shall take effect on July 1, 1972.  
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Regulation No. 72-5



February 24, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

**TITLE** Requirement of payment of the established fare on any motor bus operating in the District of Columbia.

Councilman Henry K. Willard, II Presents the following regulation:

1 WHEREAS, pursuant to Reorganization Plan No. 3 of 1967, the District of  
2 Columbia Council is authorized to make regulations under D. C. Code, Section  
3 1-226; and

4  
5 WHEREAS, a regulation of the Washington Metropolitan Area Transit Com-  
6 mission prohibiting the boarding of a motor bus without payment of the established  
7 fare has been determined by the District of Columbia Court of Appeals to be unen-  
8 forceable by criminal prosecution; and

9  
10 WHEREAS, the Chairman of the Washington Metropolitan Area Transit Com-  
11 mission and the Commissioner of the District of Columbia have informed the Council  
12 that the lack of enforceability of such regulation is causing and will continue to  
13 cause disruptions of transit service; and

14  
15 WHEREAS, pursuant to the provisions of Title 1-1505(c) of the District of  
16 Columbia Code, 1967 edition, Supplement IV, the Council determines that an  
17 emergency exists which requires the adoption of this regulation in order to preserve  
18 the public peace, safety and welfare.

19  
20 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

21  
22 Section 1. No person shall board a motor bus for hire without paying the es-  
23 tablished fare or presenting a valid transfer for transportation on the said motor bus.  
24

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
HAHN	X					HAYWOOD	X					VEAZEY	X					
TUCKER				X		MOORE			X			WILLARD	X					
ANDERSON	X					ROBINSON	X					MEYERS	X					

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on \_\_\_\_\_

Adopted on second and final reading February 24, 1972

Presented to the Mayor-Commissioner February 24, 1972

*David H. Schwartz*  
Secretary of the City Council

Approved *Phelps Washington*  
Mayor-Commissioner

FEB 24 1972

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_

Date

Disapproved and returned to the City Council \_\_\_\_\_

Mayor-Commissioner

Date

Readopted \_\_\_\_\_

Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*David H. Schwartz*  
Secretary of the City Council

REGULATION 72-5

1           Section 2. Violation of this regulation shall be punishable by a fine not  
2 to exceed \$300 or imprisonment not to exceed ten days, or both.

3  
4           Section 3. This regulation shall take effect immediately upon enactment  
5 and shall remain in effect for a period of 120 days thereafter.

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Regulation No. 72-6



March 17, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION OF SLOW-MOVING VEHICLES

Reverend Jerry A. Moore, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that it is in the interest of  
2 traffic safety to regulate certain slow-moving vehicles using the public highways of  
3 the District of Columbia; and

4 WHEREAS, the District of Columbia Council is authorized to make and  
5 modify regulations relating to the control of traffic and equipment for motor vehicles.

6 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

7  
8  
9  
10 Section 1. Part I, of the Traffic and Motor Vehicle Regulations of the District  
11 of Columbia incorporated by reference into Title 17 of the District of Columbia Rules  
12 and Regulations is amended by adding the following new section:

13  
14 "Section 129.1. Emblem Required on Slow-Moving Vehicles.

15  
16 (a) As used in this section, the term "slow-moving motor  
17 vehicle" means (1) any motor vehicle designed for operation at speeds  
18 not in excess of fifteen miles per hour, or (2) any motor vehicle which  
19 is generally utilized in its operation for a purpose which normally  
20 requires it to be operated at speeds not in excess of fifteen miles per  
21 hour, or (3) any motor vehicle or other vehicle while being towed by  
22 a motor vehicle within the scope of paragraphs (1) or (2) of this sub-  
23 section. The term "slow-moving motor vehicle" shall not include  
24 any motor vehicle specifically excluded by the Commissioner or his

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					HAYWOOD	X					VEAZEY	X				
TUCKER				X		MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON	X					Meyers	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on February 15, 1972

Adopted on second and final reading March 7, 1972

Presented to the Mayor-Commissioner March 8, 1972

Approved Walter Washington Mayor-Commissioner

David H. Schwartz Secretary of the City Council  
MAR 17 1972

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_ Mayor-Commissioner \_\_\_\_\_ Date

Readopted \_\_\_\_\_ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein  
David H. Schwartz Secretary of the City Council

designated agent from the requirements of this section.

"(b) A slow-moving vehicle emblem shall consist of a flourescent yellow-orange triangle with a dark red reflective border conforming insofar as practical to standard ASAE S276.2 (revised March , 1967) adopted by the American Society of Agricultural Engineers .

"(c) Any slow-moving motor vehicle using the public highways of the District of Columbia at any time during the day or night shall display a slow-moving vehicle emblem of the type set forth in subsection (b) of this section. The use of such emblem shall be in addition to any other lighting devices, flags, or other equipment required by law. The use of such emblem in any manner or for any purpose other than as provided in this subsection is prohibited."

Section 2. This regulation shall take effect six months after enactment.

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Regulation No. 72-7



May 5, 1972  
Enactment Date

# Regulation

of the  
District of Columbia

TITLE Requirement of Payment of the Established Fare on any Motor Bus Operating in the District of Columbia.

Mr. Henry K. Willard, II Presents the following regulation:

1 WHEREAS, pursuant to Reorganization Plan No. 3 of 1967, the District of  
 2 Columbia Council is authorized to make regulations under D.C. Code, Section  
 3 1-226; and

4 WHEREAS, a regulation of the Washington Metropolitan Area Transit Commission  
 5 prohibiting the boarding of a motor bus without payment of the established fare  
 6 has been determined by the District of Columbia Court of Appeals to be unenforce-  
 7 able by criminal prosecution; and

8 WHEREAS, the Chairman of the Washington Metropolitan Area Transit Commission  
 9 and the Commissioner of the District of Columbia have informed the Council that the  
 10 lack of enforceability of such regulation is causing and will continue to cause  
 11 disruptions of transit service.

12 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

13 Section 1. No person shall board a motor bus for hire without paying the  
 14 established fare or presenting a valid transfer for transportation on the said motor  
 15 bus.

16 Section 2. Violation of this regulation shall be punishable by a fine not to  
 17 exceed \$300 or imprisonment not to exceed ten days, or both.

18 Section 3. This regulation shall take effect immediately upon enactment.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS						HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON	X					ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 18, 1972

Adopted on second and final reading May 2, 1972

Presented to the Mayor-Commissioner May 3, 1972  
Date

Approved [Signature] Mayor-Commissioner  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
[Signature]  
 Acting Secretary of the City Council

Regulation No. 72-8



May 13, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION ESTABLISHING STANDARDS OF IDENTITY FOR GROUND MEAT PRODUCTS

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the Council is empowered to make rules and regulations  
2 relating to the sale of food products in the District of Columbia; and  
3

4 WHEREAS, the Council believes the public interest requires the  
5 establishment of standards for the sale of ground meat products in the District.  
6

7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
8 that:  
9

10 Section 1. Title 6A, Department of Human Resources, Health Services  
11 Administration, of the Rules and Regulations of the District of Columbia, which  
12 incorporates by reference, Title 8, Health Regulations of the District of Columbia,  
13 Chapter 6, is hereby amended, by deleting Section 8-6:103(a), and substituting  
14 therefor the following:  
15

16 a. Importation, Sale or Use. No person shall convey into the District  
17 sell, offer for sale or use any food that is unfit for consumption, or any food  
18 which does not conform to the following criteria:  
19

20 (1) Products to be Labeled. All products governed under the  
21 regulations set forth below for "Chopped Beef," "Ground Beef," "Hamburger,"  
22 "Fabricated Steak," "Fresh Pork Sausage," "Breakfast Sausage," and "Sausage"  
23 shall at the time offered for retail sale, display by percentage the fat contents of  
24 such products. The percentages of fat in such products shall not exceed by more

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS						HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON	X					ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 18, 1972

Adopted on second and final reading May 2, 1972

Presented to the Mayor-Commissioner May 3, 1972  
Date

*David A. Patwardhan*  
Secretary of the City Council

I HEREBY CERTIFY that Regulation No. 72-8 was presented to the Mayor of the District of Columbia on May 3, 1972, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

*Martin K. Schaller*  
Martin K. Schaller  
Executive Secretary, D. C.

I hereby certify that this regulation is true and adopted (or readopted) as stated thereon.

*Robert S. Moore*  
Acting Secretary of the City Council

## REGULATION 72-8

2 of 3

1 than three percent thereof the fat content shown on the label (or on the signs as  
2 hereinafter provided). Display of the fat content shall be on the package in which  
3 the product is sold, or shall be by a sign placed conspicuously nearby the product.  
4 Such display on the package or by sign shall be in letters no smaller than 1/8 of an  
5 inch in the case of packages and no smaller than 1/2 of an inch in the case of signs.

6  
7 (2) Meats which are labeled "Chopped Beef" or "Ground Beef" shall  
8 consist of comminuted meats which are fresh or frozen beef, or both, with or  
9 without seasoning, and without the addition of beef fat, and shall not contain  
10 added water, binders, extenders, color additives or preservatives, and shall not  
11 contain more than thirty percent fat. If the product is offered with an adjective  
12 such as lean or extra lean intended to indicate a lesser fat content, such fat  
13 content shall be indicated as required in Section 1a. (1).

14  
15 (3) Meats which are labeled "Hamburger" shall consist of comminuted  
16 fresh or frozen beef, or both, with or without the addition of beef fat or seasoning,  
17 or both, shall not contain more than thirty percent fat, and shall not contain added  
18 water, binders, extenders, color additives or preservatives. If the product is  
19 offered with an adjective such as lean or extra lean to indicate a lesser fat content,  
20 such fat content shall be indicated as required in Section 1a. (1).

21  
22 (4) Fabricated Steak Fabricated beef steaks, fabricated veal steaks,  
23 fabricated beef and veal steaks, and similar products, shall be prepared by  
24 comminuting and forming the product from fresh or frozen meat, or both, with or  
25 without added fat, and without added water, binders, extenders, color additives,  
26 hydrolized plant protein, or preservatives. Such products shall be labeled as to  
27 their meat composition either on the package in letters no smaller than 1/8 of an inch,  
28 or if not sold in packages, on signs placed conspicuously nearby in letters no  
29 smaller than 1/2 of an inch.

30  
31 (5) Meats labeled "Fresh Pork Sausage" shall consist of comminuted  
32 fresh pork or frozen pork, or both, not including pork by-products, with or without  
33 seasoning added. To facilitate chopping or mixing, water or ice may be used in an  
34 amount not to exceed three percent of the total ingredients used. The product shall  
35 not contain color additives, preservatives, or more than fifty percent trimmable fat.

36  
37 (6) Meats labeled "Breakfast Sausage" shall consist of comminuted  
38 fresh or frozen meat, or both, or meat and meat by-products, with or without  
39 seasoning added. To facilitate chopping or mixing, water or ice may be used in  
40 an amount not to exceed three percent of the total ingredients used. Extenders or  
41 binders may be used to the extent of three and one-half percent of the finished  
42 sausage. The product shall not contain color additives, preservatives or more than  
43 fifty percent fat. The packages in which such products are sold shall be labeled  
44 in letters no smaller than 1/8 of an inch to indicate the composition of the product.  
45 In the event such products are not sold in packages, signs stating the composition  
46 in letters no smaller than 1/2 of an inch shall be conspicuously displayed nearby.

47  
48 (7a) Meats labeled "Sausage" raw or cooked, shall consist of one or  
49 more kinds of comminuted meat or meat and meat by-products, containing various  
50 amounts of added water not to exceed three percent of the total ingredients used.  
51 Raw sausage shall not contain color additives, preservatives or more than fifty  
52 percent fat.

53  
54 b. In the case of cooked sausage, frankfurter, wiener, vienna,  
55 bologna, garlic bologna, knockwurst, the added water content shall not exceed  
56 ten percent. The product may be seasoned and may contain binders and extenders,  
57 e.g., cereal, vegetables, starch vegetable flour, soy flour, soy protein concentrate,  
58 non-fat dry milk, calcium reduced skim milk or dried milk, provided the finished  
59 product contains not more than three and one-half percent of these additives  
60 individually or collectively. The fat content shall not exceed thirty percent.

REGULATION 72-8

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The packages in which raw and cooked sausages are sold shall be labeled as to the meat and meat by-products composition of the product in letters no smaller than 1/8 of an inch. If such products are not sold in packages, signs bearing letters no smaller than 1/2 of an inch shall be conspicuously posted nearby.

(8) Comminuted meats if offered for sale as being a specific cut shall be labeled as such; shall be made solely from such cut and shall not contain added fat.

Section 2. Any person who violates any provision of this regulation shall be fined not more than \$300 or imprisoned not more than ten days, or both, for each and every offense.

Section 3. This regulation shall take effect ninety days following enactment.



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE  
WASHINGTON, D. C. 20004

WALTER E. WASHINGTON  
MAYOR-COMMISSIONER

MAY 19 1972

Mr. John A. Nevius  
Chairman, D.C. City Council  
Room 507, District Building  
Washington, D.C. 20004

Dear Mr. Nevius:

The Office of the Corporation Counsel has reviewed, as to legal sufficiency, proposed Regulation No. 72-8, adopted by the District of Columbia Council on May 2, 1972, which establishes certain standards for the retail sale of ground meat products in the District. That office concluded that the Council has legal authority to provide standards and procedure for the identity and/or composition of ingredients for ground beef products (e.g., declaration of fat contents and labelling requirements).

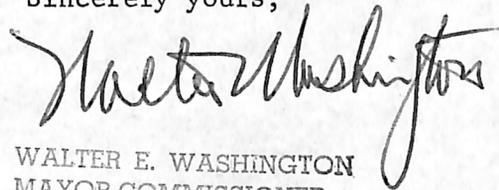
While the Council has legal authority to establish certain standards for the retail sale of ground meat products in the District, the impact of the Regulation as presently framed presents grave problems to both the retail meat industry and the Government. The essential problem with the Regulation concerns compliance by the meat industry with the limited fat tolerance level allowed for ground meat products. At the present time there exists no technical methodology for measurement thereon. Further, serious problems exist relative to certain requirements for the meat industry regarding pre-packaged retail consumer ground meat products. On the other hand enforcement of the Regulation by the Executive Branch of the Government is virtually impossible.

Foreseeable effects of this Regulation on the consumer-public includes, inter alia, the real potential for limiting the ground meat market in the District. Additionally, a severe problem for consumers may result

by the total elimination of pre-packaged meat products for retail consumer sales as a result of the stringent requirements under the Regulation.

Accordingly, I am returning D.C. Council Regulation No. 72-8 unsigned with the understanding that perfecting amendments will be considered by the Council prior to effective date of the Regulation and returned to me. I am advised that these perfecting amendments have been strongly recommended by the Department of Environmental Services, with the concurrence of the Office of the Corporation Counsel. As you know, on Friday, May 12, 1972, Councilman Henry Robinson discussed this matter with me and agreed that these amendments should be made and that he would give this matter top priority upon its return to the Council. With the perfecting amendments, Regulation No. 72-8 will be a viable enactment in the District of Columbia in the best interest of the consumer-public.

Sincerely yours,



WALTER E. WASHINGTON  
MAYOR-COMMISSIONER

cc: Councilman Henry Robinson

Regulation No. 72-9



May 5, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION REQUIRING IMMUNIZATION OF SCHOOL CHILDREN

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council pursuant to paragraph 4,  
2 Section 402, Reorganization Plan No. 3 of 1967 is empowered to enact  
3 regulations concerning the health and general welfare; and

4  
5 WHEREAS, pursuant to Section 6-118 D. C. Code (1967 edition) and  
6 paragraph 134, Section 402, Reorganization Plan No. 3 of 1967, the Council  
7 is empowered to issue regulations to prevent and control the spread of  
8 communicable diseases.

9  
10 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
11 that:

12  
13 Section 1. Each child admitted into the public or private schools,  
14 either kindergarten or the first grade as the case may be, shall have been  
15 immunized or otherwise protected against measles, poliomyelitis, tetanus,  
16 and diphtheria.

17  
18 Section 2. Each child admitted to a public school either kindergarten  
19 or the first grade as the case may be, shall have been tested for sickle cell  
20 anemia.

21  
22 Section 3. No vaccination, immunization or medical test shall be  
23 required of any child whose parent or guardian objects thereto in writing on  
24 grounds that such vaccination, immunization or medical test is contrary to

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS						HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON	X					ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 2, 1971

Adopted on second and final reading May 2, 1972

Presented to the Mayor-Commissioner May 3, 1972

Approved [Signature]  
Mayor-Commissioner

[Signature]  
Secretary of the City Council  
**MAY 5 1972**  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein  
[Signature]  
Acting Secretary of the City Council

REGULATION 72-9

1 his religious teachings and practices , nor shall such immunization or medical  
2 tests be required in the case where a medical doctor certifies in writing that  
3 medical contraindications are present.

4  
5 Section 4. The Director of the Department of Human Resources or any  
6 successor thereto shall develop and implement such plans or policies necessary  
7 to insure that such immunization and testing required by this regulation is  
8 accomplished so as not to interfere with the normal school attendance; provided  
9 that such immunization and testing is done without fee or charge and further  
10 provided that such immunization and testing is accomplished at the earliest age  
11 as is medically prudent and feasible. Further, the Director shall develop and  
12 implement a program of sickle cell anemia testing or screening for students who  
13 are already in school as well as a program to assure the immunization and testing  
14 of students in preschool programs.

15  
16 Section 5. This regulation shall take effect September 1973, provided that  
17 should sufficient funds become available on an earlier date, the implementation  
18 of this regulation may be initiated at the direction of the Director of the  
19 Department of Human Resources.

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Regulation No. 72-10



May 27, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION GRANTING AN ENVIRONMENTAL LITTER CONTAINERS FRANCHISE TO PRIDE ENVIRONMENTAL SERVICES, INC. OF THE DISTRICT OF COLUMBIA

Vice-Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, by Regulation 71-33, dated November 12, 1971 and by the  
2 authorities referred to therein, the Council is authorized to grant a franchise to a  
3 private firm or firms to place environmental litter containers in public space and  
4 to place advertising thereon; and

5  
6 WHEREAS, Regulation 71-33 provides for the filing of applications for an  
7 Environmental Litter Containers Franchise following certification by the Director of  
8 the D. C. Department of Environmental Services of the City's need for environmental  
9 litter containers; and

10  
11 WHEREAS, the Council received a certification from the Director of the  
12 Department of Environmental Services of the City's need for 10,000 environmental  
13 litter containers and issued a notice published in the D. C. Register on November  
14 30, 1971, pursuant to Regulation 71-33, inviting members of the public to submit  
15 applications for an Environmental Litter Containers Franchise, within a thirty day  
16 period specified in the notice; and

17  
18 WHEREAS, pursuant to Regulation 71-33, on January 20, 1972 the Council  
19 held a public hearing on the application for an Environmental Litter Containers  
20 Franchise filed by Pride Environmental Services, Inc., and at this hearing received  
21 a report from the Department of Environmental Services that the application met all  
22 of the terms and conditions of Regulation 71-33 and the notice issued pursuant  
23 thereto:  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON				X		ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on May 9, 1972

Adopted on second and final reading May 16, 1972

Presented to the Mayor-Commissioner May 18, 1972

Robert S. Moore  
Acting Secretary of the City Council

Approved Charles Washington  
Mayor-Commissioner

MAY 27 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner \_\_\_\_\_ Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Robert S. Moore  
Acting Secretary of the City Council

1 WHEREAS, on February 14, 1972, the Council authorized an evaluation of the  
2 Pride litter container application which consisted of the placement of ten prototype  
3 containers on selected street corners and their servicing by the Department of  
4 Environmental Services; and

5  
6 WHEREAS, on May 2, 1972, the Department of Environmental Services reported  
7 the successful completion of the evaluation of the Pride application in terms of  
8 public acceptance and use of the containers, ease in maintenance and service; and

9  
10 WHEREAS, the Council finds that the application of Pride Environmental  
11 Services, Inc., meets all of the terms and conditions of Regulation 71-33 for an  
12 Environmental Litter Container Franchise and that issuance of such a franchise to  
13 Pride Environmental Services, Inc., (PES) would be in the interest of the public  
14 health, safety and welfare of the residents of the District of Columbia; and

15  
16 WHEREAS, the purposes of this franchise are to secure on favorable economic  
17 terms for the District of Columbia a substantial increase in the number and quality  
18 of litter containers in public space in the District of Columbia, and to secure  
19 employment opportunities for residents of the District of Columbia. These purposes  
20 are to be achieved by authorizing PES, at its own expense, to place environmental  
21 litter containers in public space of the District of Columbia. In order that PES may  
22 finance this undertaking, PES is hereby given the exclusive franchise to place  
23 commercial advertising on the containers which are the subject of this franchise.

24 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

25  
26 Section 1. Duration and Effective Date.

27  
28 (a) This franchise shall be for a period of 15 years from the effective date  
29 hereof.

30  
31 (b) At the expiration of said term PES, if not then in default hereunder, shall  
32 have the privilege of renewing this franchise for another 15 years, upon the same  
33 terms and conditions as set forth herein, by giving written notice of its intention to  
34 renew twelve months prior to the expiration date.

35  
36 (c) This franchise shall date from the day on which the Department of  
37 Environmental Services (Agency) furnishes PES with written notice of design and  
38 specification approval provided for in Section 3 below, or written notice of  
39 placement approval as provided for in Section 2 below, whichever event occurs first.

40  
41 (d) This franchise shall for its term be the exclusive franchise for private  
42 enterprise maintenance in public spaces in the District of Columbia of environmental  
43 litter containers with commercial advertising thereon. Nothing herein shall prevent  
44 the Agency from maintaining any of the litter receptacles currently maintained and  
45 serviced by the city until such receptacles are discontinued, at which time they shall  
46 be replaced by containers which are the subject of this franchise agreement, provided,  
47 however, that no such public receptacles may contain commercial advertising. Nor  
48 shall anything herein prevent the Agency from maintaining litter containers, without  
49 commercial or public service advertising, in areas excluded from operation of this  
50 franchise pursuant to Section 2(b) or 2(c) below.

51  
52 (e) Upon the expiration of this term, or upon the expiration of the renewal  
53 term provided for herein, the containers then occupying the public space of the  
54 District of Columbia shall become the property of the District of Columbia without  
55 cost, provided that no new franchise is to be granted to a party other than PES, in  
56 which case Pride shall remove all of its containers from the public spaces of the  
57 District of Columbia without cost to the District of Columbia.

1        Section 2. Area of Application.

2  
3        (a) The containers which are the subject of this franchise shall be placed on all  
4 public sidewalks, along all highways, streets and thoroughfares in the District of  
5 Columbia, including entrances and exits of subway stations, and on station landings  
6 in the subways, in such specific locations as shall be approved by the Agency. The  
7 selection of locations and the establishment of priorities for placement of the  
8 containers shall be in accordance with a plan to be agreed upon by PES and Agency.  
9 Said selection of location and priority shall take into account, primarily, the various  
10 needs of different parts of the District of Columbia for litter receptacles in public  
11 spaces and secondly, the advertising market potential in different areas.

12  
13        (b) The Agency, however, shall have the right to exclude containers from (1)  
14 any street bordering on the grounds of the White House; (2) for any portion of  
15 Pennsylvania Avenue from the Capitol to the White House (except that containers may  
16 be located on the north side of Pennsylvania Avenue from the eastern border of 7th  
17 Street to the west border of 15th Street, but not in front of the FBI Building between  
18 the east side of 9th Street and the west side of 10th Street); (3) Lafayette Park; (4)  
19 Rock Creek Park; (5) the Zoological Park; (6) the Rock Creek and Potomac Parkways;  
20 (7) Potomac Park; (8) the Mall Park System; and (9) from the District known as "Old  
21 Georgetown, "described in 5 D. C. Code, Section 801-802 (except that containers  
22 may be placed on M Street from the east border of 26th Street to the west border of  
23 35th Street, and on both sides of Wisconsin Avenue from the south side of M Street  
24 to the north side of S Street).

25  
26        (c) In the event that such an agreement is not reached between PES and the  
27 Agency within 30 days after the effective date of this franchise, then the unresolved  
28 question, if any, as to the specific locations and the priority for placement of  
29 containers, shall be referred by the Agency and PES to the Housing and Urban  
30 Development Committee of the District of Columbia Council for final decision, which  
31 decision shall be forthcoming no later than 30 days after said referral, and the Agency  
32 shall give its written notice of placement and approval as to the locations and priority  
33 which have been agreed upon.

34        Section 3. Design and Specifications of Containers.

35  
36        The design and specification of containers must be approved by the Agency  
37 before any such containers are placed in the public space of the District of Columbia.  
38 The basic design and construction of the containers shall be in accordance with the  
39 drawings which are attached hereto as Attachment I, which design description shall  
40 serve as a guide to the Agency in determining whether to grant final approval to the  
41 container design. Approval of the design shall be set forth in writing to PES by the  
42 Agency.

43  
44        Section 4. Minor Modification of Design and Specification.

45  
46        If experience indicates that minor changes in the design or specification would  
47 facilitate more efficient collection of litter from the containers, and if the modification  
48 will not require changes in the tooling to manufacture the containers, PES shall, upon  
49 request from the Agency, make such minor modifications as may be necessary.

50  
51        Section 5. Number and Placement of Environmental Litter Containers.

52  
53        (a) Within 30 months of the effective date of this franchise, PES shall place no  
54 less than 10,000 environmental litter containers of approved design in the public space  
55 of the District of Columbia, at no expense to the District of Columbia, and PES shall  
56 for the duration of this franchise maintain such containers in good condition and shall  
57 replace damaged or stolen environmental litter containers. Such containers shall  
58 remain the property of PES, its successors or assigns subject to the provisions of  
59 Section 1(e).  
60

## REGULATION 72-10

---4 of 7---

1 (b) Within six months after approval either by the Agency or by the Council of  
2 the agreement provided for in Section 2 above, PES shall have in place a total of not  
3 less than 1,000 containers and shall have the right to place up to 2,000 containers  
4 in the public spaces in accordance with the approved plan. Within 12 months after  
5 said approval, PES shall have in place no less than 4,000 containers and shall have  
6 the right to place up to 5,000 containers in accordance with the approved plan.  
7 Within 30 months after approval, PES shall have in place not less than 10,000 litter  
8 containers in accordance with the approved plan. The time periods set forth in  
9 this Section 5(b) and in Section 5(a) may be extended by the Agency upon  
10 demonstration by PES to the satisfaction of the Agency that delay is occasioned by  
11 factors beyond the control of PES.

12 (c) Periodically, and not less than every 90 days, PES and the Agency shall  
13 confer to consider the number and placement of containers, to determine (1) the  
14 need for additional containers, and (2) the advisability of placing containers in  
15 public spaces more quickly than at the rate of 500 per month.

16 (d) If the Agency determines at any time that additional environmental litter  
17 containers are necessary in the excess of 10,000, PES shall furnish them as  
18 expeditiously as possible.

19 Section 6. Collection of Litter from Environmental Litter Containers.

20 It shall be the responsibility of the District of Columbia to collect litter from  
21 the environmental litter containers subject to the availability of appropriated funds  
22 to carry out this responsibility. No less than once a month, PES shall report to the  
23 Agency in sufficient detail to enable the Agency to schedule litter removal from the  
24 containers in an effective and efficient manner. PES shall sponsor education and  
25 promotional campaigns designed to promote citizen use of the containers.

26 Section 7. Advertising.

27 (a) PES and its sales representatives are hereby authorized to sell commercial  
28 advertising space on the containers. Each container shall contain on each of its  
29 four sides a 20-inch by 21-inch nonbreakable, nondiscoloring, all-weather plastic  
30 window into which standard advertising placards may be placed. Five percent of the  
31 total available advertising space shall be made available for public service  
32 advertisements, of which one-half shall be made available exclusively for public  
33 service advertisements by the District of Columbia government, provided that in no  
34 event shall such public service announcements appear on more than one side of the  
35 container. Public service announcements of the District of Columbia government  
36 will be placed in such areas as the Commissioner or his designee may, upon  
37 reasonable notice designate, to the extent that public service space is required to  
38 be made available to it under the terms of this Section 7 or Section 13.

39 (b) PES shall have the right to determine the specific content and form of the  
40 advertising copy which shall be placed on the containers. In no event, however,  
41 shall placards advertising tobacco products be displayed on more than 20% of the  
42 total spaces available on the environmental litter containers. No space on the  
43 containers shall be utilized for partisan political advertising or for editorial comments.

44 (c) Public service announcements of nonprofit, tax-exempt community  
45 organizations (including components of the United Givers Fund) will be placed upon  
46 the containers upon written request, on a nonpreferential basis, as space is  
47 available, to the extent that public service space is required under the terms of  
48 this franchise. Neither PES or any organization with which it is affiliated shall  
49 have any priority over the other applicants in obtaining space for public service  
50 announcements.

-5- of -7-

1 (d) The Commissioner is authorized to appoint an informal board of nine  
2 residents of the District of Columbia, one of whom shall represent each of the  
3 Agency's nine service areas throughout the city, for the purpose of hearing any  
4 complaints about the content of any advertising copy and for the purpose of  
5 determining the priorities for public service announcements referred to in Section  
6 7(c), above, provided that no public service announcement shall remain displayed  
7 on any container for a continuous period of thirty days. Upon the receipt of a  
8 written complaint from any resident that any advertising is offensive, the Director  
9 shall convene the board as promptly as possible and receive testimony from the  
10 complainant and from PES and its advertising agency, to determine if in fact the  
11 advertising is offensive judged by current community standards. If the board  
12 rules in favor of the complainant, PES shall remove the advertising matter within  
13 72 hours from the receipt of his decision.

14 Section 8. Operation, Maintenance and Supervision.

15  
16 PES shall at all times maintain containers in good condition and shall perform  
17 such cleaning, repainting, maintenance, repair and replacement thereof and shall be  
18 required. PES shall be responsible for inserting and replacing advertising copy on  
19 the containers.  
20

21 Section 9. Provisions Regarding Employment.

22  
23 PES shall employ a sufficient number of residents of the District of Columbia  
24 to permit daily inspection and servicing of each container.  
25

26 Section 10. Indemnification.

27  
28 PES shall indemnify and hold harmless the District from and against any liability  
29 of any kind arising out of the performance of this franchise or the maintenance of the  
30 containers in public space. PES shall carry public liability insurance providing  
31 protection to the extent of \$100,000 per injury or \$300,000 per accident.  
32

33 Section 11. Settlement of Disputes.

34  
35 (a) If a majority of the bona fide residents of a particular block within the  
36 District of Columbia (which is zoned residential and which is occupied primarily by  
37 residents) object to the location of containers in said block, they may file a written  
38 petition with the Director of the Agency. The Director shall hold a meeting in that  
39 neighborhood as soon as possible, at which PES and representatives of the objectors  
40 attend. If a majority of the said residents present at the meeting are not satisfied  
41 after the discussion, the containers in that block shall be removed by PES and placed  
42 in some other area to be chosen by PES and the Agency.  
43

44  
45 (b) All disputes between the Agency and PES which are not settled by the  
46 parties, with respect to modifications of the design of the containers and performance  
47 by PES of the terms of this franchise, shall be referred for decision to the District  
48 of Columbia Council.  
49

50 Section 12. Termination of Franchise.

51  
52 In the event of violations of the franchise by PES, which continue after written  
53 notice of default and after PES has been afforded reasonable opportunity to correct such  
54 default, or in the event of the bankruptcy of PES, the Agency may petition the Council  
55 to terminate the franchise. Said petition shall set forth in detail the reasons for the  
56 proposed termination and shall be delivered to PES. PES shall have the opportunity to  
57 reply to the petition within 20 days of the receipt thereof. The Council shall hold a  
58 public hearing within 30 days of receipt of the petition. If after the hearing the  
59 Council determines that the public interest would best be served by termination of the  
60 franchise, it may notify PES that the franchise will be terminated 120 days after

1 receipt by PES of said notice. If the Council determines that the public interest  
2 would best be served by compelling compliance, it may seek a court order to compel  
3 PES to fully perform the terms of this franchise.

4  
5 Section 13. Financial Provisions.

6  
7 (a) There are hereby imposed upon PES the following franchise fees:

8  
9 (1) For the first 12 months after all 10,000 containers have  
10 been placed in the public space, PES shall pay, at the end of said  
11 year, a fee of \$5 for each container. At the end of the second 12  
12 months, a fee of \$6 per container. At the end of the third 12  
13 months, \$7 per container. At the end of the fourth 12 months, \$8  
14 per container. At the end of the fifth 12 months, \$9 per container.  
15 At the end of the sixth year, and at the end of each year thereafter,  
16 \$10 per year per container.

17  
18 (2) In lieu of the aforesaid fees, the Agency may provide  
19 that for any period specified, PES shall make available up to  
20 7-1/2% (in addition to the 5% provided for in Section 7 above) of  
21 the total available advertising space for public service  
22 advertisements provided the Agency notifies PES in writing six  
23 months in advance. Of the total 12-1/2% of the advertising  
24 space made available under this option, 10% shall be for public  
25 service advertisements of the District of Columbia Government  
26 and 2-1/2% shall be for other public service advertisements.

27  
28 (3) At its election, upon six months' advance written  
29 notice, the Agency may require that in any given 12-month period  
30 PES shall pay 1/2 of the franchise fee prescribed in Section 13(a)  
31 (1) above, and in addition shall make available 4% (in addition to  
32 the 5% provided for in paragraph 7) of the total available advertising  
33 space for public service advertisements. Of the total 9% of the  
34 advertising space made available under this option, 6-1/2% shall  
35 be for public service advertisements of the District of Columbia  
36 Government and 2-1/2% shall be for other public service  
37 advertisements.

38  
39 (4) Notwithstanding the above provisions, at the end of the  
40 first ten-year period of the franchise, the Council reserves the right  
41 to review the financial provisions set forth in this section and,  
42 following due notice to PES, to renegotiate the financial obligations  
43 imposed herein, in annual increments up to a maximum amount of \$12  
44 per container, or 20% of all advertising space available on litter  
45 containers covered by the franchise for public service announcements,  
46 or a combination thereof.

47  
48 (b) As further security for the performance by PES of its obligations hereunder,  
49 PES shall deposit into an escrow account, every three months, beginning six months  
50 after the effective date of this franchise, a sum equal to 1/10 of one percent of its  
51 gross revenues until said fund reaches a total of \$100,000. Said fund shall be  
52 maintained at such depositories as may be designated by the Commissioner of the  
53 District of Columbia. Interest on such accounts shall accrue to the benefit of PES.  
54 Said fund shall be used to reimburse the District of Columbia for any financial loss  
55 incurred by reason of a default by PES hereunder, or for the cost of removing  
56 containers from the public spaces if PES does not remove them when required to do  
57 so or when its franchise hereunder is terminated. Upon the expiration of the term  
58 or the renewed term, the unobligated sum on deposit shall be returned to PES.  
59  
60

1 Section 14. Miscellaneous Provisions.

2  
3 (a) Assignment.

4  
5 (1) To facilitate the financing of the acquisition of the environmental  
6 litter containers, PES may hypothecate this franchise for collateral security  
7 purposes to a financially responsible reputable lending institution which  
8 makes such a loan, if it is required to do so.

9  
10 (2) The franchise granted hereunder to PES may in no circumstances  
11 be transferred or assigned to any other individual, person or business  
12 entity, public or private, profit or nonprofit in nature.

13 Section 15. Acceptance of Franchise.

14  
15 Within 15 days of the effective date of this regulation, PES shall indicate its  
16 acceptance of this franchise by signing, through its duly authorized officer or agent,  
17 a copy of the franchise and delivering the same to the Commissioner.  
18

19 Section 16. Effective Date.

20  
21 This regulation shall take effect immediately upon enactment.  
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Regulation No. 72-11



June 16, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

AMENDMENTS TO HOUSING REGULATIONS OF THE DISTRICT OF COLUMBIA CONCERNING COMPLIANCE WITH FEDERAL RENT REGULATIONS

TITLE

Vice-Chairman Sterling Tucker  
Mr. Tedson J. Meyers Presents the following regulation:

1 WHEREAS, the District of Columbia Council held hearings concerning  
2 problems of compliance by District of Columbia landlords and tenants with the  
3 Federal Price Commission Rent Regulations; and

4  
5 WHEREAS, the Council finds that many tenants are unable to exercise  
6 their rights and duties under the Rent Regulations because they do not have  
7 access to these Regulations or summaries thereof; that many tenants are unable  
8 to contact the appropriate agent of their landlord concerning questions about rent  
9 determinations because of lack of knowledge about the proper person to contact,  
10 and;

11  
12 WHEREAS, the Council further finds that many tenants or prospective tenants  
13 are unable to determine the base rent schedules adopted by landlords because such  
14 schedules are not publicly available; and

15  
16 WHEREAS, it is the duty of the Council to enact regulations which will  
17 assist in the effective implementation of the Federal Rent Regulations; and

18  
19 WHEREAS, the amendments to the District of Columbia Housing Regulations  
20 set forth below are deemed necessary for the protection of the health, welfare and  
21 safety of all persons and property in the District of Columbia.

22  
23 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON	X					ROBINSON				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on May 16, 1972

Adopted on second and final reading June 6, 1972

Presented to the Mayor-Commissioner June 7, 1972

Approved [Signature] Mayor-Commissioner      [Signature] Acting Secretary of the City Council  
Date \_\_\_\_\_ Date JUN 16 1972

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date \_\_\_\_\_

Disapproved and returned to the City Council \_\_\_\_\_ Mayor-Commissioner \_\_\_\_\_ Date \_\_\_\_\_

Readopted \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
[Signature] Acting Secretary of the City Council

1        Section 1. The Housing Regulations of the District of Columbia are hereby  
2 amended to provide an Article 295 as follows:

3  
4                "Article 295 - Local Compliance with Federal  
5                Rent Regulations

6  
7        Section 2950. Notice of Federal Rent Regulations.

8  
9        (a) Within thirty (30) days of enactment of this provision, the owner,  
10 agent or licensee of each dwelling unit shall provide each tenant with  
11 a copy of the form notice of rental increases prescribed by the Federal  
12 Price Commission and shall make available to each tenant on request  
13 a copy of the Federal Price Commission Rent Regulations. Thereafter,  
14 such information shall be provided to each new tenant within thirty  
15 (30) days of occupancy.

16  
17        (b) Failure of an owner, agent or licensee to comply with this section  
18 shall constitute grounds for suspension or cancellation of owner's,  
19 agent's or licensee's housing license.

20  
21        Section 2951. Notice of Identity of Owner and Agent.

22  
23        (a) Within thirty (30) days of enactment of this provision, the owner,  
24 agent or licensee of each dwelling unit shall mail to each tenant written  
25 notice of the name, address and telephone number of the owner, his  
26 authorized agent, and such person or persons authorized to respond to  
27 tenant inquiries, and shall mail to each tenant written notice of any  
28 change in such information within ten (10) days of such change. Such  
29 notice shall be provided to each new tenant at the time the tenant takes  
30 possession of the leased premises.

31  
32        (b) Failure of an owner, agent or licensee to comply with this section  
33 shall constitute grounds for suspension or cancellation of owner's,  
34 agent's or licensee's housing license.

35  
36        Section 2952. Notice of Rent Schedules.

37  
38        (a) Within thirty (30) days of enactment of this provision, the owner,  
39 agent or licensee of each dwelling unit shall post in a conspicuous  
40 place in his rental offices and in the entrance area of each multiple-  
41 family dwelling a schedule of rents applicable to each category of  
42 unit leased or to be leased and shall thereafter amend such schedules  
43 to reflect any changes in rents or new units offered for occupancy,  
44 within forty-eight (48) hours of such change.

45  
46        (b) Failure of an owner, agent or licensee to comply with this section  
47 shall constitute grounds for suspension or cancellation of the owner's,  
48 agent's or licensee's housing license."

49  
50        Section 2. Effective Date.

51  
52        This Regulation shall take effect immediately. Section 2950 shall terminate  
53 when the Rent Stabilization Regulations of the Federal Price Commission have no  
54 further force or effect.



Regulation No. 72-12

July 7, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE AIR QUALITY CONTROL REGULATIONS

Mr. Henry K. Willard, II Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that the preservation and  
2 enhancement of the air quality of the District of Columbia is fundamental in this  
3 city to all forms of life; and

4 WHEREAS, the Congress has enacted the Clean Air Act of 1970, and has  
5 empowered the District of Columbia Council to make regulations for the control  
6 of harmful emissions into the District's atmosphere, and

7  
8 WHEREAS, the District of Columbia Council desires that the city comply  
9 with national and local ambient air quality goals, and

10  
11 WHEREAS, it is necessary to consolidate, revise, and extend upon current  
12 air quality control regulations so as to improve their administration and their  
13 enforcement, provide the public with protection from air pollution emergencies,  
14 and to provide for cooperation with other regional governmental authorities.

15  
16 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

17  
18 Section 1. The regulations set forth as Appendix A of this regulation are  
19 hereby adopted as the Air Quality Control Regulations of the Rules and Regulations  
20 of the District of Columbia, and shall be so indexed as is deemed appropriate by  
21 the Commissioner for their orderly arrangement within the District of Columbia  
22 Rules and Regulations, maintained by him.

23  
24 Section 2. This regulation shall take effect immediately upon enactment.

### RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON	X					ROBINSON	X										

X—Indicates Vote    A. B.—Absent    N. V.—Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 6, 1972

Adopted on second and final reading June 20, 1972

Presented to the Mayor-Commissioner June 27, 1972

Approved *Robert S. Moore*  
Mayor-Commissioner

*Robert S. Moore*  
Acting Secretary of the City Council

**JUL 7 1972**  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_ Date  
Mayor-Commissioner

Readopted \_\_\_\_\_ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
*Robert S. Moore*  
Acting Secretary of the City Council

APPENDIX A

TITLE 8 - HEALTH REGULATIONS

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SECTION

SUBJECT

8-2:701	Purpose and Scope
8-2:702	Definitions
8-2:703	Abbreviations
8-2:704	Use of Certain Fuel Oils Forbidden
8-2:705	Use of Certain Coal Forbidden
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8-2:708	Fuel-Burning Particulate Emission
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8-2:729	Construction of Regulations
8-2:730	Independence of Sections
8-2:731	Effective Date

1 Section 8-2:701. PURPOSE AND SCOPE.

2  
3 (a) Purpose. The purpose of this regulation is to prevent or minimize  
4 emissions as defined herein into the atmosphere and thereby protect and enhance the  
5 quality of the District's air resources so as to promote the public health and welfare  
6 of the people of the District of Columbia, and to enhance and improve the environment.

7  
8 (b) Scope. This regulation shall apply to all operations in the District,  
9 including Federal operations, where consistent with the terms of the Clean Air Act  
10 (42 U.S.C. § 1857 to 1857 1), as amended, and regulations promulgated thereunder,  
11 the District of Columbia Air Pollution Control Act (D. C. Code, § 6-811 to 6-813),  
12 and Executive Order No. 11507, February 4, 1970 (35 F. R. 2573) entitled,  
13 "Prevention, Control, and Abatement of Air and Water Pollution at Federal Facilities".

14 Section 8-2:702. DEFINITIONS.

15  
16 As used in this regulation, the following terms shall have the meaning ascribed  
17 unless the context clearly indicates a different meaning:

18  
19 Act: The District of Columbia Air Pollution Control Act (82 Stat. 458;  
20 D. C. Code, § 6-811 to 6-813; Public Law 90-440).

21  
22 Air Pollutant: Dust, fumes, gas, mist, smoke, vapor, odor, particulate  
23 matter, or any combination thereof, except that such term shall not include  
24 uncombined water in the atmosphere unless it presents a safety hazard.

25  
26 Air Pollution: The presence in the outdoor atmosphere of one or more air  
27 pollutants in sufficient quantities and of such characteristics and duration as  
28 are likely to be injurious to public welfare, to the health of human, plant or  
29 animal life, or to property, or which interferes with the reasonable enjoyment  
30 of life and property.

31  
32 Air Quality Standard of the District of Columbia: The primary or secondary  
33 ambient air quality standard adopted by the Commissioner, and approved by the  
34 Environmental Protection Agency of the United States (EPA).

35  
36 Commissioner: The Commissioner of the District of Columbia, or his  
37 designated agents.

38  
39 Control Device: Any device which has as its primary function the control  
40 of emissions from fuel burning, refuse burning, or from a process, and thus  
41 reduces the creation of, or the emission of, air pollutants into the atmosphere,  
42 or both.

43  
44 District: The District of Columbia.

45  
46 Emission: The act of releasing or discharging air pollutants into the  
47 outdoor atmosphere from any source.

48  
49 Episode Stage: A level of air pollution in excess of the ambient air quality  
50 standard which may result in an imminent and substantial danger to public health  
51 or welfare. This term shall include alert, warning, and emergency stages.

52  
53 Existing Source: Equipment, machines, devices, articles, contrivances,  
54 or installations which are under construction or in operation on the effective  
55 date of this regulation, except that any existing equipment, machine, device,  
56 article, contrivance, or installation which is altered, replaced, or rebuilt  
57 after the effective date of this regulation shall be defined as a new source.  
58  
59  
60

## REGULATION 72-12

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1        Fossil Fuel: Natural gas, petroleum, coal, and any form of solid, liquid,  
2 or gaseous fuel derived from such materials.

3        Fossil Fuel Fired Steam Generating Unit: A furnace or boiler, or combination  
4 of furnaces or boilers connected to a common stack, used in the process of  
5 burning fossil fuel for the primary purpose of producing steam by heat transfer.  
6

7        Fuel Burning Equipment: Any furnace, boiler, apparatus, stack, and all  
8 appurtenances thereto, used in the process of burning fuel for the primary  
9 purpose of producing heat or power by indirect heat transfer.  
10

11        Fugitive Dust: Solid, airborne particulate matter emitted from any source  
12 other than through a stack.  
13

14        Incinerator: Any furnace used in the process of burning solid waste for the  
15 primary purpose of reducing the volume of the waste by removing combustible  
16 matter.  
17

18        Modification: Any physical change in, or change in the method of operation  
19 of, a stationary source which increases, or decreases the amount of any air  
20 pollutant emitted by such facility, or which results in the emission of any air  
21 pollutant not previously emitted, except that such term shall not include the  
22 following:  
23

24            (a) Routine maintenance, repair, replacement;

25            (b) An increase in the production rate, if such increase does  
26 not exceed the operating design capacity of the affected facility;  
27

28            (c) An increase in hours of operation, if such increase does  
29 not exceed the operating design capacity of the facility;  
30

31            (d) Use of an alternative fuel or raw material if, prior to the  
32 date any standard under this part becomes applicable to such  
33 facility, the affected facility is designed to accommodate such  
34 alternative use.  
35  
36

37        Multiple Chamber Incinerator: Any incinerator consisting of three or more  
38 refractory lined combustion chambers in series, physically separated by  
39 refractory walls, interconnected by gas passage ports or ducts and employing  
40 adequate design parameters necessary for maximum combustion of the material  
41 to be burned. The combustion chamber shall include as a minimum, one  
42 chamber principally for ignition, one chamber principally for mixing, and one  
43 chamber for combustion.  
44

45        New Source: Equipment, machines, devices, articles, contrivances, or  
46 installations built or installed on or after the effective date of this regulation,  
47 or existing at such time which are later altered, repaired, or rebuilt. Any such  
48 equipment, machines, devices, articles, contrivances, or installations, moved  
49 to a new address, or operated by a new owner, or a new lessee, after the  
50 effective date of this regulation, shall be considered a new source.  
51

52        Odor: That property of an air pollutant which affects the sense of smell.  
53

54        Opacity: A state which renders material partially or wholly impervious to  
55 rays of light and causes obstruction of an observer's view.  
56

57        Organic Solvents: Volatile organic compounds which are liquids at standard  
58 conditions, and which are used as solvers, viscosity reducers, or cleaning  
59 agents.  
60

1        Particulate Matter: Any finely divided material which exists as a liquid or  
 2 solid under standard conditions, with the exception of uncombined water.

3  
 4        Person: Includes individuals, firms, partnerships, companies, corporations,  
 5 trusts, associations, organizations, or any other private or public entities.

6  
 7        Process: Any action, operation, or treatment of materials, including  
 8 handling and storage thereof, which may cause the discharge of an air pollutant,  
 9 or pollutants, into the atmosphere, excluding fuel burning and refuse burning.

10        Process Weight: The total weight in pounds of all materials introduced into  
 11 any specific process.

12  
 13        Process Weight Per Hour: The process weight divided by the number of hours  
 14 in one complete operation, excluding any time during which equipment is idle.

15  
 16        Smoke: Small gas-borne particles resulting from incomplete combustion,  
 17 consisting predominantly, but not exclusively, of carbon, ashes, or other  
 18 combustible material.

19  
 20        Solid Waste: Refuse, more than 50 percent of which is waste consisting  
 21 of a mixture of paper, wood, yard wastes, food wastes, plastics, leather,  
 22 rubber, and other combustibles, and noncombustible materials such as glass  
 23 and rock.

24  
 25        Source: Any property, real or personal, which emits or may emit any air  
 26 pollutant.

27  
 28        Stack: Any chimney, flue, conduit, or duct arranged to conduct emissions  
 29 to the outdoor atmosphere.

30  
 31        Standard Conditions: A dry gas temperature of 70° Fahrenheit and a gas  
 32 pressure of 14.7 pounds per square inch absolute.

33  
 34        Stationary Source: Any building, structure, facility, or installation which  
 35 emits or may emit air pollutants.

36  
 37        Submerged Fill Pipe: Any fill pipe, the discharge opening of which is  
 38 entirely submerged when the liquid level is 6 inches above the bottom of the  
 39 tank. This term shall also include, when applied to a tank which is loaded  
 40 from the side, a fill pipe adequately covered at all times during normal working  
 41 of the tank.

42  
 43        Volatile Organic Compounds: Any compound containing carbon and hydrogen  
 44 or containing carbon and hydrogen in combination with any other element which  
 45 has a vapor pressure of 1.5 pounds per square inch absolute or greater under  
 46 actual storage conditions.

47  
 48        Section 8-2:703. ABBREVIATIONS. As used in this regulation, the following  
 49 abbreviations shall have the meaning described below:

- 50  
 51        B.T.U. - British thermal unit.  
 52        cal. - calorie(s).  
 53        CO - Carbon Monoxide.  
 54        g. - gram(s).  
 55        lb. - pound(s).  
 56        No. - number.  
 57        % - percent.  
 58        NO<sub>2</sub> - Nitrogen Dioxide.  
 59        SO<sub>2</sub> - Sulphur Dioxide.  
 60

- 1 hr. - hour(s).
- 2 ppm - parts per million.
- 3 Hi-Vol. - high volume samples.
- 4 CoH<sub>s</sub> - coefficient of haze.
- 5 ug/m<sup>3</sup> - microgram(s) per cubic meter.
- 6 ° - degree.
- 7 max. - maximum.
- 8 U.L. - Underwriters Laboratories located at
- 9 207 East Ohio Street
- 10 Chicago, Illinois 60611

11 Section 8-2:704. USE OF CERTAIN FUEL OILS FORBIDDEN.

12 No person shall purchase, sell, offer for sale, store, transport, use, cause  
 13 the use of, or permit the use of, fuel oil which contains more than 1% sulfur by  
 14 weight in the District, if such fuel oil is to be burned in the District.  
 15

16 On and after July 1, 1975, the sulfur content of such fuel oil shall not exceed  
 17 0.5% by weight.  
 18

19 Section 8-2:705. USE OF CERTAIN COAL FORBIDDEN.

20 No person shall purchase, sell, offer for sale, store, transport, use, cause  
 21 the use of, or permit the use of coal which contains more than 1% sulfur by weight  
 22 in the District, if such coal is to be burned in the District. On and after July 1,  
 23 1975, the sulfur content of such coal shall not exceed 0.5% by weight: Provided,  
 24 That when the Commissioner certifies in writing that the combustion-gas-  
 25 desulfurization system used at a stationary source results in sulfur oxide emission  
 26 no greater than the emissions normally resulting from the burning of coal with 1%  
 27 sulfur content and, after July 1, 1975, with 0.5% sulfur content, coal of a higher  
 28 sulfur content may be burned at such stationary source. Application for a  
 29 certification shall be made in writing to the Commissioner by the owner or operator  
 30 of such stationary source and, upon presentation to a seller of such certification, a  
 31 copy of which shall be retained by the seller, the sale, purchase, and transportation  
 32 of such coal shall be permitted.  
 33

34 Section 8-2:706. NITROGEN OXIDE EMISSIONS.

35 (a) Designation of Affected Facilities. This section shall apply to fossil  
 36 fuel-fired steam generating units of more than 100,000,000 B.T.U. per hour heat  
 37 input.  
 38

39 (b) Standard of Nitrogen Oxides. No person shall discharge, or cause the  
 40 discharge into the atmosphere of nitrogen oxides in excess of the emission limits  
 41 set forth hereinafter in Appendix No. 3.  
 42

43 Section 8-2:707. CONTROL OF ORGANIC COMPOUNDS.

44 (a) Storage of Volatile Organic Compounds in Containers of 40,000 Gallon  
 45 Capacity. On and after February 1, 1973, no person shall install, place, store, or  
 46 hold in any stationary tank, reservoir, or other container of more than 40,000  
 47 gallons capacity, any volatile organic compounds, unless such tank, reservoir, or  
 48 other container is a pressure tank capable of maintaining working pressure sufficient  
 49 at all times to prevent vapor or gas loss to the atmosphere, or is designed and  
 50 equipped with a vapor loss control device approved by the Commissioner.  
 51

52 (b) Storage of Volatile Organic Compounds in Containers of 250 Gallon  
 53 Capacity. On and after February 1, 1973, no person shall install, place, store,  
 54 or hold in any stationary storage vessel of more than 250 gallon capacity, any  
 55  
 56  
 57  
 58  
 59  
 60

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1 volatile organic compound, unless such vessel is equipped with a permanent submerged  
2 fill pipe, or is a pressure tank, or is fitted with a vapor recovery system, or is an  
3 equivalent system approved by the Commissioner.

4  
5 (c) Loading Facilities for Volatile Organic Compounds. On and after February  
6 1, 1973, no person shall load any volatile organic compounds into any tank, truck, or  
7 trailer from any loading facility, unless such loading facility is equipped with a vapor  
8 collection and disposal system, or its equivalent approved by the Commissioner. In  
9 those instances where loading is effected through means other than hatches, all  
10 loading and vapor lines shall be equipped with fittings which make vapor-tight  
11 connections and which close automatically when disconnected.

12 (d) Pumps and Compressors. All pumps and compressors handling volatile  
13 organic compounds shall have mechanical seals or other equivalent equipment approved  
14 by the Commissioner.

15  
16 (e) Waste Gas Disposal from Ethylene Producing Plant. No person shall cause,  
17 suffer, or allow the emission of a waste gas stream from any ethylene producing plant,  
18 or source utilizing ethylene as a raw material, into the atmosphere in excess of 20  
19 pounds per 24-hour period, unless the waste gas stream is properly burned at 1,300°  
20 Fahrenheit for 0.3 of a second or longer in a direct-flame after-burner, or is removed  
21 by a method of comparable efficiency approved by the Commissioner.

22  
23 (f) Waste Gas Disposal from Vapor Blow-Down System. No person shall emit  
24 hydrocarbon gases into the atmosphere from a vapor blow-down system, unless these  
25 gases are burned by smokeless flares, or an equally effective control device approved  
26 by the Commissioner, but this subsection shall not apply to accidental or emergency  
27 emissions of hydrocarbons needed for safe operation of equipment and processes.

28  
29 (g) Organic Solvents. No person shall discharge more than 3 pounds per hour  
30 or a total of 15 pounds of organic materials into the atmosphere in any 24-hour period  
31 from any equipment in which organic solvents, or material containing organic solvents,  
32 comes into contact with flame, or is baked, heat-cured, or heat-polymerized in the  
33 presence of oxygen.

34  
35 Section 8-2:708. FUEL-BURNING PARTICULATE EMISSION.

36  
37 No person shall cause, suffer, or allow to be emitted into the outdoor atmosphere  
38 from any fuel-burning equipment or premises, or to pass from a stack, particulate  
39 matter in flue gases which exceeds 0.13 pounds per 1,000,000 B.T.U. heat input for  
40 installations using less than 3,500,000 B.T.U. per hour total input. For installations  
41 using more than 3,500,000 B.T.U. per hour total input, the particulate emission  
42 limitation shall decrease as the rate of heat input increases, according to the scales  
43 in Figure No. 1, contained hereinafter in Appendix No. 1.

44  
45 Section 8-2:709. INCINERATORS.

46  
47 (a) Single Chamber and Flue-Fed Incinerators. The use of single chamber and  
48 flue-fed incinerators is prohibited. No person shall be permitted to use an incinerator  
49 unless it is of multiple chamber design, and otherwise in compliance with this  
50 regulation.

51  
52 (b) Incinerators Built Before Prohibition is Effective. No person shall commence  
53 operation of any new incinerator after enactment of this regulation which emits more  
54 than 0.03 grains of particulate matter per standard dry cubic foot of exhaust gas  
55 (maximum two-hour average) corrected to 12% carbon dioxide.

56  
57 (c) Existing Incinerators. After July 4, 1973 no person shall continue use of  
58 any incinerator which is in existence at the time of enactment of these regulations  
59  
60

1 which incinerator is of more than 400 pounds per hour capacity, or which emits more  
2 than 0.08 grains of particulate matter per standard dry cubic foot of exhaust gas  
3 (maximum two-hour average) corrected to 12% carbon dioxide.

4  
5 (d) New Incinerators Prohibited. After July 4, 1975, no new incinerator shall  
6 commence operation except where the Commissioner shall find that any other system  
7 of waste disposal would endanger the public health.

8  
9 (e) Municipal Incineration Prohibited. Operation of any District owned,  
10 operated, or contracted for solid waste disposal incinerator within the District of  
11 Columbia of more than 50 tons per day capacity of solid waste is prohibited. Except  
12 as is specified in the text of this regulation as adopted, no variance may be granted  
13 with respect to this sub-section.

14  
15 (f) Hours of Operation. No person shall operate or cause or permit the operation  
16 of any incinerator at any time other than between the hours of 10:00 a.m. and 4:00 p.m.  
17 This restriction shall not apply to incinerators having a refuse-burning capacity of five  
18 (5) tons per hour or more.

19 Section 8-2:710. PROCESS EMISSIONS.

20  
21 (a) Particulates. No person shall cause, suffer, or allow discharge of  
22 particulate matter into the atmosphere from any process which exceeds the emission  
23 limits set forth in the table contained hereinafter as Appendix No. 2. On and after  
24 July 1, 1972, such allowable limits shall not exceed 0.03 grains per standard dry  
25 cubic foot of exhaust gas. Where the process or the design of equipment is such as  
26 to permit more than one interpretation of this section, the interpretation that results  
27 in the minimum value of allowable emissions shall apply. Adding diluted air to the  
28 exhaust gas stream for the purpose of complying with the provisions of this subsection  
29 is prohibited.

30  
31 (b) Sulfur Oxides. No person shall cause, suffer, or allow discharges into the  
32 atmosphere of sulfur oxides calculated as sulfur dioxide, in excess of 0.05% by  
33 volume.

34  
35 Section 8-2:711. OPEN BURNING.

36  
37 (a) Prohibition of Open Burning. Except as otherwise provided by subsection  
38 (b), no person shall ignite, cause to be ignited, permit to be ignited, or maintain, any  
39 open fire.

40  
41 (b) Exceptions. Open fires may be permitted for one or more of the following  
42 reasons or purposes:

43  
44 (1) The performance of an official duty by any public health or public  
45 safety officer, after notification to the Commissioner;

46  
47 (2) Prevention of a fire hazard which cannot be abated by other means;

48  
49 (3) Instruction of public fire fighters under the supervision of a  
50 designated fire marshal;

51  
52 (4) Recreational purposes, including the cooking of food for human  
53 consumption on other than commercial premises; or

54  
55 (5) Providing warmth for construction or other workers by use of  
56 salamander heaters or other heating devices approved by the Commissioner.  
57  
58  
59  
60

1 Section 8-2:712. CONTROL OF FUGITIVE DUST.

2 No person shall cause, suffer, allow, or permit any materials to be handled,  
3 transported, or stored; or a building, its appurtenances, or a road, to be used,  
4 constructed, altered, repaired, or demolished without taking reasonable precautions  
5 to prevent particulate matter from becoming airborne. Such reasonable precautions  
6 shall include, but are not limited to, the following:  
7

8 (a) Use, where possible, of water or chemicals for control of dust in  
9 the demolition of existing buildings or structures, construction operations,  
10 the grading of roads, or the clearing of land;  
11

12 (b) Application of asphalt, oil, water, or suitable chemicals on dirt  
13 roads, materials, stockpiles, or other surfaces which can create airborne  
14 dusts;  
15

16 (c) Installation and use of hoods, fans, and fabric filters to enclose  
17 and vent the handling of dusty materials, and employment of adequate  
18 containment methods during sandblasting or similar operations;  
19

20 (d) Covering, at all times when in motion, the contents of open  
21 bodied trucks transporting materials likely to become airborne;  
22

23 (e) Paving of roadways and their maintenance in a clean condition; and  
24

25 (f) Prompt removal of earth or other material from a paved street, where  
26 the earth or other material has been transported thereto or accidentally deposited  
27 by trucking or earth moving equipment or erosion by water.  
28

29 Section 7-2:713. VISIBLE EMISSIONS.

30  
31 Except as otherwise provided in this regulation, no person shall cause, suffer,  
32 or allow to be emitted into the outdoor atmosphere, visible emissions from  
33 stationary sources: Provided, That discharges not exceeding 40% opacity shall be  
34 permitted for 4 minutes in any 60 minute period and for an aggregate of 24 minutes  
35 in any 24 hour period until August 31, 1973. These discharges shall be allowed  
36 only for "start-up", cleaning, soot blowing, and/or adjusting combustion controls  
37 of boilers. Where the presence of uncombined water is the only reason for failure  
38 of an emission to meet the requirements of this section, this section shall not be  
39 applicable. The provisions of this section shall not apply to visible emissions from  
40 interior fireplaces, or from sources set forth in Section 8-2:711(b).  
41

42 Section 8-2:714. EXHAUST EMISSIONS.

43  
44 (a) Gasoline Powered Motor Vehicles. No person shall cause, suffer, or allow  
45 visible smoke emissions from the engines or exhaust systems of gasoline powered  
46 motor vehicles.  
47

48 (b) Diesel Powered Motor Vehicles. No person shall cause, suffer, or allow  
49 visible smoke emissions from the engines or exhaust systems of diesel powered  
50 motor vehicles, except that emissions of 20% equivalent opacity shall be permitted  
51 for not more than 5 consecutive seconds.  
52

53 (c) Engine Idling. No person, nor his servants or agents, shall cause, suffer,  
54 permit or allow the engine of a gasoline, or diesel powered motor vehicle including  
55 private passenger vehicles, on public or private space to idle for more than 3 minutes  
56 while such motor vehicle is parked, stopped or standing, except as follows:  
57  
58  
59  
60

1 (1) To permit the operation of power takeoff equipment such as but  
 2 not limited to dumping, cement mixers, refrigeration systems, content  
 3 delivery, winches, or shredders.

4 (2) To permit the operation for 15 minutes of air conditioning  
 5 equipment on buses with an occupancy of 12 or more persons.  
 6

7 (3) To permit the operation of heating equipment when the local  
 8 temperature is 32° Fahrenheit or below.  
 9

10 (d) Lead Content Reduction. After July 4, 1974, all gasoline service stations  
 11 shall offer for sale at least one grade of regular gasoline which contains no more  
 12 than .03 gram of lead per gallon. After January 1, 1974 no gasoline containing  
 13 more than 2.0 grams of lead per gallon shall be sold. After January 1, 1976 no  
 14 gasoline containing more than 1.0 grams of lead per gallon shall be sold.  
 15

16 Section 8-2:715. ODOROUS OR OTHER AIR POLLUTANTS.  
 17

18 (a) Injurious Pollutants. No person shall cause, suffer, or allow an emission  
 19 into the atmosphere of odorous or other air pollutants from any source in such  
 20 quantities and of such characteristics and duration as is, or is likely to be injurious  
 21 to the public health or welfare, or which interferes with the reasonable enjoyment  
 22 of life and property.  
 23

24 (b) Odor Violations. The emission of an odor shall be deemed a violation when  
 25 after separate complaint of 3 or more persons:  
 26

27 (1) The Commissioner using the Barnebey-Cheney Scentometer at  
 28 Number 1 odor strength detects an odor; or  
 29

30 (2) The Commissioner using any other device approved by him as an  
 31 effective instrument in the detection of odors, record an odor.  
 32

33 Section 8-2:716. CONTROL DEVICES AND PRACTICES.  
 34

35 (a) Motor Vehicles. No person shall remove or cause, or permit to become  
 36 inoperative or ineffective devices installed by motor vehicle manufacturers for the  
 37 purpose of controlling emissions or otherwise complying with law.  
 38

39 (b) Stationary Sources. No person shall remove, or cause, or permit to become  
 40 inoperative or ineffective devices or practices provided for the control of air  
 41 pollutants discharged from stationary sources, or otherwise complying with law.  
 42

43 (1) Shutdown of Stationary Source Control Equipment. Whenever it is  
 44 necessary to shut down air pollution control equipment for periodic maintenance,  
 45 the owner or operator of such equipment shall report the planned shutdown to the  
 46 Commissioner at least 48 hours prior thereto. Such prior notice shall include,  
 47 but is not limited to, the following:  
 48

49 A. Identification of the specific facility to be taken out of  
 50 service as well as its location and permit number;  
 51

52 B. The expected length of time that the air pollution control  
 53 equipment will be out of service;  
 54

55 C. The nature and quantity of emissions of air pollutants  
 56 likely to occur during the shutdown period;  
 57

58 D. Measures that will be taken to minimize the length of  
 59 the shutdown period; and  
 60

1 E. The reasons that it would be impossible or impractical to  
2 shut down the source operation during the maintenance period.

3  
4 (2) Notification by Commissioner. The Commissioner shall by notice to  
5 the owner or operator permit the continued operation of the stationary source  
6 for the time period proposed, or for such lesser time as he deems reasonable,  
7 or he may order the owner or operator to discontinue operation of the stationary  
8 source until the maintenance is completed, or the malfunctioning equipment is  
9 repaired.

10 Section 8-2:717. RECORDS, REPORTS, AND MONITORING DEVICES.

11  
12 (a) Reporting of Information Upon Request of Commissioner. The Commissioner  
13 may require any person engaged in operations which may result in air pollution or  
14 the handling of products the use of which may result in air pollution to file with the  
15 Commissioner written reports containing information as to:  
16

17 (1) Location and description of source;

18  
19 (2) The chemical composition, physical properties, and the amount  
20 of any material used; and  
21

22 (3) Such other information as the Commissioner shall require for the  
23 enforcement of this regulation.  
24

25 (b) Required Records and Periodic Reports. The owner or operator of a  
26 stationary source which emits 25 tons or more per year of any air pollutant shall  
27 maintain written records of the nature and amount of emissions of such source.  
28 Such records shall include, (1) emission data derived from stationary source  
29 monitoring and measuring devices required by subsection (c) of this section, and  
30 (2) the results of sampling of emissions, showing sampling methods and procedures  
31 used. Such records shall be made available to the Commissioner during regular  
32 business hours.  
33

34 (c) Monitoring Devices. The Commissioner shall require the owner or operator  
35 of a stationary source which emits more than 100 tons per year of any air pollutant  
36 to install, maintain, and operate, at the expense of said owner or operator, such  
37 stationary source monitoring devices as may be necessary to enable such owner or  
38 operator and the Commissioner to determine whether the source is being, or will be  
39 operated in compliance with all applicable air pollution standards, regulations, and  
40 laws. Monitoring information shall be supplied as the Commissioner may require in  
41 accordance with subsection (a) of this section.  
42

43 (d) Prohibited Devices. No person shall install or use any article, machine,  
44 equipment, device, or other contrivance which conceals an emission from any source.  
45

46 Section 8-2:718. SAMPLING, TESTS, AND MEASUREMENTS.

47  
48 (a) General. The Commissioner may conduct or cause to be conducted, or  
49 require an owner or operator to conduct, tests of emission of air pollutants from any  
50 source. Upon request to the Commissioner, the person responsible for the source to  
51 be tested shall provide necessary holes in stacks or ducts and such other safe and  
52 proper sampling and testing facilities as may be necessary for proper determination of  
53 the emission of air pollutants. The Commissioner may take or cause to be taken  
54 samples of fuel by any appropriate means, in such quantities as he feels are  
55 necessary for purposes of determining compliance with this regulation.  
56  
57

58 (b) Particulate Matter. Stack tests for particulate matter shall be undertaken  
59 by generally recognized standards or methods of measurement. Methods found in the  
60

1 American Society of Mechanical Engineers Test Code for Dust Separating Apparatus,  
 2 PTC 21-1941, the American Society of Mechanical Engineers Test Code for  
 3 Determining Dust Concentration in Gas Streams, PTC 27-1957, and the Los Angeles  
 4 County California Source Testing Manual shall be used, but such methods may be  
 5 modified or adjusted by the Commissioner to suit specific sampling conditions or  
 6 needs based upon good practice, judgment, and experience.

7  
 8 (c) Sulfur. The method for determining the sulfur content of fuel oil shall be that  
 9 described in the American Society for Testing and Materials publication, D-129-64,  
 10 "Standard Method of Test for Sulfur in Petroleum Products and Lubrications by the  
 11 Bomb Method". The method for determining the sulfur content of coal shall be that  
 12 described in the American Society for Testing and Materials publication, D-271-64,  
 13 "Laboratory Sampling and Analysis of Coal and Coke." Equivalent methods may be  
 14 approved by the Commissioner.

15  
 16 (d) Visible Emissions. The Ringelmann Smoke Chart published and described  
 17 in the United States Bureau of Mines Information Circular 8333, or any other chart,  
 18 recorder, indicator or device approved by the Commissioner for the measurement of  
 19 plume density shall be used in determining the grade of shade or opacity of visible  
 20 air contamination emissions.

21 (e) Odor.

22  
 23 (1) Odor measurements shall be made with a scentometer, such as  
 24 that manufactured by the Barnebey-Cheney Company, or by any device approved  
 25 by the Commissioner as an effective instrument in the detection of odor.  
 26

27  
 28 (2) The odor strength as detected by the Barnebey-Cheney Scentometer is  
 29 that number corresponding to the maximum dilution when an odor is perceived  
 30 on the following bases:

31

<u>Number</u>	<u>Odor-Bearing Air</u>	<u>Odor-Free Air</u>
1	1 part	1 part
2	1 part	2 parts
3	1 part	8 parts
4	1 part	32 parts
5	1 part	128 parts

32  
33  
34  
35  
36  
37  
38  
39

40 (f) Availability of Publications. The publications cited in this section shall be  
 41 kept on file at the office of the Director of the Department of Environmental Services  
 42 and shall be available for public inspection.  
 43

44 Section 8-2:719. EMERGENCIES.

45  
 46 (a) Establishment of Emergency Episode Plan:

47  
 48 (1) The Commissioner shall after notice of not less than 30 days in the  
 49 District Register and public hearing in accordance with section 4(a)(3) of the  
 50 Act, establish such procedures as may be necessary to enable him, acting  
 51 alone, or with air pollution control agencies of surrounding jurisdictions, to  
 52 effectively deal with an air pollution emergency. The plan and any amendments  
 53 thereto shall be submitted to the District of Columbia Council and shall not take  
 54 effect unless approved by resolution of the Council. The plan shall be denominated  
 55 the "Emergency Episode Plan", shall be kept on file by the Commissioner and shall  
 56 be available for public inspection.  
 57

58 (2) Declaration of an Episode Stage. Whenever the Commissioner finds an  
 59 emergency exists requiring immediate action to protect the public health or  
 60 welfare, the Commissioner may, without notice or hearing, issue an order

1 reciting the basis for the existence of such emergency, the episode stage at  
2 which the emergency exists, and requiring that such action be taken as is  
3 necessary to meet the emergency. Until subsection (a)(1) is fulfilled the  
4 Commissioner may declare an episode stage based solely on deteriorating air  
5 quality, where such action is necessary to protect the public health and welfare.

6 (3) Individual Abatement Plan. The Commissioner may require the owner  
7 or operator of a source of air pollution to prepare a written plan for reducing  
8 the emission of air pollution during an episode stage, according to the  
9 guidelines set forth in the Emergency Episode Plan.

10  
11 A. Such plan shall identify the source of air pollutants, and  
12 contain a brief description of the manner in which the reduction  
13 will be achieved during each episode stage.

14  
15 B. The plan shall be approved or disapproved by the  
16 Commissioner within 30 days after it is submitted.

17  
18 C. An owner or operator shall have 30 days in which to comply  
19 with the Commissioner's request to prepare such a plan.

20  
21 (4) Notice of Emergency Procedure. Whenever the Commissioner determines  
22 that an emergency exists, he shall instruct the public on the action to be taken  
23 according to the Emergency Episode Plan, or shall order the public to take  
24 whatever action he deems necessary to avert, ameliorate, or end the emergency.

25  
26 (b) Emergency Procedures:

27  
28 Notwithstanding any other provision of this regulation or any other regulation,  
29 if the Commissioner determines that a situation exists which is causing or  
30 contributing to air pollution or could so cause or contribute so as to require  
31 immediate action to protect the public health or welfare, he shall take such  
32 action as he deems necessary to abate such situation. Such action shall be  
33 clothed with the police power and may include but are not limited to the following:  
34

35 (1) Order such person or persons to reduce or discontinue or take such  
36 action(s) as is necessary to abate such situation. Any such order shall be  
37 complied with immediately.

38  
39 (2) Impound any source of air pollution equipment in the possession of  
40 any person.

41  
42 (3) Forbid the operation of any source, machine, device or equipment.  
43 Notice of such prohibition shall if possible be given to any person who owns,  
44 possesses or operates such source, machine, device or equipment. Such  
45 notice shall be complied with immediately.

46  
47 (4) Enter any premises or property and take any action he deems necessary.

48  
49 (c) Appeal of Emergency Orders:

50  
51 Any person toward whom the Commissioner may take an action authorized in  
52 subsection (b) of this section may appeal such order or action of the Commissioner  
53 to him. Upon such appeal the Commissioner shall hold a hearing, if so  
54 requested, within a reasonable time after receiving such an appeal. Not more  
55 than 24 hours after the conclusion of such hearing, or receipt of such appeal if  
56 no hearing is requested, the person shall be notified by the Commissioner  
57 whether the action or order has been affirmed, modified, or rescinded. Provided,  
58 That appeal shall not be grounds for noncompliance with any order issued under  
59 subsection (b). The procedures of Section 8-2:723 shall not apply to this section.  
60

1 (d) Other Remedies Reserved:

2  
3 Nothing in this Section shall preclude the Commissioner from initiating  
4 appropriate action for the recovery of a penalty as is provided in this  
5 regulation, nor shall it preclude his seeking other such relief or remedy as  
6 is provided for by law.

7 Section 8-2:720. PERMITS TO CONSTRUCT OR MODIFY; PERMITS TO OPERATE.

8  
9 (a) Permit to Construct New Source or Modify Existing Source. No person shall  
10 construct a stationary source or install a control device on a stationary source  
11 constructed after the effective date of this regulation or modify an existing stationary  
12 source, without first obtaining a permit.

13  
14 (b) Plan to Modify Existing Source. When the emission from a stationary source  
15 in existence on or before the effective date of this regulation exceeds maximum  
16 allowable standards as prescribed in this regulation, or interferes with the attainment  
17 or maintenance of the Air Quality Standard of the District of Columbia, the owner or  
18 operator of such source shall, within six months after the effective date of this  
19 regulation, file a written plan for approval of the Commissioner for the reduction of  
20 such emissions to comply with such standards of the maximum allowable emissions,  
21 and with the Air Quality Standard of the District of Columbia. Such plans shall  
22 include a time schedule for the accomplishment of such reduction but in no case shall  
23 such schedule extend beyond May 31, 1975, or beyond the date specified for  
24 attainment of any national ambient air quality standard. Any compliance schedule  
25 extending beyond 18 months from the date of adoption of the schedule shall provide  
26 for periodic increments of progress.

27  
28 (c) Permit to Operate. On and after February 1, 1973, no person shall own or  
29 operate any stationary source without a valid permit to operate such source.

30  
31 (d) Monitoring Device Required. No permit for construction, modification, or  
32 operation of any stationary source which emits more than 100 tons of any pollutant  
33 in a year shall be issued unless the owner or operator thereof demonstrates to the  
34 satisfaction of the Commissioner that a stationary source monitoring device has been,  
35 or will be installed.

36  
37 (e) Contents of Permit Application. Applications for permits shall be filed with  
38 the Commissioner on a form prescribed by the Commissioner and shall contain such  
39 information as he may require. The application shall be accompanied by plans,  
40 specifications, and other pertinent data, sufficient in scope to allow the Commissioner  
41 to determine the amount of air pollutants which may be emitted from the source. The  
42 Commissioner may, at any time after the filing of the original application, and before  
43 the expiration of the permit, require further statements in order to determine whether  
44 the application should be granted or denied, or whether a permit should be modified  
45 or revoked. Each application shall be signed by the applicant or permittee or a  
46 person duly authorized to act for and on his behalf. In the application, the applicant  
47 may incorporate by reference information contained in previous applications,  
48 statements, or reports filed with the Commissioner, provided such references are  
49 clear and specific.

50  
51 Application shall be accompanied by a fee to be determined by the Commissioner.

52  
53 (f) Duration of Operating Permits. Permits shall be valid for such period of time  
54 up to 3 years as the Commissioner may designate. A permit issued for a period of  
55 less than one (1) year shall be designated as a temporary permit.

56  
57 (g) General Requirements for the Issuance of a Permit. A permit application will  
58 be approved if the Commissioner determines that:  
59  
60

1 (d) Other Remedies Reserved:

2  
3 Nothing in this Section shall preclude the Commissioner from initiating  
4 appropriate action for the recovery of a penalty as is provided in this  
5 regulation, nor shall it preclude his seeking other such relief or remedy as  
6 is provided for by law.

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15 in existence on or before the effective date of this regulation exceeds maximum  
16 allowable standards as prescribed in this regulation, or interferes with the attainment  
17 or maintenance of the Air Quality Standard of the District of Columbia, the owner or  
18 operator of such source shall, within six months after the effective date of this  
19 regulation, file a written plan for approval of the Commissioner for the reduction of  
20 such emissions to comply with such standards of the maximum allowable emissions,  
21 and with the Air Quality Standard of the District of Columbia. Such plans shall  
22 include a time schedule for the accomplishment of such reduction but in no case shall  
23 such schedule extend beyond May 31, 1975, or beyond the date specified for  
24 attainment of any national ambient air quality standard. Any compliance schedule  
25 extending beyond 18 months from the date of adoption of the schedule shall provide  
26 for periodic increments of progress.

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29 operate any stationary source without a valid permit to operate such source.

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32 operation of any stationary source which emits more than 100 tons of any pollutant  
33 in a year shall be issued unless the owner or operator thereof demonstrates to the  
34 satisfaction of the Commissioner that a stationary source monitoring device has been,  
35 or will be installed.

36  
37 (e) Contents of Permit Application. Applications for permits shall be filed with  
38 the Commissioner on a form prescribed by the Commissioner and shall contain such  
39 information as he may require. The application shall be accompanied by plans,  
40 specifications, and other pertinent data, sufficient in scope to allow the Commissioner  
41 to determine the amount of air pollutants which may be emitted from the source. The  
42 Commissioner may, at any time after the filing of the original application, and before  
43 the expiration of the permit, require further statements in order to determine whether  
44 the application should be granted or denied, or whether a permit should be modified  
45 or revoked. Each application shall be signed by the applicant or permittee or a  
46 person duly authorized to act for and on his behalf. In the application, the applicant  
47 may incorporate by reference information contained in previous applications,  
48 statements, or reports filed with the Commissioner, provided such references are  
49 clear and specific.

50  
51 Application shall be accompanied by a fee to be determined by the Commissioner.

52  
53 (f) Duration of Operating Permits. Permits shall be valid for such period of time  
54 up to 3 years as the Commissioner may designate. A permit issued for a period of  
55 less than one (1) year shall be designated as a temporary permit.

56  
57 (g) General Requirements for the Issuance of a Permit. A permit application will  
58 be approved if the Commissioner determines that:  
59  
60

1 (1) The applicant's proposed equipment, facilities, and procedures  
2 are adequate to minimize danger to public health and welfare;

3  
4 (2) The issuance of the permit will not be inimical to the health and  
5 welfare of the public;

6  
7 (3) The applicant has satisfied the applicable requirements for the  
8 permit requested pursuant to this regulation; and

9  
10 (4) The operation of the source shall not prevent or interfere with the  
11 attainment or maintenance of any applicable local or national ambient air  
12 quality standard, nor shall the operation violate any provision of this  
13 regulation unless exempt by the regulation or by proper variance.

14 (h) Responsibility for Filing Applications for Permits. Each owner or operator of  
15 a stationary source or device for which a permit is required must timely file with the  
16 Commissioner the appropriate application.

17  
18 (i) Modification, Revocation, and Termination of Permits.

19  
20 (1) The terms and conditions of all permits shall be subject to amendment,  
21 revision, or modification, and the permit may be suspended or revoked by  
22 reason of amendments to this regulation, or by requirements and orders issued  
23 by the Commissioner.

24  
25 (2) Any permit may be revoked, suspended, or modified, in whole or in  
26 part, for any false statement in the application, or any false statement of fact  
27 required under this regulation, or because of conditions revealed by such  
28 application, or statement of fact, or any report, record, or inspection, or  
29 other means which would warrant refusal by the Commissioner to grant a  
30 permit on an original application, or for violation of, or failure to observe  
31 any of the terms and conditions of the permit, or of this regulation, or order  
32 of the Commissioner.

33  
34 (3) Except in cases of willfulness or those in which the public health or  
35 welfare requires otherwise, no permit shall be modified, suspended, or revoked  
36 unless, prior to the institution of proceedings therefor, facts or conduct which  
37 may warrant such action shall have been called to the attention of the permittee  
38 in writing, and the permittee shall have been accorded an opportunity to  
39 demonstrate or achieve compliance with all lawful requirements.

40  
41 (4) The Commissioner may terminate a permit upon the written request of  
42 the permittee.

43  
44 (5) A permit to construct or modify shall be valid only if used within one  
45 year from the date of issue.

46  
47 (j) Exemptions. No person shall be required to obtain or file an application for  
48 a permit based upon ownership or operation of fuel-burning equipment of 350,000 or  
49 less B.T.U. per hour capacity.

50  
51 Section 8-2:721. COMPLAINTS AND INVESTIGATIONS.

52  
53 (a) Complaints. Any person may complain to the Commissioner about air  
54 pollution conditions, violations of the Act, or violations of rules, regulations,  
55 orders, or determinations of the Commissioner. The complainant shall provide the  
56 following information:

57  
58 (1) The location, or source of the condition, or alleged violation;

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1 (2) The name and address of the party controlling the location or  
2 source, if known; and

3  
4 (3) The factual basis for the complaint.

5  
6 (b) Investigations. The Commissioner shall be responsible for investigation  
7 of such complaints.

8  
9 Section 8-2:722. INSPECTION.

10 The Commissioner is authorized to make such inspections of premises and  
11 records of operation as may be necessary for the enforcement of the Act and this  
12 regulation.

13  
14 Section 8-2:723. ORDERS FOR COMPLIANCE.

15  
16 Whenever the Commissioner has reason to believe that a violation of the Act or  
17 this regulation or rules made pursuant to either has occurred, he shall cause written  
18 notice to be served upon the alleged violator. The notice shall specify the provision  
19 of the law, regulation or rule alleged to be violated, the facts alleged to constitute  
20 a violation thereof, and shall order that necessary corrective action be taken within  
21 a reasonable time. Nothing in this section shall be construed to prevent the  
22 Commissioner from initiating appropriate action for the recovery of a penalty pursuant  
23 to Section 8-2:726, or from seeking enforcement of this regulation by injunctive  
24 relief or other appropriate remedy.

25  
26 Section 8-2:724. VARIANCES.

27  
28 (a) General Conditions.

29  
30 (1) Any person required to perform an act by this regulation may be  
31 excused by the Commissioner from the performance of such act, either in whole  
32 or in part, upon a finding by the Commissioner that the full performance of such  
33 act would result in exceptional or undue hardship by reason of excessive  
34 structural or mechanical difficulty, or the impracticability of bringing such  
35 activity into full compliance with the requirements of this regulation: Provided,  
36 That a variance may be granted only where, and to the extent necessary to  
37 ameliorate such exceptional or undue hardship, and only when compensating  
38 factors are present which give adequate protection to the public health or  
39 welfare, and assure that the intent and purpose of the act, and this regulation,  
40 are not impaired. Such person shall submit a written request for a variance  
41 setting forth the nature of the act required to be performed, the exceptional or  
42 undue hardship which would result from its performance, and any variance from  
43 the terms of the notice and requirements of this regulation which he may seek.  
44 Such request for a variance shall be filed with the Commissioner within the  
45 period specified in the order for compliance.

46  
47  
48 (2) A variance is hereby granted for the operation of the District facility  
49 known as Incinerator Number 5. This variance shall expire on July 4, 1973.  
50 All other District municipal incinerators which do not conform to these regulations  
51 may operate until January 1, 1973. No additional variance shall be granted for  
52 those facilities or any other District owned, operated or contracted for solid waste  
53 disposal facility which utilizes incineration, except for medical facilities on  
54 site incinerators.

55  
56 (3) A variance is hereby granted for the operation of diesel locomotives  
57 on common carrier railroads in the District of Columbia.

58  
59  
60

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3 (b) Publication in the D. C. Register. All requests for variances except for  
 4 that granted in Section 8-2:724 (a) (2) shall be published in the District of Columbia  
 5 Register, at the expense of the applicant, if over \$5, at least 30 days before the  
 6 Commissioner rules on the request. The published notice shall briefly set forth the  
 7 information contained in the applicant's written request. Any person may submit  
 8 comments on the application within 30 days of the published notice.

9 (c) Commissioner to Maintain Written Record of Action on Requests. The  
 10 Commissioner shall maintain a written record of all variances granted and denied.  
 11 The record shall include all bases for the grant or denial, and shall be available for  
 12 public inspection.

13 (d) Length of Variance. No variance shall be granted for more than one year,  
 14 and may be renewable annually if the Commissioner finds that the intent and purpose  
 15 of the Act and this regulation are not impaired. No renewal shall be granted except  
 16 on application therefor. Any such application shall be made at least sixty (60) days  
 17 prior to the expiration of the variance. The requirements of subsection (b) shall  
 18 apply in cases of renewal.

19 (e) Operation While Variance Request Pending. Nothing in this section shall be  
 20 construed to permit any operation in violation of this regulation during the pendency  
 21 of a request for a variance.  
 22

23 (f) Operation During Emergency. Nothing in this section, and no variance or  
 24 renewal granted pursuant hereto, shall be construed to prevent or limit the application  
 25 of the emergency provisions and procedures of Section 8-2:719 of this regulation to  
 26 any person or his property.  
 27

28 Section 8-2:725. HEARINGS.  
 29

30 (a) Right to Hearing. Except as otherwise provided in this regulation, any  
 31 person aggrieved by any adverse action of the Commissioner may have review thereof  
 32 by the Commissioner in accordance with the District of Columbia Administrative  
 33 Procedure Act. In administration of the hearing the Commissioner may require the  
 34 production of persons, papers and materials under subpoena as is set forth in D. C.  
 35 Code Section 1-237.  
 36

37 (b) Request for Hearing. A request for a hearing to review adverse action  
 38 proposed by the Commissioner shall be made in writing within 15 days following  
 39 notification to the aggrieved person of the contemplated action and of his right to a  
 40 hearing with respect to such action.  
 41

42 (c) Failure to Request Hearing or Appear at Hearing. Upon failure by an  
 43 aggrieved person to request a timely hearing, or failure of such party to appear at a  
 44 scheduled hearing for which no continuance has been or is granted, the Commissioner  
 45 may without a hearing take the action contemplated in the notice.  
 46

47 (d) Alternative Remedies. Nothing in this section shall be construed to prevent  
 48 the Commissioner from initiating appropriate action for the recovery of a penalty  
 49 pursuant to Section 8-2:726 of this regulation, or from seeking enforcement by  
 50 injunctive relief or other appropriate remedy during the pendency of a review proceeding.  
 51

52 Section 8-2:726. PENALTY.  
 53

54 (a) Any person who fails to comply with any provision of this regulation, or who  
 55 refuses, interferes with, or prevents any inspection authorized by this regulation  
 56 shall be punished by a fine not to exceed \$300 or imprisonment not to exceed 90 days,  
 57 or both. In the event of any violation of, or failure to comply with, this regulation,  
 58 each and every day of such violation, or failure, shall constitute a separate offense  
 59 and the penalties described herein shall be applicable to each such separate offense.  
 60

(b) Any person, other than a District employee who shall furnish material and substantial evidence leading to the payment of a fine or the forfeiture of collateral imposed under this regulation shall be paid subject to appropriation one-half of each such fine or forfeiture unless the Commissioner or a court of competent jurisdiction shall so otherwise direct. This section shall not be so construed as to create any right to the proceeds of any such fine or forfeiture. No person shall receive more than \$1,000 total in any given 12 months under this subsection.

7  
8  
9 Section 8-2:727. PUBLIC DISCLOSURE OF RECORDS AND INFORMATION:  
10 CONFIDENTIALITY.

11 Emission data secured as the result of this regulation, or other provisions of  
12 law shall be correlated with applicable emission limitations or other control measures  
13 and shall be available for public inspection during regular business hours or by  
14 appointment at the offices of the air quality control agency. Information, other than  
15 emission data, which relates to production, sales figures, or processes of any  
16 owner or operator, shall not be disclosed publicly upon finding by the Commissioner  
17 that to do so will result in a significant and adverse effect upon the competitive  
18 position of such owner or operator; except in or following public hearing, or except  
19 as may be necessary to protect the public health, safety or well-being. Nothing  
20 herein shall be construed to prevent the use of such records or information by the  
21 Commissioner in compiling or publishing analyses, or summaries relating to the  
22 general condition of the outdoor atmosphere: Provided, That such analyses or  
23 summaries do not reveal any information otherwise confidential under the provisions  
24 of this section.  
25

26 Section 8-2:728. AIR POLLUTION MONITORING.  
27

28 (a) By February 1, 1973 the Commissioner shall establish a simplified, daily,  
29 public reporting index of air pollution levels in the District of Columbia. Such an  
30 index shall indicate the levels of pollutant which he determines the public should be  
31 informed. Such index shall also include a statement of the air quality levels within  
32 approximately a two mile radius from the White House as well as within any other  
33 geographic area he may determine should be reported. In adopting an index the  
34 Commissioner shall coordinate his efforts as closely as possible with the Metropolitan  
35 Washington Council of Governments to insure a uniform regional system of air quality  
36 levels reporting.  
37

38 (b) By February 1, 1973 the Commissioner shall report to the District of Columbia  
39 Council the status of the air quality monitoring system within the District and that  
40 system's relationship to such monitoring systems in the region. The report shall  
41 indicate the number and location of permanent air quality monitoring stations in the  
42 District, the number of average spot checks within a given month, and the types of  
43 pollution monitored in each instance. The report shall also state the goals for a  
44 District of Columbia air quality monitoring system and the timetable and cost for  
45 achieving that goal.  
46

47 Section 8-2:729. CONSTRUCTION OF REGULATION.  
48

49 All regulations and parts of regulations in effect in the District which are  
50 inconsistent with the provisions of this regulation are hereby superseded with respect  
51 to matters covered by this regulation.  
52

53 Section 8-2:730. INDEPENDENCE OF SECTIONS.  
54

55 Each section and every part of each section of this part is declared independent  
56 of every other section or part thereof,  
57 and the finding or holding of any section or part thereof to be void or  
58 ineffective for any cause shall not be deemed to affect any other section or part thereof.  
59  
60

REGULATION 72-12

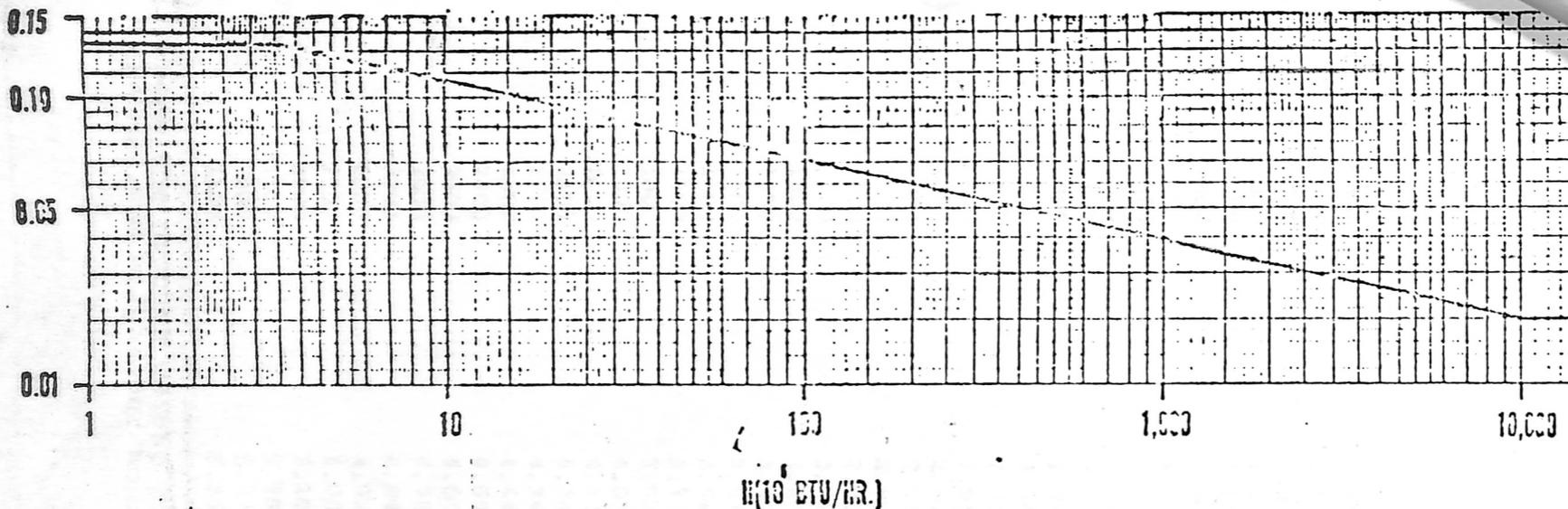
19 of 22

18-2:731. EFFECTIVE DATE.

Except as otherwise provided, this regulation shall be effective immediately.

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APPENDIX NO. 1 FIGURE NO. 1 REVISED



H-TOTAL HEAT INPUT IN MILLIONS OF BTU PER HR.

E-MAXIMUM EMISSION IN POUNDS OF PARTICULATE MATTER PER MILLION BTU HEAT INPUT

H (10 <sup>6</sup> BTU/HR.)	E (#/10 <sup>6</sup> BTU)
3.5	0.13
13	0.13
100	0.07
1,000	0.04
10,000	0.02

APPENDIX NO. 1

APPENDIX No. 2

TABLE

Process Weight Per Hour in Pounds	Maximum Weight of Particulate Discharge Per Hour in Pounds	Process Weight Per Hour in Pounds	Maximum Weight of Particulate Discharge Per Hour in Pounds
50	.24	3400	5.44
100	.46	3500	5.52
150	.66	3600	5.61
200	.85	3700	5.69
250	1.03	3800	5.77
300	1.20	3900	5.85
350	1.35	4000	5.93
400	1.50	4100	6.01
450	1.63	4200	6.08
500	1.77	4300	6.15
550	1.89	4400	6.22
600	2.01	4500	6.30
650	2.12	4600	6.37
700	2.24	4700	6.45
750	2.34	4800	6.52
800	2.43	4900	6.60
850	2.53	5000	6.67
900	2.62	5500	7.03
950	2.72	6000	7.37
1000	2.80	6500	7.71
1100	2.97	7000	8.05
1200	3.12	7500	8.39
1300	3.26	8000	8.71
1400	3.40	8500	9.03
1500	3.54	9000	9.36
1600	3.66	9500	9.67
1700	3.79	10000	10.0
1800	3.91	11000	10.63
1900	4.03	12000	11.28
2000	4.14	13000	11.89
2100	4.24	14000	12.50
2200	4.34	15000	13.13
2300	4.44	16000	13.74
2400	4.55	17000	14.36
2500	4.64	18000	14.97
2600	4.76	19000	15.58
2700	4.84	20000	16.19
2800	4.92	30000	22.22
2900	5.02	40000	28.3
3000	5.10	50000	34.3
3100	5.18	60000	40.0
3200	5.27	or	
3300	5.36	more	

\* Where the process weight per hour falls between two values in the table, the maximum weight per hour shall be determined by linear interpolation.

APPENDIX NO. 3

EMISSION LIMITS FOR NITROGEN OXIDE

Emission limits for nitrogen oxide in fossil fuel fired steam generating units of more than 100,000,000 B.T.U. per hour heat input are as follows:

(a) 0.20 lb. per million B.T.U. heat input (0.36 g. per million cal.), maximum 2-hour average, expressed as NO<sub>2</sub>, when gaseous fossil fuel is burned.

(b) 0.30 lb. per million B.T.U. heat input (0.54 g. per million cal.), maximum 2-hour average, expressed as NO<sub>2</sub>, when liquid fossil fuel is burned.

(c) 0.70 lb. per million B.T.U. heat input (1.26 g. per million cal.), maximum 20 hour average, expressed as NO<sub>2</sub>, when solid fossil fuel (except lignite) is burned.

(d) When different fossil fuels are burned simultaneously in any combination the applicable standard shall be determined by proration, according to the following formula:

$$\frac{x (0.20) + y (0.30) + z (0.70)}{x + y + z}$$

x is the percent of total heat input derived from gaseous fossil fuel;

y is the percent of total heat input derived from liquid fossil fuel; and

z is the percent of total heat input derived from solid fossil fuel.

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## THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

WALTER E. WASHINGTON  
Mayor-Commissioner

July 2, 1973

Honorable John A. Nevius  
Chairman  
District of Columbia City Council  
Washington, D. C. 20004

Dear Chairman Nevius:

Reference is made to my letter of May 31, 1973, in which I requested certain amendments to Regulation No. 72-12. Under that Regulation in its present form, Incinerator No. 5 will be required to close on July 4, 1973 unless action is taken prior thereto.

I have been advised by Mr. James Alexander, Director of the Department of Environmental Services that any interruption in the operation of this incinerator will have severe adverse effects on the health and welfare of the citizens of the District of Columbia. I am of the opinion that under these circumstances an emergency condition exists. Therefore, I request that the Council, pursuant to its emergency power, adopt the requested amendments so as to permit the continued operation of Incinerator No. 5.

Sincerely,

A handwritten signature in cursive script that reads "Walter E. Washington".

Walter E. Washington  
Mayor-Commissioner

Regulation No. 72-13



June 30, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE MOTOR VEHICLE CODE OF THE DISTRICT OF COLUMBIA

Mr. Henry K. Willard, II Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that it is necessary to  
 2 consolidate and revise the city's Motor Vehicle Regulations; and  
 3  
 4 WHEREAS, it is the finding of this Council that an appropriate license  
 5 plate design be adopted for the District of Columbia as a portion of the  
 6 Bicentennial Celebration; and  
 7  
 8 WHEREAS, Reorganization Plan No. 3 of 1967 transferred to the District  
 9 of Columbia Council the function of making rules and regulations for the  
 10 registration, operation, and ownership of motor vehicles.  
 11  
 12 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
 13 that:  
 14  
 15 Section 1. The Special Edition of the District of Columbia Register  
 16 entitled, "Title 32, Department of Motor Vehicles, Motor Vehicle Regulations  
 17 for the District of Columbia," is hereby adopted as Title 32 Rules and  
 18 Regulations of the District of Columbia. The City Council Regulation Number  
 19 71-26 entitled "Bicycle Code" of the District of Columbia and written as  
 20 Chapter 11 of the Motor Vehicle Regulations is reenacted and incorporated  
 21 into aforesaid Title 32.  
 22  
 23 Section 2. The Commissioner of the District of Columbia shall propose  
 24 a new design and colors for the motor vehicle tags of the District of Columbia.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MEYERS	X					WILLARD	X				
ANDERSON	X					ROBINSON	X										

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 6, 1972  
 Adopted on second and final reading June 20, 1972  
 Presented to the Mayor-Commissioner June 21, 1972  
 Approved [Signature] Mayor-Commissioner      [Signature] Acting Secretary of the City Council  
 Date JUN 30 1972  
 Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date \_\_\_\_\_  
 Disapproved and returned to the City Council \_\_\_\_\_ Mayor-Commissioner      \_\_\_\_\_ Date \_\_\_\_\_  
 Readopted \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
[Signature]  
 Acting Secretary of the City Council

1 In so proposing he shall take account of visibility, safety, and distinctiveness in  
 2 relation to the National Bicentennial Celebration in 1976, as well as overall  
 3 graphic design. Such proposal shall be submitted to the District of Columbia  
 4 Council and shall take effect at a time specified by the Council through  
 5 resolution of the Council. Such submittal should be timely for the tag year 1975.  
 6 If possible, such proposal shall afford private citizens an opportunity to submit  
 7 designs to the Commissioner and shall be done also within the consultation where  
 8 possible of those he may select within the academic and professional graphic art  
 9 sectors of the District of Columbia and those he may select who serve in an  
 10 advisory capacity to the District on motor vehicle operations and safety.

11  
 12 Section 3. The Commissioner is hereby delegated any functions necessary  
 13 to implement the remaining portions of the code adopted in Section 1 of this  
 14 regulation.

15  
 16 Section 4. This regulation shall take effect immediately upon enactment.  
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Regulation No. 72-14

July 1, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE AMENDMENT TO ARTICLE XII OF THE FIRE DEPARTMENT REGULATIONS RELATED TO THE MERIT PROMOTION SYSTEM

Rev. Carlton W. Veazey Presents the following regulation:

1 WHEREAS, pursuant to Section 402, Paragraph 107, of Reorganization Plan  
2 No. 3 of 1967, the District of Columbia Council is authorized to make, alter or  
3 amend rules and regulations relating to the appointment and promotion of officers  
4 and members of the Fire Department of the District of Columbia.

5  
6 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
7 that Article XII, Rule No. 12, Part E of the rules and regulations of the Fire  
8 Department of the District of Columbia is amended as follows:

9  
10 Section 1. The effective date, June 15, 1972, for all promotions to be  
11 made in the manner set forth in Part B of this Article, regarding noncompetitive  
12 promotions to the positions of sergeant, lieutenant and captain in the administra-  
13 tive apparatus and fire prevention divisions is hereby extended to and through  
14 October 15, 1972.

15  
16 Section 2. Promotions to positions of sergeant, lieutenant and captain  
17 in the administrative apparatus and fire prevention divisions before October 15,  
18 1972, shall be processed in accordance with Section 2, Part E of Article XII.

19  
20 Section 3. This regulation shall become effective immediately upon  
21 enactment.

22  
23  
24

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
NEVIUS	X											ROBINSON	X					
TUCKER	X					HAYWOOD	X					VEAZEY	X					
ANDERSON	X					MEYERS	X					WILLARD	X					

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 6, 1972

Adopted on second and final reading June 20, 1972

Presented to the Mayor-Commissioner June 21, 1972

*Robert S. Moore*  
Acting Secretary

I HEREBY CERTIFY that Regulation No. 72-14 was presented to the Mayor of the District of Columbia on June 21, 1972, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

*Martin K. Schaller*

Martin K. Schaller  
Executive Secretary, D. C.

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Robert S. Moore*  
Acting Secretary of the City Council

Regulation No. 72-15



July 28, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION AMENDING REGULATION NUMBER 71-21, "SOLID WASTE REGULATIONS"

Dr. Henry S. Robinson Presents the following regulation:

1 WHEREAS, by Regulation No. 71-21 of June 29, 1971 this Council imposed  
2 a fee of \$5.00 per ton upon the act of disposing of solid waste at any facility  
3 provided for the purpose under District of Columbia auspices, and  
4

5 WHEREAS, it was and is this Council's intent that such fee be imposed  
6 as a charge for the act of disposal at such facility, without regard to whether  
7 the person undertaking such disposal is licensed or required to be licensed as  
8 a solid waste collector, and  
9

10 WHEREAS, said Regulation 71-21 has been interpreted contrarily to that  
11 intent, and  
12

13 WHEREAS, the Council desires to amend the language of the regulation  
14 so that its intent is made clear.  
15

16 NOW THEREFORE, be it enacted by the District of Columbia Council  
17 that:  
18

19 Section 1. Regulation 71-21, codified to Title 8, Chapter 3, Part 6 of  
20 the District of Columbia Health Regulations, incorporated by reference into Title  
21 6A of the Rules and Regulations of the District of Columbia is hereby amended as  
22 follows:  
23  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS						HAYWOOD						VEAZEY					
TUCKER						MEYERS											
ANDERSON						ROBINSON											

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on July 11, 1972

Adopted on second and final reading July 18, 1972

Presented to the Mayor-Commissioner July 19, 1972

*Edward L. White*  
Secretary of the City Council  
JUL 28 1972

Approved *Walter Washington*  
Mayor-Commissioner

Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward L. White*  
Secretary of the City Council

1           Section 2.    Section 8-3:606(a) is amended to read as follows:

2  
3                            "(a) No person shall engage in the business of, or for  
4 business purposes in, the collection or transportation of solid wastes by vehicle  
5 in or through the District, either for himself or for others, without first having  
6 obtained a collector's license so to do, and a collection vehicle license for each  
7 vehicle so used."  
8

9           Section 3.    The last three sentences of Section 8-3:606(e) are amended to  
10 read as follows:

11                            "Each business and each vehicle shall be separately  
12 licensed, the fees for such licensing to be determined by the Commissioner.  
13 Each licensee and every other person other than the District disposing of solid  
14 waste at a disposal area owned, or operated by or under contract to the District  
15 of Columbia shall pay a disposal charge of no less than \$5.00 per ton for such  
16 disposal."  
17

18           Section 4.    Section 8-3:607(g) is amended to read as follows:

19                            "(g) Disposal within the District may only be at approved  
20 facilities. The Commissioner may require any licensee or other person desiring  
21 to use a District owned, operated or contracted disposal area to use a disposal  
22 area of the Commissioner's designation."  
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25           Section 5.    This regulation shall take effect thirty days after enactment.  
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Regulation No. 72-16



July 28, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE ABORTION CONTROL REGULATION

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council has found that therapeutic  
2 abortions are being performed in the District of Columbia in hospitals, in  
3 clinics not associated with hospitals, and in physicians' offices; and

4 WHEREAS, the Council has determined that the public interest requires  
5 that the performance of therapeutic abortions shall take place only in hospitals  
6 and in facilities which are regulated and licensed by the District of Columbia;  
7 and  
8

9 WHEREAS, the Council has determined that the regulation of outpatient  
10 abortion clinics would clearly be in the public interest and would reduce the  
11 potential for abortion related morbidity and fatalities in the District of Columbia;  
12 and  
13

14 WHEREAS, the Council believes that a regulation governing the operation  
15 of outpatient abortion facilities should require strict standards for their operation  
16 and limit the number of abortions performed in the District of Columbia; and  
17

18 WHEREAS, pursuant to paragraphs 4, 245 and 391, Section 402,  
19 Reorganization Plan No. 3 of 1967, the District of Columbia Council is authorized  
20 to require the licensing and regulation of abortion clinics and to enact regulations  
21 for the protection of the public health and welfare.  
22

23 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
24 that:

### RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					HAYWOOD	X					VEAZEY	X				
TUCKER				X		MEYERS	X										
ANDERSON	X					ROBINSON	X										

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on July 11, 1972

Adopted on second and final reading July 18, 1972

Presented to the Mayor-Commissioner July 19, 1972

Approved *Maeter Washington* Secretary of the City Council JUL 28 1972  
Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_ Date  
Mayor-Commissioner

Readopted \_\_\_\_\_ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
*Edward S. Kelly*  
Secretary of the City Council

1           Section 1. PURPOSE AND SCOPE

2  
3           The purpose of these regulations is to prohibit the performance of abortions  
4 in places other than hospitals and facilities licensed hereunder, and to establish  
5 standards governing the establishment, maintenance and operation of facilities  
6 wherein abortions are performed on an outpatient basis.

7  
8           Section 2. DEFINITIONS

9  
10          a. "Board Certified Obstetrician/Gynecologist" means a physician who  
11 has passed the examination given by the American Board of Obstetrics and  
12 Gynecology.

13  
14          b. "Board Eligible Obstetrician/Gynecologist" means a physician who has  
15 completed the training requirements and is eligible to take the examination given  
16 by the American Board of Obstetrics and Gynecology.

17  
18          c. "Commissioner" means the Commissioner of the District of Columbia or  
19 his designated agent.

20  
21          d. "Director" shall mean the Director, Department of Human Resources or  
22 his designee.

23  
24          e. "District" shall mean the District of Columbia.

25  
26          f. "Outpatient Abortion Facility" shall mean a specialized facility located  
27 within a hospital where abortions are performed on an outpatient basis, or a  
28 specialized facility outside of a hospital where abortions are performed on an  
29 outpatient basis.

30  
31          g. "Hospital" shall mean an institution licensed under Chapter 3 of Title  
32 32 of the District of Columbia Code.

33  
34          h. "Person" shall mean an individual, partnership, corporation, or other  
35 legal entity.

36  
37          i. "Outpatient" shall mean any person who is examined or treated at an  
38 outpatient abortion facility and remains in such facility less than 24 hours.

39  
40          j. "Licensee" shall mean any outpatient abortion facility granted operating  
41 rights pursuant to this regulation.

42  
43           Section 3. CERTAIN ABORTIONS AND PRACTICES PROHIBITED

44  
45          (a) It shall be unlawful for any person to perform an abortion in the District  
46 of Columbia, unless such abortion is performed in accordance with the provisions  
47 of Section 22-201 of the District of Columbia Code, and unless such abortion is  
48 performed on an inpatient basis in a hospital or in an outpatient abortion facility  
49 which is licensed in accordance with these regulations.

50  
51          (b) It shall be unlawful for any person to operate a business, profit or  
52 nonprofit, or charitable entity in the District of Columbia which charges a fee for  
53 the provision of information or referring any person to a physician, hospital, or  
54 outpatient abortion facility for the performance of an abortion.

55  
56           Section 4. LICENSING REQUIRED

57  
58          No person shall operate an outpatient abortion facility without having in  
59 effect a license from the Commissioner or his authorized agent in accordance with  
60 Section 5 hereof. Such license shall be posted conspicuously within the premises

1 of the facility. Such license shall be assigned or transferred only in accordance  
2 with the provisions of the Act approved July 1, 1932 (D. C. Code, Section 47-  
3 2301 et seq.).

4  
5 Section 5. APPLICATION AND REQUIREMENTS FOR LICENSURE

6  
7 (a) Any person desiring to obtain or renew a license to operate an  
8 outpatient abortion facility in the District shall file an application with the  
9 Commissioner upon forms provided by him or the Director. Each application  
10 shall be accompanied by a fee to be determined by the Commissioner. The  
11 application shall contain, but not limited to, the following information, which  
12 states the minimum requirements for operation for such facilities.

13  
14 1. The title or name of the facility, and the location of all of its  
15 places of business in the District.

16  
17 2. The names and addresses of the owners of the facility. If the  
18 facility is a corporation, then the application shall include the names and  
19 addresses of all persons having a 10% or more ownership interest, including  
20 beneficial ownership interest, in the facility.

21  
22 3. The names and addresses of all officers and directors of the  
23 facility if it is a corporation.

24  
25 4. The name of the Administrator. The Administrator shall not serve  
26 as the Medical Director. The Administrator shall have authority and responsibility  
27 for the conduct of the affairs of the facility, except for those matters committed by  
28 these regulations to the authority of the Medical Director.

29  
30 5. The name of the Medical Director and any Assistant Medical  
31 Director. The Medical Director and any Assistant Medical Director shall be  
32 employed full-time by the outpatient abortion facility and shall be Board Certified  
33 or Board Eligible Obstetricians/Gynecologists and licensed to practice medicine in  
34 the District of Columbia.

35  
36 6. The name of the Chief Nurse, under whose direction and supervision  
37 the nursing service shall operate. The Chief Nurse shall be a licensed registered  
38 nurse with at least two years' experience as an obstetrical nurse, or one year's  
39 experience in obstetrical nursing and one year's experience in surgical nursing.

40  
41 7. The name of the Director of Counselors under whose supervision and  
42 direction the counseling staff shall operate. The Director of Counselors shall have  
43 received at least a bachelors degree in psychology, sociology, or social work from  
44 an accredited university, and shall be qualified to join a professional organization,  
45 which has as one of its major functions, counseling of individuals regarding family  
46 matters. Eligibility for professional membership in the American Psychological  
47 Association, National Association of Social Workers or the American Sociological  
48 Association or other such similar organization shall be considered as evidence of  
49 such qualification. The Director of Counselors may not serve in any other capacity  
50 on the staff of the abortion facility.

51  
52 8. A statement of the abortion facility's policies and procedures for  
53 emergency care. The Director may establish additional minimal standards other than  
54 those listed below (A) - (D). The statement shall include proof of:

55  
56 (A) the existence of elevator service, if the abortion facility is  
57 not located on the ground floor of a building, and of alternate  
58 arrangements for the provision of such service in the event of a  
59 power failure; and  
60

(B) a transportation capability by which a patient requiring emergency hospital care may be expeditiously transported; and

(C) a statement of the procedures to be followed in the event of an emergency.

(D) Any outpatient abortion facility or any facility which shall not have been openly and actively engaged in the practice of performing abortions prior to July 10, 1972, shall additionally submit to the Director a copy of an agreement with a hospital licensed to operate in the District of Columbia which reflects that at least two (2) doctors of the abortion facility's staff have been granted operating and emergency room privileges at that particular hospital.

9. The name of a Board Certified Psychiatrist who is affiliated with the facility as a consultant.

10. A statement describing the physical facilities and equipment of the abortion facility. These facilities must include at a minimum:

(A) Administrative offices - These offices shall include units for the administrative staff. There shall also be a lounge and clothing change facilities for employees with provision for privacy.

(B) Patient facilities - There shall be medical evaluation and procedure rooms fully walled and with doors; individual fully walled counseling rooms with doors; a recovery room and waiting rooms.

(C) Equipment and supplies - There shall be a call system, resuscitation equipment, emergency drugs, including parenteral fluids, and electrically safe vacuum aspiration equipment.

(D) Utility Rooms.

(E) Laboratory - There shall be a laboratory staffed by at least one laboratory technologist who shall be a graduate of an accredited school of medical technology, or an American Society of Clinical Pathologists approved lab technician. The laboratory shall have adequate facilities for conducting the following tests: pregnancy, hematocrit, urinalysis, and RH typing.

11. A statement of the facility's malpractice insurance coverage in the amount of at least two hundred fifty thousand dollars (\$250,000) per claim.

12. An itemized list of actual charges and fees for all services to be provided to the patients or a statement of a fixed price for certain procedures.

(b) Every facility shall transmit to the Commissioner any change in any of the foregoing information within 30 days after a change occurs.

Section 6. GROUND FOR REFUSAL TO ISSUE OR RENEW, REVOCATION OR SUSPENSION

The Commissioner may refuse to issue, or to renew, or may revoke or suspend, the license of an outpatient abortion facility for any of the following reasons:

(a) violation of any provision of these regulations;

1 (b) furnishing false or misleading information to the Commissioner, or  
 2 failure to furnish information requested;

3  
 4 (c) furnishing false, misleading or fraudulent information regarding the  
 5 abortion facility to the public.

6  
 7 (d) imminent danger to public health or welfare.

8  
 9 (e) failure to maintain acceptable standards of cleanliness and sanitation  
 10 required of surgical units.

11 Section 7. NOTICE AND HEARINGS

12  
 13 When the Commissioner determines that there are grounds for denial,  
 14 suspension, or revocation of a license under these regulations, the Commissioner  
 15 shall first serve upon the applicant or licensee a written notice specifying with  
 16 particularity the grounds therefor, the proposed action and informing the applicant  
 17 or licensee of the right to request, within seven days from service of notice, a  
 18 hearing before the Commissioner, at which time the applicant or licensee may  
 19 show cause why his application should not be denied, or his license suspended  
 20 or revoked. The notice to the applicant or licensee shall also specify what action,  
 21 whether it be denial, suspension, or revocation is contemplated and that such  
 22 proposed action shall be taken if no hearing is requested.

23  
 24 Section 8. OPERATIONS OF A FACILITY

25  
 26 (a) A physician at the outpatient abortion facility shall administer a physical  
 27 examination including a pelvic examination upon each patient to test for gestational  
 28 size at least 24 hours prior to the performance of the abortion. Such 24-hour period  
 29 is provided to ensure that each patient's laboratory test results may be available  
 30 prior to the abortion and to provide further assurance that adequate counseling,  
 31 including the alternatives to abortion, be provided by the counseling staff and  
 32 considered by each patient. Adequate records shall be maintained to show  
 33 compliance herewith.

34  
 35 (b) The following laboratory tests shall be performed on every patient:  
 36 hematocrit, urinalysis, and RH typing.

37  
 38 (c) No abortion shall be performed on a patient whose gestational period has  
 39 progressed beyond ten weeks, except that this provision shall not apply to  
 40 outpatient facilities within a hospital.

41  
 42 (d) Each patient shall be given individual counseling not less than  
 43 24 hours before the abortion. Post abortion counseling shall be provided either  
 44 directly or by referral to an appropriate agency.

45  
 46 (e) The physicians performing abortions shall all be licensed to practice  
 47 medicine in the District of Columbia or shall be registered in accordance with  
 48 D. C. Code § 2-133 and employed by and working only in D. C. facilities.

49  
 50 (f) The facility's Medical Director (or an assistant medical director having  
 51 the same qualifications) shall be present in the facility at all times abortions  
 52 are being performed and shall be responsible for the overall operation of the  
 53 clinic and its employees.

54  
 55 (g) All patients shall be observed by a member of the nursing staff in a  
 56 recovery area after the performance of the procedure until it has been determined  
 57 that the patient's condition has stabilized to a point where she may be released  
 58 without jeopardy to her health and safety.  
 59  
 60

1 (h) In addition to receiving contraceptive counseling and information,  
2 all patients so desiring shall be provided with contraceptive devices as medically  
3 feasible on the day of the abortion, and without charge.

4  
5 (i) All non-ambulatory patients who are transported from an abortion  
6 facility to a hospital must be accompanied by a physician or nurse.

7  
8 (j) Each abortion facility shall establish a program to ensure post-abortion  
9 treatment for each individual treated in the facility. This program shall provide:

- 10 (1) a post abortion examination;  
11  
12 (2) post abortion treatment, as appropriate; and  
13  
14 (3) maintenance of data for the purpose of evaluation and program planning.  
15  
16 (4) follow up examination must be free of charge.

17  
18 (k) Every patient shall be provided a copy of the bill for all charges for  
19 services.

20  
21 (l) Parental consent for an abortion is not required in the case of a female  
22 eighteen (18) years of age or older, nor shall a husband's consent be required in  
23 the case of a married female.

24  
25 Section 9. RECORDS

26  
27 The facility's Administrator shall maintain all records required by the provisions  
28 of these regulations. All general or administrative records shall be retained for three  
29 (3) years either in the original form or in the form of a microfilm or photostatic  
30 copy. These records shall include:

31  
32 (a) Statistical Reports - Individual report forms as developed by the Director  
33 shall be completed for all persons requesting abortion services. Data compiled  
34 from the individual report forms shall be recorded and reported on a cumulative  
35 basis. Such reports shall be submitted to the Director within no more than fifteen  
36 (15) working days after the last day of the months of March, June, September and  
37 December. These reports shall not identify any individual patient. Data drawn  
38 from the individual report forms shall include facts so as to reflect the following:

- 39  
40 1. Number of abortions requested  
41 2. Number of abortions performed  
42 3. Age of patient  
43 4. Marital status  
44 5. Racial group  
45 6. Number of pregnancies  
46 7. Number of living children  
47 8. Date of last menstrual period  
48 9. Physician's estimate of length of gestation  
49 10. Type of abortion procedure  
50 11. Number of patients refused, their respective ages, legal residences  
51 and reasons for such refusal  
52 12. Number of patients referred, their respective ages, legal residences  
53 and reasons for such referral  
54 13. Number of previous abortions  
55 14. Number of District of Columbia residents  
56 15. Condition of fetus (Where applicable)  
57 16. Number of Non-D.C. residents, by state  
58 17. Medical diagnosis  
59 18. Number of non-U.S. residents  
60

- 19. Number of patients with complications
- 20. Number of patients requiring emergency treatment
- 21. Weight of fetus (Where applicable)
- 22. Outcome of last pregnancy
- 23. Education

(b) Clinical Records - Each facility shall maintain and ensure the confidentiality of separate clinical records for each patient admitted to the facility, so that information contained in the clinical record is treated as confidential and is disclosed only to persons and under such circumstances as determined by the Director and in accordance with the administrative orders process designated by the Director. The clinical record for each patient shall include the following:

- 1. Personal identification data
- 2. Date of abortion
- 3. Gestational size
- 4. Age of woman
- 5. Technique of abortion
- 6. Number of prior pregnancies
- 7. Number of prior deliveries
- 8. Number of prior abortions
- 9. Consent forms
- 10. Medical history
- 11. Report of physical examination
- 12. Report of diagnostic findings
- 13. Diagnostic and therapeutic orders
- 14. Reports of all medical procedures and counseling performed
- 15. Conclusions
- 16. Plans for follow-up
- 17. Records of post abortion examinations and treatment
- 18. Records of the financial arrangements with the patient

Section 10. TRANSFERS

The Medical Director of each facility shall inform the Director of each instance wherein a patient is transferred to a hospital. Such notice shall be submitted within forty-eight hours of the transfer.

Section 11. INSPECTION

The Commissioner shall have the right to inspect any facility licensed hereunder, any facility applying for a license and any and all records maintained therein, at any reasonable time and without prior notice.

Section 12. PROHIBITIONS

(a) No abortion requiring general anesthesia shall be performed in an outpatient abortion facility.

(b) In the event that an outpatient abortion facility is referred any patient for an abortion by a referral service which charged a fee for such referral, or if such facility knows, or reasonably should know, that such patient was referred to it by a referral service which charged a fee for such referral, the facility shall immediately report all pertinent facts of such alleged referral to the Director and to the Corporation Counsel.

(c) "Fee-Splitting" or the sharing of a fee between any physician and a clinic, for any charge, services or referral by or with an outpatient abortion facility shall be prohibited. No physician shall receive nor request a fee

for referring a patient to an outpatient abortion facility.

(d) No outpatient abortion facility shall be located more than two miles by the most direct route from a hospital providing emergency room services.

(e) No outpatient abortion facility may advertise its services. This prohibition shall not be deemed to include the use of professional business cards or listing in the yellow or white pages of the telephone book.

Section 13. The Director shall develop and implement an educational program to assure that District residents are informed of the outpatient abortion facilities licensed pursuant to this regulation. Such program shall also include the provisions of Regulation No. 71-27 (Dissemination of Birth Control Information and Devices).

Section 14. PENALTY

Any person violating any provision of these regulations shall be fined not more than \$300, or imprisoned for not more than ninety days.

Section 15. SEVERABILITY

Any paragraph or subparagraph or any elements thereof of any section and each section and each paragraph and/or subparagraph of each section are hereby denominated as separate and independent.

Section 16. EFFECTIVE DATE

This regulation shall take effect 90 days following enactment.

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Regulation No. 72-17



September 12, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

**TITLE** REGULATION TO ESTABLISH AND APPLY STANDARDS OF ASSISTANCE FOR PUBLIC ASSISTANCE APPLICANTS AND RECIPIENTS

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, Section 233.20(a) (2) of title 45, Code of Federal Regulations  
2 provides that states must specify a state-wide standard expressed in money  
3 amounts to be used in determining (a) the need of applicants and recipients and  
4 (b) the amount of the assistance payment; and  
5

6 WHEREAS, pursuant to paragraphs 83 and 84 of section 402 of  
7 Reorganization Plan No. 3 of 1967, the District of Columbia Council is authorized  
8 to establish rules and regulations to carry out the provisions of the District of  
9 Columbia Public Assistance Act of 1962, and to approve regulations defining the  
10 amount of public assistance which any person shall receive.  
11

12 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:  
13

14 Section 1. Standards of Assistance are hereby adopted superseding the  
15 existing standards for requirements, and shall be applied:  
16

17 (a) To determine the eligibility of applicants for public  
18 assistance; and  
19

20 (b) To determine or redetermine the amount of the public  
21 assistance grant for the recipient.  
22  
23  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					MEYERS	X										
TUCKER		X				ROBINSON	X										
ANDERSON	X					VEAZEY				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on August 1, 1972

Adopted on second and final reading September 6, 1972

Presented to the Mayor-Commissioner September 6, 1972 Date Edward S. Webb  
Secretary of the City Council

Approved Charles Washington Mayor-Commissioner Date SEP 12 1972

Enacted W/O signature of the Mayor according to ten day limitation rule: Date

Disapproved and returned to the City Council Mayor-Commissioner Date

Readopted Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
Edward S. Webb  
Secretary of the City Council

Section 2. The standards of assistance, based on the February 1970 cost of living, are as set forth in the following table, and include basic costs of food, clothing, shelter, household and personal items, certain transportation costs, and life insurance when paid by the Department of Human Resources (hereinafter, "Department."):

STANDARDS OF ASSISTANCE

This table shall be used as the basis for computing eligibility and payment levels of applicants and recipients for public assistance, except for those persons with special living arrangements:

<u>Family Size</u>	<u>Requirements</u>	<u>Family Size</u>	<u>Requirements</u>
1	\$160	11	\$670
2	200	12	719
3	253	13	753
4	308	14	793
5	356	15	823
6	419	16	864
7	481	17	948
8	531	18	970
9	584	19	990
10	634		

Section 3. Special Living Arrangements

(a) Recipients of public assistance who are in extended or intermediate care facilities shall receive a payment of \$20.00 per month for clothing and personal needs.

(b) Recipients of public assistance who are in mental health foster homes, residential placement facilities, or halfway houses for alcoholics or drug addicts shall receive a payment of \$170.00 per month, \$150.00 of which shall be for room, board, and care, and the remaining \$20.00 for clothing and personal needs.

Section 4. Costs of Training and Employment

(a) An adult member of an assistance unit enrolled in a Department-approved training program, other than the work incentive program (WIN), shall receive a monthly payment in the amount of \$49.00 to cover costs incidental to training.

(b) An employed child fourteen years of age or older who is in an assistance unit receiving Aid to Families with Dependent Children (AFDC) shall receive the amount of \$49.00 per month if his employment is approved by the Department and if he:

(1) is in school full time;

(2) is in school part-time and working less than thirty hours per week.

(c) When an adult member of an applicant or assistance unit has income from employment, only the net income shall be treated as a resource in determining eligibility for and payment of public assistance. Net income is defined as gross income less:

(1) all income required to be disregarded pursuant to Regulation number 71-24;

(2) all deductions from gross income required by law or as a condition of employment;

(3) union dues when required;

(4) cost of special equipment necessary for employment;

(5) cost of child care when not provided by the employer or the Department; and

(6) an amount which represents costs incidental to earning an income. This amount shall be \$58.00 per month when the applicant or recipient is employed thirty hours or more per week, and \$44.00 per month when the applicant or recipient is employed less than thirty hours per week.

(d) Subsection (c) of this section shall apply to an employed child fourteen years of age or older, in a family unit applying for or receiving AFDC, who:

(1) is working thirty or more hours per week and is not in school; or

(2) is working thirty or more hours per week and is in school part time.

(e) Nothing in this section shall be construed as superseding sections 31-201 or 31-202 of the District of Columbia Code, relating to compulsory school attendance and exemptions therefrom.

Section 5. Procedure for Determining Amount of Public Assistance Payment

(a) To determine the public assistance payment for an assistance unit, the Director of the Department shall first subtract from the Standards of Assistance any available resources of the assistance unit (after applicable disregards). The public assistance payment shall then be computed at 75% of the remainder.

(b) Subsection (a) of this section shall not apply to payments for training, employment, or special living arrangements.

Section 6. The following orders are rescinded and the following regulations or parts of regulations are repealed on the effective date of this regulation: Commissioners' Order No. 58-1081; Commissioners' Order No. 62-1951; Order of the Commissioner No. 68-151; sections 1, 2(d), and 3 of Regulation No. 69-30; Regulation No. 69-57; Regulation No. 69-59; Regulation No. 70-36 (Order of the Commissioner No. 70-265); section 4(b) of Regulation No. 71-2; and section 1F2 of Regulation No. 71-24.

Section 7. This regulation shall become effective October 1, 1972.

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Regulation No. 72-18



August 24, 1972  
Enactment Date

# Regulation

of the  
District of Columbia

TITLE REGULATION ENACTING THE 1972 BUILDING CODE

Vice Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, the Council is authorized to promulgate building regulations for  
2 the District of Columbia; and

3  
4 WHEREAS, the Council wishes to promulgate a new building code for the  
5 District of Columbia;

6  
7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

8  
9 Section 1. The regulation attached hereto as Title 5A-1, and denominated  
10 "1972 Building Code of the District of Columbia," is hereby enacted. The Code  
11 shall apply to the buildings, structures, equipment, signs, devices, and premises  
12 for which regulations are therein provided and for which a permit application is  
13 filed on or after the effective date of the Code for the purpose of construction,  
14 alteration, change, repair, improvement or razing.

15  
16 Section 2. Any person who violates, or fails to comply with, any of the  
17 provisions or requirements of this Code or its amendments or orders authorized  
18 thereby, shall upon conviction be punished by a fine not to exceed three hundred  
19 dollars, or imprisonment not to exceed ten days, or both, for each such violation or  
20 failure to comply.

21  
22 Section 3. This regulation shall take effect thirty days following enactment.  
23 Upon the effective date of the 1972 D. C. Building Code, the 1961 D. C. Building  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					MEYERS	X										
TUCKER	X					ROBINSON	X										
ANDERSON	X					VEAZEY	X										

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on August 1, 1972

Adopted on second and final reading August 15, 1972

Presented to the Mayor-Commissioner August 17, 1972

*Edward B. Wilby*  
Secretary of the City Council

Approved *Sterling Tucker*  
Mayor-Commissioner

8/24/72  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

\_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

\_\_\_\_\_ Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated herein.

*Edward B. Wilby*  
Secretary of the City Council

REGULATION 72-18

1 Code adopted on September 29, 1960 and effective January 1, 1961, as amended,  
 2 shall be repealed; Provided, however, that said rules and regulations effective  
 3 January 1, 1961, as amended, shall be considered as remaining temporarily in  
 4 effect for the purpose of permitting the completion of any building work for which  
 5 plans were filed prior to the effective date hereof, but permits issued for such work  
 6 shall not be renewable. Provided further, that said 1961 D. C. Building Code  
 7 effective January 1, 1961, as amended, shall continue in full force and effect with  
 8 respect to offenses committed during the effective period of said Code and with  
 9 respect to prosecution of such offenses, whether such prosecutions are commenced  
 10 before or after the effective date hereof.

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1ST AMENDMENT

TO

TITLE 5A-1

1972 D. C. BUILDING CODE

DEPARTMENT OF ECONOMIC DEVELOPMENT

WASHINGTON, D. C. 20004

TITLE 5A-1 BUILDING CODE

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" " "			viii (Sec. 814.0; 816.0-818.0 825.0-830.0 835.0-836.0)
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100.102 Housing and Health Regulations. The Housing Regulations and the Health Regulations of the District of Columbia contain requirements related to parts of this Code.

100.103 Minimum Wage and Industrial Safety Standards. Plans for certain types of construction including those adjacent to railroads shall be approved by the Minimum Wage and Industrial Safety Board prior to the issuance of permits by the Department of Economic Development.

Ladders providing access to scuttles, penthouses, stacks, fire escapes and the like shall be provided with clearances as specified in the Minimum Wage and Industrial Safety Standards.

Sec. 100.11 Maintenance.

All buildings and structures, and all parts thereof, shall be maintained in safe and sound condition to serve their intended purposes. All equipment, devices, means of egress, and other safeguards required by this Code, or other applicable codes and regulations shall be maintained in a safe and proper working condition, and free from obstructions.

Sec. 100.12 Buildings Altered or Converted.

100.121 Buildings Erected After February 1, 1951. Buildings for which a permit application was filed on or after February 1, 1951, for the purpose of altering or converting, shall comply with all applicable requirements of this Code with respect to such alterations or conversions.

100.122 Buildings Erected Before February 1, 1951. Buildings for which a permit application was filed before February 1, 1951, for the purpose of altering or converting, shall comply with the requirements of Sections 633.0 through 639.0 of Article 6.

Sec. 100.13 Existing Buildings.

Buildings and structures for which application for permit to construct was filed prior to the effective date of this Code, shall be subject to 100.11 on Maintenance, and Sections 640.0 through 649.0 of Article 6.

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## Sec. 108.2 Approval in Part.

The Director may issue a permit for the excavation, or excavation and foundation, for a building or structure in advance of its approval for permit as a whole, provided the complete plans and such specifications as the Director may determine as necessary for the structure have been submitted, full zoning approval obtained, and all other pertinent information has been submitted or obtained as a basis for such partial approval. The holder of such permit shall proceed at his own risk and without assurance that a permit for the entire structure will be granted.

## Sec. 108.3 Other Permits and Approvals.

Before issuance of building permit, all other permits and approvals, required as determined under 107.10, shall have been obtained.

## Sec. 108.4 Deposits and Refunds.

108.41 Deposits. Deposits shall be made as determined in the processing of the application under 107.10.

108.42 Refund of Deposits. Upon completion of the work for which the permit was issued, such deposit, or any unexpended balance thereof, shall be refunded upon application to the owner, or to the depositor if other than the owner, on written authorization by the owner. The application for refund shall be approved by the Director, and in case of deposits made in connection with matters affecting public street or parking space, the refund shall also be contingent on approval of the Department of Highways and Traffic.

## Sec. 108.5 Water and Sewer Mains.

The applicant shall secure from the Department of *Environmental Services* the location and other necessary details regarding water and sewer mains to serve the building to be constructed and shall submit this information together with the application to the Department.

## Sec. 108.6 Payment of Permit Fee.

The permit fee shall be paid in full before issuance of the permit.

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## SECTION 109.0 - CONDITIONS OF PERMIT

## Sections

- 109.1 Permit and Plans at Site
- 109.2 Alterations, Amendments, and Corrections
- 109.3 Revocation or Suspension of Permits
- 109.4 Duration, Expiration, and Renewal of Permits
- 109.5 Transfer of Permits
- 109.6 Compliance with Zoning Requirements
- 109.7 Razing of Buildings
- 109.8 Moving of Buildings
- 109.9 Relocation of Buildings on New Lots

## Sec. 109.1 Permit and Plans at Site

It shall be unlawful to fail or refuse to keep applicable permits and one full set of officially approved plans, on the site of the work being done under the permit, at all times during working hours, and available for inspection.

## Sec. 109.2 Alterations, Amendments, and Corrections.

109.21 It shall be unlawful to alter, amend or correct any lines or figures contained on plats or drawings after approval by the Director or acceptance by him for record and reference; except that if, during the progress of such work, it is desired to deviate in any manner, affecting the construction or other essentials of the building, from the terms of the application or drawing, notice of such desire to alter or deviate shall be given in writing to the Director, and his written assent shall be obtained before such alteration or deviation may be made.

109.22 The issuance of a permit shall not prevent the Director from requiring correction of errors in plans or in construction, at a later date.

## Sec. 109.3 Revocation or Suspension of Permits.

109.31 The Director may revoke or suspend a permit or approval issued under this Code in case of any material false statement or misrepresentation of fact in the applications or on the plans, on which the permits or approvals were based, or if it has been found to have been issued in error. A new permit may be issued at the discretion of the Director following the revocation of the original permit, or the suspended permit may be reinstated, provided that corrected applications, plans, or records are submitted and approved.

109.32 If work under a permit is conducted in violation of any of the provisions of the regulations, and the Director has given written notice of such violation to the contractor, or to his foreman or representative at the site of the building under construction,

## TITLE 5A-1

(2) Buildings on lots abutting streets widened or to be widened may be moved under permit to another location on the same lot, subject to approval of the Director.

(3) A permit is required when a building is elevated or lowered to conform with a change in grade of adjoining public streets or alleys.

109.82 Lot Restoration. When a building is removed, the premises shall be maintained free from all unsafe and hazardous conditions by restoration of drainage, the establishment of grades, and the erection of the necessary retaining walls and fences.

#### Sec. 109.9 Relocation of Buildings on New Lots.

No building shall be moved into the District of Columbia, nor moved within the said District, unless it conforms with all applicable regulations at the new location and the plans of the building are approved for the new site.

### SECTION 110.0 - CERTIFICATE OF OCCUPANCY

#### Sections

- 110.1 General Requirements
- 110.2 Specific Requirements
- 110.3 Buildings Altered or Converted
- 110.4 Part Occupancy
- 110.5 Application for Certificate of Occupancy
- 110.6 Revocation and Recall of Certificates

#### Sec. 110.1 General Requirements.

No person shall use any building, land, or premises, or part thereof, for any purpose, except as hereafter exempted under the Zoning Regulations, until the Director of the Department of Economic Development, upon written application, shall have issued a Certificate of Occupancy to such person for such use, provided the use complies with the Zoning Regulations and the building, land, or premises or part thereof so used complies with all applicable requirements of this Code, the related Mechanical and Electrical Codes, the Housing Regulations, and all orders promulgated by the Commissioner pertaining to any such Codes.

#### Sec. 110.2 Specific Requirements.

110.21 One-Family Dwelling. A Certificate of Occupancy shall not be required for a one-family dwelling.

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112.53 Railings and Guards. To prevent the falls of persons, there shall be provided railings or guards along the exposed edges of all floor openings, ramps, runways, catwalks or platforms (except where such rails or guards would interfere with loading or unloading activities), in wall openings the bottoms of which are less than 21 inches above the finished floor, and at all doorways or walkways immediately adjacent to the edge of a roof. Such railings or guards shall be not less than 30 inches nor more than 42 inches above the finished floor, ramp, platform or other surface, and shall be capable of sustaining a vertical load of 100 pounds per linear foot and a horizontal thrust of 50 pounds per linear foot. The railings shall consist of a top rail and an intermediate rail midway between the floor and the top rail.

Sec. 112.6 Board of Appeals and Review.

This Board provides machinery for appeals from various decisions for any person aggrieved by any action, decision or ruling relating to 640.0 through 649.0 of the Building Code. See §640.3 of Article 6. For further details see Organization Order No. 112, as amended.

## SECTION 113.0 - NUMBERING OF BUILDINGS.

Section

113.1 Numbering of Buildings.

Sec. 113.1 Numbering of Buildings.

All buildings shall be numbered in accordance with the Act of the Board of Aldermen and the Board of Common Council approved November 29, 1869. See Building Code Manual.

## SECTION 114.0 - INDEPENDENCE OF REQUIREMENTS

Section

114.1 Independence of Requirements.

Sec. 114.1 Independence of Requirements.

If any provision of this Code, or the application thereof to any person or circumstances is held invalid, the remainder of this Code and the application of such provision to other persons and circumstances shall not be affected thereby.

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the marginal lines of the lettering or border. In the case of a sign of one horizontal line of lettering not exceeding 18 inches in height, the background of such sign will be excluded if not over 42 inches in height, except where such sign has an illuminated border.

**Area, fire.** A portion of a building which is cut off from other portions of the building by one or more fire-resistive walls and/or fire-resistive floors having fire-ratings as established by Table 5 of Article 2. Where such walls and floors are not provided, the entire building shall be considered as a fire area.

**Area, floor.** The total interior horizontal area of a single floor between exterior walls; or between exterior walls, party walls and fire walls, or other fire separations.

**Areaway.** An open subsurface space adjacent to a building, used to admit light or air, or as a means of access.

**Ashlar facing.** Facing of a faced or veneered wall composed of solid rectangular units, usually larger in size than brick, and having sawed, dressed, or squared beds.

**Ashlar masonry.** Masonry composed of rectangular units usually larger in size than brick, properly bonded, and having sawed, dressed or squared beds.

**Attic.** The space between the ceiling framing of the top habitable story and the roof framing.

**Attic Appliance.** An appliance designed specifically for installation in an attic or in a space with low head room, normally unoccupied. Such appliances shall be readily accessible for servicing. For gas-fired appliances see *Chapter 3, Section 304.3 of D. C. Gas Code: "Confined Spaces, Appliances Located In."*

**Attic furnace.** A forced warm air furnace designed specifically for installation in an attic or in a space with low headroom, normally unoccupied.

**Automatic ignition.** Automatic ignition shall be interpreted as means which provide for ignition of gas at a burner when the valve controlling the gas to that burner is turned on.

**Awning.** A temporary rooflike structure over a door, window and/or other opening or combination of these openings, attached to, supported from or contiguous to a building. For the purpose of this Code, an awning shall be limited to a maximum area of 250 square feet with a maximum dimension of 25 feet.

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listing for conveying flue gases from gas appliances or vent connectors to the outside atmosphere.

(a) Type B gas vent. A gas vent for venting gas appliances with draft hoods listed for use with Type B gas vents. (See Vent, gas, type B.)

(b) Type BW gas vent. A gas vent for venting listed gas-fired wall furnaces.

Grade. The finished ground level adjacent to or against the building.

*Grandstand. Any structure, excepting (movable) folding and telescopic seating, sectional benches, seats and chairs, intended primarily to support persons for the purpose of assembly, but shall not apply to the permanent seating in theatres, churches, auditoriums and similar buildings. Where the term grandstand is preceded by an adjective denoting a material, it shall mean a grandstand, the essential members of which exclusive of seating, are of the material designated.*

Gravity furnace. A central furnace depending primarily on circulation of air by gravity.

Gravity system. A central warm air heating system through which air is circulated by gravity. It may also use an integral fan or blower that is used only to overcome the internal furnace resistance to air flow.

Habitable room. An undivided enclosed space, so provided with natural light and ventilation, so protected against the elements, so located with reference to the ground surface, and of such size as to comply with the provisions of these regulations as hereinafter set forth. Habitable rooms shall include rooms used for living, eating *and* sleeping but shall not include *kitchens*, sun porches, bathrooms, water-closet compartments, laundries, serving and storage pantries, closets, hallways, corridors or recreation rooms in single family dwellings.

Header. A masonry unit which ties two or more wythes of the wall together by overlapping.

Heat exchanger, direct. A heat exchanger in which heat generated in the combustion chamber of the appliance is transferred direct through walls of the heat exchanger to the heating medium (such as air, steam, or water) held in close contact with the combustion-chamber walls. It is a self-contained combustion and heat-transfer device, hence a direct heat-transfer device.

Heat exchanger, indirect. A heat exchanger which encloses or contains a heating medium (such as air, steam, or water), the heat from which is transferred to another heating medium separately contained in close contact with or directed through the heat exchanger. It is an indirect heat-transfer device.

Heat pump. A refrigeration system arranged to accomplish either heating or cooling.

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or life hazards exist because of the operations involved. See also D. C. Fire Prevention Code. D. C. Fire Prevention Code requirements shall apply when more restrictive than the D. C. Building Code.

## Sec. 202.3 Group B Storage.

The storing or shelter of goods, merchandise, products, vehicles, other than those whose properties or quantities require Group A classification. D. C. Fire Prevention Code requirements shall apply when more restrictive than the D. C. Building Code.

## Sec. 202.4 Group C, Mercantile.

The display and sale of goods, wares, or merchandise other than those whose properties or quantities require Group A classification.

## Sec. 202.5 Group D, Industrial.

Where work is performed in manufacturing, assembling, processing, altering, or repairing materials or products except those coming under Group A, D. C. Fire Prevention Code requirements shall apply when more restrictive than D. C. Building Code.

## Sec. 202.6 Group E, Business.

The transaction of administrative, business, civic, or professional services including libraries, museums and the like, and where the handling of goods, wares, or merchandise, in limited quantities, is accessory to the primary occupancy or use. Motor vehicle fueling stations shall be considered as Group E Business Occupancies. *See also Section 630.10.*

## Sec. 202.7 Group F, Assembly.

Assembly occupancy shall include the assembly of persons for purposes such as entertainment, dining, recreation, deliberation, instruction, or worship.

(1) Group F-1. Theatres. Group F-1 occupancy shall include places of assembly having fixed seats and a theatre stage and places of assembly with fixed seats but without such theatre stage, for showing of motion pictures.

(2) Group F-2 Assembly. Group F-2 occupancy shall include places without theatrical stage accessories, used as night clubs and other public clubs, taverns, bars, restaurants, and similar places, with or without dancing space.

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(3) Group F-3 Assembly. Group F-3 Occupancy shall include places of assembly with or without an auditorium, in which persons assemble for civic, amusement, entertainment, or recreation purposes, and incidental motion picture, dramatic, theatrical, or educational presentations, or for similar purposes, without theatrical stage other than a raised platform, and principally used without permanent seating facilities. Included are lecture halls, meeting or conference rooms with population capacity of 125 persons or more on or above the main floor, or 75 persons or more below the main floor, lodge halls, recreation centers, bowling alleys, gymnasiums, skating rinks, ballrooms, passenger terminals, auditoriums, and similar places. Roof gardens for assembly use shall be subject to the same egress and fire-resistance requirements.

(4) Group F-4 Assembly. Group F-4 assembly shall include places used for educational and religious purposes.

1. Group F-4A Assembly. Group F-4A shall include places used for educational purposes such as preschools, schools and colleges. *See also Section 630.10.*

2. Group F-4B Assembly. Group F-4B shall include places used for religious purposes including classrooms used only for religious instruction.

(5) Group F-5, Outdoor Assembly. Group F-5 assembly shall include places for outdoor assemblage, including grandstands, observation stands, stadiums, drive-in theatres, tents, and places serving similar purposes.

Sec. 202.8 Group H, Institutional.

Places for the domicile or care of five or more persons suffering from physical limitations, or requiring care, treatment or assistance by reason of health, age, or physical or mental illness or affliction, or under detention for penal or correctional purposes, or otherwise detained under supervision. For the purpose of determining the number of inmates, only such persons as are not related by blood or marriage within the third degree of consanguinity to the owner, operator, or manager of the establishment shall be counted. Institutional uses shall be further classified as:

(1) Group H-1. Places whose inmates are detained under restraint, such as jails, prisons, reformatories, psychiatric hospitals and institutions for narcotic or alcoholic treatment.

(2) Group H-2. Places such as hospitals, orphanages, convalescent and nursing homes, day nurseries, and homes for the aged and infirm.

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TABLE 5-REQUIRED FIRE-RESISTANCE RATINGS OF STRUCTURAL ELEMENTS IN HOURS  
TYPE OF CONSTRUCTION

ITEM	STRUCTURAL ELEMENT	TYPE OF CONSTRUCTION										
		TYPE 1			TYPE 2		TYPE 3			TYPE 4		
		Fire-resistive			Incombustible		Partly Combustible			Combustible		
		1A	1B	1C	Pro- tected	Unpro- tected	Heavy Timber (Mill)	Pro- tected	Unpro- tected	Pro- tected	Unpro- tected	
Note A	Exterior Walls On interior lot lines or less than 4' there from or from other bldg.	Bearing	4	3	2	2	2	2	2	2	Note B 1/2	C. Note B
		Non Bearing	2	2	1 1/2	1 1/2	1 1/2	2	2	1 1/2	Note B 1/2	C. Note B
	6' or more but less than 11'	Bearing	4	3	2	2	Inc.	2	2	2	Note B 1/2	C. Note B
		Non Bearing	1 1/2	1 1/2	1 1/2	1/2	Inc.	1 1/2	1 1/2	1	1/2	C.
	11' or more but less than 30'	Bearing	4	3	2	2	Inc.	2	2	2	1/2	C.
		Non Bearing	1	1	1	1/2	Inc.	1	1	1/2	1/2	C.
	On street lot lines or with separation of 30' or more	Bearing	4	3	2	2	Inc.	2	2	2	1/2	C.
		Non Bearing	Inc.	Inc.	Inc.	Inc.	Inc.	Inc.	Inc.	Inc.	C.	C.
	2	Interior Bearing Walls and Partitions	4	3	2	2	1/2	Inc.	2	1/2	2	2
	3	Fire Walls & Fire Separations	← But in no case less than required by Table 7 of Article 3. →									
	4	Party Walls	← Fire-resistance rating corresponding to Table 7 of Article 3. → for use but in no case less than required by Sec. 915.0 of Article 3.									
5	Enclosure of Exit Corridors & Shafts over 10 square feet.	2	2	2	1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1 1/2	1/2	1/2
6	Shafts 10 Square Feet and Less Public Corridor Partitions		1	1	1	1/2	1/2	1/2	1/2	1/2	1/2	1/2
			Note F	Note F	Note F	1/2	1/2	1/2	1/2	1/2	1/2	1/2
7	Other Non Bearing Partitions	Inc.	Inc.	Inc.	Inc.	Inc.	C.	C.	C.	C.	C.	
8	Columns, Girders, Trusses (Other than roof trusses) and Framing	Supporting one floor or roof	3	3	1 1/2	1/2	Inc.	See Sec. 909.0 Art. 3.	1/2	C.	1/2	C.
		Supporting more than one floor	4	3	2	1/2	Inc.	See Sec. 909.0 Art. 3.	1/2	C.	1/2	C.
9	Floor Construction Including Beams	3	2	1 1/2	1/2	Inc.	See Sec. 909.0 Art. 3.	1/2	C.	1/2	C.	
10	Roof Construction Including Beams 15' or Less Above Floor		2	1 1/2	1	1/2	Inc.	See Sec. 909.0 Art. 3.	1/2	C.	1/2	C.
			1 1/2	1	1/2	Inc.	Inc.	See Sec. 909.0 Art. 3.	C.	C.	1/2	C.
11	Roof Trusses & Framing Including Arches & Roof Deck Note D	More than 15' But Less Than 20' Above Floor	1 1/2	1	1/2	Inc.	Inc.	See Sec. 909.0 Art. 3.	C.	C.	1/2	C.
		20' or more Above Floor	1/2	1/2	1/2	Inc.	Inc.	See Sec. 909.0 Art. 3.	C.	C.	C.	C.

Inc. - Incombustible Construction — No fire-resistance rating required.  
C. - Combustible Construction — No fire-resistance rating required.  
For type of material for stair construction, see Sec. 901.6

- Note A - For further provisions on application of fire-resistance and separation requirements for exterior walls see Sec. 903.0 of this Article and Sections 904.0 and 915.0 of Article 9.
- Note B - To be spaced given distance from interior lot lines per Sec. 302.0 of Article 3. See Note G-Table 6.
- Note C - See Sec. 905.0 of Art. 3 for permitted materials in nonbearing partitions serving no fire-resistive function. See Sec. 903.5 for fire separation.
- Note D - See Sec. 903.6 for conditions under which protection for roof framing may be omitted, with or without automatic sprinkler protection.
- Note E - Construction supporting walls and partitions shall have a fire-resistance rating not less than the wall or partition supported. For lintels and spandrel beams see Sec. 922.3. Exterior constructions, outside the building enclosing walls, such as marquees, canopies, balconies, porches, etc., shall be incombustible on buildings of Type 4 construction unless specifically required otherwise. Requirements for roofing, skylights, roof domes and the like, see the appropriate Sections of Article 9.

Note F - In buildings of Type 1 Construction and Business E Occupancy, public corridor partitions on the main floor and above may be of incombustible construction without a fire-resistance rating.

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**TABLE 6—BUILDING HEIGHT AND FIRE AREA LIMITATIONS**  
for area and height adjustments see footnotes  
(areas in square feet)

Not limited   
Not permitted 

USE GROUP	TYPE OF CONSTRUCTION									
	TYPE 1			TYPE 2		TYPE 3			TYPE 4	
	Fire-resistive			Incombustible		Partly Combustible		Combustible		
				Pro- tected	Unpro- tected	Heavy Timber	Pro- tected	Unpro- tected	Pro- tected	Unpro- tected
Footnotes	1A	1B	1C	2A	2B	3A	3B	3C	4A	4B
A. High Hazards	3 st. 6,000	3 st. 5,000	2 st. 4,500	2 st. 3,500	1 st. 2,500	2 st. 2,500	2 st. 2,500	1 st. 2,000		
B. Storage		5 st. 20,000	5 st. 15,000	4 st. 12,500	2 st. 9,000	3 st. 12,500	3 st. 12,500	1 st. 9,000		
C. Mercantile For Sales Basements, See Sec. 303.2(2)			5 st. 18,000	4 st. 12,500	2 st. 9,000	3 st. 12,500	3 st. 12,500	1 st. 9,000	See Section 312.5(2)	
D. Industrial			5 st. 18,000	4 st. 12,500	2 st. 9,000	3 st. 12,500	3 st. 12,500	1 st. 9,000		
E. Business				4 st. 15,000	2 st. 9,000	3 st. 12,500	4 st. 12,500	1 st. 9,000	(See Section 312.5(2))	
F, ASSEMBLY	F-1, Theatres			25,000						
	F-2, Taverns Night Clubs Restaurants			5 st. 20,000	2 st. 10,000	1 st. 7,000	2 st. 9,000	2 st. 9,000	1 st. 7,000	
	F-3, Lecture, Lodge Halls, Ballrooms, Roof gardens			5 st. 20,000	3 st. 10,000	2 st. 7,000	3 st. 10,500	3 st. 9,000	1 st. 7,000	
	F-4A, Schools Colleges			5 st. 25,000	3 st. 12,000	2 st. 7,500	2 st. 9,000	3 st. 10,000	1 st. 7,000	
	F-4B, Churches				3 st. 12,000	2 st. 7,500	2 st. 10,000	3 st. 10,000	1 st. 7,500	(See Section 312.5(2))
	H. INST. Note J	H-1, Restrained	6 st. 20,000	5 st. 15,000	4 st. 10,000	2 st. 8,000	1 st. 5,000			
	H-2, Incapacitated			8 st. 15,000	2 st. 6,000	1 st. 3,000	2 st. 5,000	2 st. 5,000		
L, RESIDENTIAL Note I	L-1, Multiple Dwellings				4 st. 4,000	2 st. 3,000	4 st. 4,000 (B)	4 st. 4,000 (B)		
	L-2, Single and Two-Family Dwellings				3 st. 5,000	2 st. 5,000	3 st. 5,000	3 st. 5,000	2 st. 5,000	3 st., 5,000 (G)
M, Miscellaneous Structures— Sec. 202.10 of Art. 2; Secs. 301.0, 302.0 and 304.0 thru 310.0 of Art. 3; Secs. 301.4, 303.6 (4) and 303.6 (5) of Art. 3.										

- Note A—For heights and areas of storage and parking garages see Sec. 304.2.
- Note B—Fire areas limited to 2,500 sq. feet for three-story or higher buildings.
- Note C—Buildings of Type 2A construction and B, C, D, or E occupancy may be increased one-story but not above 60 feet in height with Type 1 main floor.
- Note D—For Types 2B and 3C construction and B, C, or E occupancy, the height may be two stories with Type 2A main floor, if limited to 3,000 sq. feet.
- Note E—Building of B, C, D, or E occupancy equipped throughout with an automatic sprinkler system not otherwise required, may be increased one-story in height, but limited to 60 feet for Types 2 or 3 construction. No area increase is permitted as per Note F.
- Note F—For buildings of B, C, D, or E occupancy equipped throughout with an automatic sprinkler system not otherwise required, the permitted areas may be increased 100 per cent.
- Note G—For purposes of Table 6 only, basements and cellars in L-2 buildings shall not be considered as stories. Party walls shall be masonry in accordance with Sec. 313.0 of Art. 3. Exterior walls within 18 inches of a party wall shall be masonry, or party walls shall extend not less than 18 inches beyond exterior walls.
- Note H—Where increased fire areas are permitted by reason of accessibility (Sec. 303.2) and sprinkler systems, the increased areas shall be computed from the basic figures in Table 6. The maximum total area based on a complete automatic sprinkler system and accessibility on all sides shall not be more than 300 percent of the basic area in Table 6.
- Note I—For special requirements for Personal Care Homes, see Sec. 404.0 of Art. 4.
- Note J—For additional special requirements relating to Group H Occupancy buildings see Sec. 405.0 of Art. 4.
- Note K—Open plan areas in F-4A buildings are limited to 30,000 square feet in type 1 construction and to the tabular areas above for other types of construction except as modified by Sec. 303.2 (4). Those areas may be increased by 100% if an approved automatic sprinkler system is installed. However, the maximum total area based on an approved automatic sprinkler system and accessibility on all sides shall not exceed 300% of the basic areas in Table 6.

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## ARTICLE 3 - GENERAL BUILDING REQUIREMENTS

## SECTION 300.0 - FIRE LIMITS AND PROVISIONS

## Sections

- 300.1 Definition of Fire Limits
- 300.2 Change in Limits
- 300.3 Buildings Partly Within Fire Limits

## Sec. 300.1 Definition of Fire Limits.

The R-1, R-2 and R-5A Residence Districts, as designated on the zoning maps attached to the Zoning Regulations of the District of Columbia, shall constitute the areas outside the fire limits. All other areas shall be within the fire limits.

## Sec. 300.2 Change in Limits.

For new construction the fire limits shall change automatically with changes in the boundaries of the zoning districts.

## Sec. 300.3 Buildings Partly Within Fire Limits.

For a building located or to be located partly within and partly outside of the fire limit area, the provisions of the fire limit area shall apply.

## SECTION 301.0 - CONSTRUCTION WITHIN FIRE LIMITS

## Sections

- 301.1 General Requirements
- 301.2 Sheds and Private Garages.
- 301.3 Parking Lot Offices
- 301.4 Temporary Buildings and Structures of *Combustible* Construction
- 301.5 Sunporches
- 301.6 Open Porches
- 301.7 Fences
- 301.8 Waterfront Structures

## Sec. 301.1 General Requirements.

All buildings and structures hereafter erected within fire limits shall be of Type 1, Fire-resistive, Type 2, Incombustible, or Type 3, Partly Combustible construction, except for minor, temporary, and accessory buildings, structures, or parts thereof, as exempted in the following sections. Also see Section 312.0 of this Article.

## Sec. 301.2 Sheds and Private Garages.

Sheds of sheet metal with wood supporting frame, not exceeding 450 square feet in area, nor more than 15 feet in height to conform to D. C. Zoning Regulations, may be erected for private storage purposes and for private garages when located on the rear of a lot.

## Sec. 301.3 Parking Lot Offices.

Wood frame construction with facings of incombustible materials may be used for buildings for office purposes upon lots established for the sale or parking of vehicles, provided that such buildings do not exceed 120 square feet in area, nor 15 feet in height to conform to D. C. Zoning Regulations. With wood or other combustible facings the area shall not exceed 40 square feet and shall be removed not less than 3 ft. from all party lines.

Sec. 301.4 Temporary Buildings and Structures of *Combustible* Construction.

The type of construction and materials used, and the location, area, height and use of such temporary buildings shall be subject to the approval of the Director of the Department of Economic Development and the Fire Chief. Such buildings and structures may be erected and maintained for the following uses:

(1) In connection with a building project for which a permit has been issued, for storage, office, or for other purposes usual and necessary in the construction of permanent buildings. Such permits shall be granted for a period of not more than one year, but may be renewed from time to time, if, in the opinion of the Director, conditions warrant such renewal. The Director may order the removal of such structures at any time that the conditions upon which approval was granted no longer exist, or for other causes.

(2) Upon wharves, and in established coal, wood, lumber, stone, concrete, railroad yards and similar uses, for storage and office purposes only, if isolated from other buildings and located so as not to endanger them in the event of fire. Such permits will be limited to the time during which the occupancy, upon which the approval is granted, is maintained. They shall be removed at the expiration of such occupancy.

(3) Observation stands when constructed as hereafter provided.

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## SECTION 302.0 - CONSTRUCTION OUTSIDE OF FIRE LIMITS

## Sections

- 302.1 General Requirements
- 302.2 Porches
- 302.3 Residential and Accessory Buildings

## Sec. 302.1 General Requirements.

All buildings and structures hereafter erected shall comply with the applicable requirements of Table 6, of Article 2. The provisions contained in § 301.2 through 301.4 shall also be applicable for construction performed under this Section. Also see Section 312.0 of this Article.

## Sec. 302.2 Porches.

All sunporches and open porches shall be removed 8" from all party lines *as per D. C. Zoning Regulations* unless there is masonry wall or masonry wall face on adjacent property line.

## Sec. 302.3 Residential and Accessory Buildings.

(1) L-2 buildings outside the fire limits (R-1, R-2 and R-5A districts) must share a masonry party wall with an existing building, or a building being constructed together with the new building, or it shall have a side yard on each resulting free standing side as required by the *D. C. Zoning Regulations*.

(2) Accessory Buildings. Wood frame buildings may be built for private garages, sheds, barns, and private stables, provided the height does not exceed 15 feet, *to conform to the D. C. Zoning Regulations* and the area 450 sq. ft. Such buildings shall be set back from lot lines not less than three ft., unless the exterior facing is of incombustible materials.

## SECTION 303.0 - GENERAL HEIGHT AND AREA LIMITATIONS

## Sections

- 303.1 General Limitations
- 303.2 Area Requirements
- 303.3 Height Requirements
- 303.4 Multiple Occupancies
- 303.5 Fire Separations
- 303.6 Buildings Required to be Fully Fire-Resistive
- 303.7 Main Floor Protection
- 303.8 Requirements for Accessory Occupancies
- 303.9 Mixed Occupancies
- 303.10 Condominium Project

## Sec. 303.1 General Limitations.

The number of stories and the inside area of individual floors between exterior walls, party walls or between exterior walls and fire walls or other fire separations, shall not exceed the limits given in Table 6, of Article 2, except as they may be modified by other provisions of this Code.

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## Sec. 301.5 Sunporches.

Sunporches on single-family dwellings may have wood flooring, joists, stairs, roof framing, balustrades, sash, frames, trim, and wall framing. However, beams supporting floor joists, columns, and the exterior surfaces of exterior enclosing walls shall be of incombustible materials. Sunporches shall be removed 8" from all party lines *as per the D. C. Zoning Regulations* unless there is an 8" masonry party wall or masonry wall face on adjacent property line.

## Sec. 301.6 Open Porches.

One- and two-story open porches may have wood flooring, joists, railings, balustrades, stairs and roof framing. Beams and columns shall be of incombustible material and in cases where porches are permitted as a required means of egress, only the roof framing, stairs and balustrades may be of wood construction. One-story open porches on L-2 buildings may be entirely of wood construction, except that supporting posts shall be of masonry below the floor level. Open porch construction shall be removed from all party lines *as per the D. C. Zoning Regulations* unless there is an 8" masonry party wall or masonry wall face on adjacent property line. The minimum height of railing shall be 32".

All open porches, 42 inches or more above the ground, shall have balustrades or other guards not more than 42 inches in height, along the entire length of any open unprotected side. Open porches, less than 42 inches but more than 24 inches above the ground, shall have balustraded or other guards not more than 42 inches in height, or a top rail not more than 42 inches above the porch floor or stair tread with an intermediate rail approximately midway between the floor or tread and top rail, along the entire length of any open unprotected side. All stairs leading to open porches shall have handrails, balustrades or other guards. The vertical distance from the top of any handrail, balustrade, or other guard to the surface of any platform or front edge of any stair tread shall be not less than 31 inches. Where handrails are required on steps they shall conform with Section 603.10.

## Sec. 301.7 Fences.

See Section 309.0 of this Article.

## Sec. 301.8 Waterfront Structures.

Structures erected shoreward of the established pier-head line may be of wood to the extent shown on the plans approved in connection with permits for such structures.

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with labeled openings. There shall be a platform not less than 5 feet in width in front of these openings.

## (4) Storage.

1. Requirements for accessory hazardous storages are given in Sections 401.3, 401.4, 401.6, 402.2 and 402.3 of Article 4.

2. For H-2 Institutional and L-1 Residential occupancies, the area for storage shall be separated from other areas with construction having not less than 1-1/2 hour fire-resistance rating with labeled openings.

## (5) Mercantile.

1. Newstands, florist stands, cigar stands, shoe shining stands, and similar low-hazard uses limited to 200 square feet will be permitted in D Business buildings without enclosure.

2. Gift shops and flower shops in H-2 Institutional buildings shall be separated with 1/4 inch thick wire glass in metal frames. The metal shall have a melting point of not less than 1400 degrees F.

(6) Kitchens. Public kitchens in F-2 Assembly and L-1 Residential occupancies shall be enclosed by not less than 3/4 hour fire-resistance rated construction with protected openings, except that where the kitchen area is equipped with a ventilating hood or hoods conforming with the requirements of §§ 1110.1 and 1110.2 and effective for all cooking appliances used, the separation is not required,

## (7) Detached Private Garages.

1. Location. Private garages of Types 1, 2, or 3 construction are not limited with respect to distance from lot lines except as restricted under Zoning Regulations. For private garages of Type 4 construction see §§ 301.2 and 302.3.

2. Height. The height of private garages of Types 1, 2A, 3A, or 3B construction shall be limited to two stories or 20 feet, with automobile storage limited to the ground floor. The height of garages of Type 2B, 3C and Type 4 construction shall be limited to 15 feet.

3. Area. The area of private garages shall not exceed 900 square feet if of Types 1, 2, or 3 construction, except Type 2B construction shall be limited to 450 square feet if within three feet from interior lot lines. The area of private garages of Type 4 construction shall not exceed 450 square feet.

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a. Permitted heights and areas.

Number of Stories <sup>1</sup>	Area, Square Feet Construction Type		
	Type 1	Type 2A <sup>2</sup>	Type 2B <sup>2</sup>
1	Unlimited	Unlimited	Unlimited <sup>3</sup>
2	Unlimited	Unlimited	30,000 <sup>3</sup>
3	Unlimited	Unlimited	30,000 <sup>3</sup>
4	Unlimited	Unlimited	30,000 <sup>3</sup>
5	Unlimited	50,000	30,000 <sup>3</sup>
6	Unlimited	50,000	30,000 <sup>3</sup>
7	Unlimited	50,000	30,000 <sup>3</sup>
8	Unlimited	50,000	30,000 <sup>3</sup>
9	Unlimited	50,000	30,000 <sup>3</sup>
10	Unlimited	50,000	Not permitted
11	Unlimited	Not permitted	Not permitted

<sup>1</sup> Additional parking permitted on roof.

<sup>2</sup> Limited to 100 feet in height.

<sup>3</sup> Structural framing, if of steel, to be hot-rolled structural steel shapes.

<sup>4</sup> The above areas may be increased in accordance with Section 303.2(4).

(5) Mechanical Parking Garages. Mechanical parking garages, in which motor vehicles are parked without being operated by a driver, will be permitted under the same requirements as for enclosed garages, with the following qualifications.

As multiple occupancy, they shall be permitted only with vertical separations without openings.

1. Mechanical equipment and operation.

a. The details of equipment for mechanical parking garage and the installation thereof, shall be specified in full in connection with the application for permit.

b. After installation and before approval, operation tests shall be conducted under the range of conditions to be met for the particular garage. Approval shall be conditioned on satisfactory and safe operation, and conformity with all applicable requirements of the Building Code and Elevator Regulations.

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## Sec. 305.4 Marking and Lighting.

Radio and television towers shall be marked and lighted in accordance with provisions of *the latest issue of the Federal Aviation Administrations Advisory Circular No. 70/7460: Obstruction Marking and Lighting.*

## SECTION 306.0 - RADIO AND TELEVISION POSTS AND ANTENNAE

## Sections

- 306.1 Permits
- 306.2 Location and Clearance
- 306.3 Materials and Support
- 306.4 Roof Connections

## Sec. 306.1 Permits.

Permits are required where posts or masts exceed 20 feet in height above a roof. The following provisions shall apply where permits are required.

## Sec. 306.2 Location and Clearance.

(1) No antennae or their associated counterpoises, guy wires, supports, or lead-in conductors, shall be erected in, on, or across any public street, avenue, road, highway, alley, or other public space.

(2) No wires or parts of an antenna assembly shall be erected or installed so they cross over any light or power lines, nor be supported so that such wires or parts may swing within 2 feet of such lines, nor shall any horizontal member or guy wire be less than 8 feet in the clear above any roof.

## Sec. 306.3 Materials and Support.

Vertical whip, rod, or dipole assemblies shall be of non-corroding materials and shall be of adequate strength to withstand snow and wind loads. The masts of poles supporting dipole assemblies shall be securely fastened to a structural member of the building on which they are supported. No pole, mast, guy, or support for any antenna shall be placed in or fastened to any soil stack, vent pipe, or other plumbing appurtenance, nor shall any antenna, guy wire, or lead-in be attached to or swing across any fire escape or fire ladder.

## TITLE 5A -1

## (1) Types and Locations.

1. Folding, hinged or fixed types attached only to the structure may be erected over windows, existing show windows and doors and shall extend not over 5 feet beyond the point of attachment. The width shall be sufficient to cover only the door or opening and a reasonable distance each side thereof, except that in Residential Districts projecting porches may be covered with an awning.

2. Awnings over parking and sidewalks. Awnings with fixed iron post and frames may be erected beyond the building line to the inner line of the sidewalk. Permits for awnings of this class may be approved by the Director for use in conjunction with any place of assembly (Group F occupancy) having an occupant capacity greater than 100 persons; with any residential building (Group L-1 occupancy) having more than 50 dwelling units; and with any mercantile establishment (Group C occupancy) or business building (Group E occupancy), when such establishment or business building has a frontage of 100 feet or more on the street on which the awning is proposed or contains in excess of 15,000 square feet of area per floor. Provided that in specific cases where in the opinion of the Director such an installation would be of merit without being detrimental to the public, the awning may be extended to a line 18 inches back of the curb. In these specific cases approval may be granted by the Director when it has been determined that (a) pedestrian traffic flow will not be impeded, (b) the presence of such an awning will not detract from the appearance of the neighborhood, and (c) such an awning will be of convenience to the patrons of the establishment served by the awning especially in the loading and unloading of vehicular traffic during inclement weather. The width of all awnings over parking and/or sidewalks shall be limited to the width of the door or opening and a reasonable distance each side thereof; however, an awning used as protective cover for a legally established sidewalk cafe may be of sufficient *size* to afford cover over the authorized seating area, preserving a minimum clearance of 8 inches from the party lines extended. All applications must be accompanied by drawings showing the spacing of all posts and method of anchoring. The frames shall be structurally stable and posts shall be so located as not to impede the principal flow of pedestrian traffic. Posts shall be rigidly secured at the base in sockets or by other approved means.

## Sec. 307.5 Lettering on Awnings.

For permitted lettering on awnings see Section 1405.4 and Section 1407.0 of Article 14.

## TITLE 5A-1

## Sec. 306.4 Roof Connections.

All connections to the roof structures shall be properly flashed to maintain water tightness. No such structure shall be erected so as to injure the roof covering, and when removed the roof covering shall be repaired to maintain weather resistance.

## SECTION 307.0 - AWNINGS

## Sections

- 307.1 Material
- 307.2 Structural Requirements
- 307.3 Awnings Over Private Property
- 307.4 Awnings Projecting Beyond the Building Line
- 307.5 Lettering on Awnings
- 307.6 Temporary Awnings

## Sec. 307.1 Material.

(1) Canvas, metal, approved wood, or approved plastic awnings shall be erected under permit if the projection is over 40". *An awning shall be limited to a maximum area of 250 sq.ft. with a maximum dimension of 25' except for awnings over legally established sidewalk cafes.*

(2) Wood for awnings shall be of any wood which qualifies for a flame-spread rating of 100 or under.

(3) Plastics for awnings shall qualify for Class D-1 under the requirements of Section 901.4 of Article 9.

## Sec. 307.2 Structural Requirements.

All awnings, other than canvas covered, and the structural framework of canvas covered awnings, projecting over 5 feet, shall meet the requirements for roof construction as set forth in Articles 7 and 8.

## Sec. 307.3 Awnings over Private Property.

All awnings, patio covers, and the like shall comply with the requirements of the Zoning Regulations. When on fixed frames attached to the building or on fixed posts and frames, they shall be treated as a part of the structure. Awnings over doors shall have a minimum clear height of 6 feet, 8 inches.

## Sec. 307.4 Awnings Projecting Beyond the Building Line.

All awnings shall have a minimum clear height of 8 feet above the sidewalk or any other space used by the public.

## TITLE 5A-1

(2) Fences abutting alleys shall not exceed 7 feet in height in Residential Districts nor 10 feet in S-P, C, C-M or M Districts, except that the Director may approve a greater height where the alley is 15 feet or greater in width.

(3) Fences within a strip 10 feet wide and parallel to the party line shall not exceed 7 feet in height in Residential Districts nor 10 feet in S-P, C, C-M or M Districts except where the written consent of the adjoining owners is filed with the Director, he may approve a greater height. Fences shall not obstruct light or ventilation for any required window.

(4) Fences more than 10 feet from a party, alley, building or building restriction line shall not be limited as to height, except that they may not encroach on a required yard or court, nor obstruct the light or ventilation for any required window.

(5) Gates shall not exceed the height of the fence.

## Sec. 309.4 Barbed Wire Fences.

(1) No barbed wire or similar fence, barrier, or obstruction, made thus in whole or part, shall be erected, constructed, or maintained, along the restriction line, or in or upon any street, alley, road, or other public walk, driveway or public or private parking within the fire limits in the District of Columbia. (See Section 300.1).

(2) Outside of fire limits, no such fence, barrier, or obstruction, shall be erected, constructed, or maintained along any restriction line of or in or upon any street, avenue, alley, road, or other public walk, driveway, or public or private parking, without a permit therefore from the Director.

(3) A barbed wire or similar fence, barrier or obstruction may be erected wholly on private property when so located in back of the lot line or building restriction line if one exists. The minimum height of the lowest strand of barbed wire shall be 6 feet above adjacent ground and the wire shall not project beyond the lot line or building restriction line.

## SECTION 310.0 - PRIVATE SWIMMING POOLS

## Sections

- 310.1 Structural Requirements
- 310.2 Protective Fence or Enclosure
- 310.3 Pool Lining
- 310.4 Pool Depth Markings
- 310.5 Protection of Equipment
- 310.6 Inspection
- 310.7 Pool Lighting
- 310.8 Other Requirements

## TITLE 5A-1

bottom of the pool. Letters and numerals shall be at least four (4) inches high and shall contrast sharply in color with the pool walls and deck.

## Sec. 310.5 Protection of Equipment.

Pumps, filters, and other mechanical and electrical equipment shall be enclosed in such manner as to be accessible only to authorized persons.

## Sec. 310.6 Inspection.

In addition to the established inspection procedures, there shall be an inspection upon completion of the construction by the Director of the Department of Economic Development and the Director, Dept. of *Environmental Services* for final approval. Further, private swimming pools shall be inspected periodically by the Director, Dept. of *Environmental Services* to determine that the equipment and appurtenances are in repair and in good operating condition, and that there is no immediate hazard to life, health or safety.

## Sec. 310.7 Pool Lighting.

Electric lighting shall be provided at all private swimming pools used or intended to be used at night. The lighting fixtures shall be arranged so as to provide uniform overhead illumination. The overhead illumination in the vicinity of the pool, shall consist of at least one (1) watt per square foot of pool surface.

## Sec. 310.8 Other Requirements.

(1) All plumbing installations shall comply with the requirements of the D. C. Plumbing Code.

(2) All electrical installations shall comply with the requirements of the D. C. Electrical Code.

(3) Separate permits are required for:

1. The construction of the pool and appurtenant structures.
2. The erection of the fence or enclosure required by § 310.2 of these regulations.
3. All plumbing installations.
4. All electrical installations.

## TITLE 5A -1

(5) Overhead Projections. No portion of a sign, fixture, marquee, or other overhead projection of a building shall extend over public space beyond a point 18 inches back of the face of the nearest curb line. (See exception for market sheds, § 311.12(3), below.)

(6) Construction of Projections. Except as modified elsewhere herein for specific projections, all projections shall be constructed of incombustible materials. Roofing, skylights and roof domes in projecting structures may be of the same materials as permitted for similar nonprojecting structures.

## Sec. 311.8 Projections Requiring Special Approval.

(1) By Commissioner's *Order*, the projections under this Section require approval by the Director.

(2) Alley Bridges. Alley bridges shall be at least 14 feet in the clear above the roadway of the alley, limited in width to the width of the door of the building opening thereon, and constructed throughout with incombustible materials.

(3) Porte-cocheres. Porte-cocheres may be permitted one story in height. All driveways and approaches crossing sidewalks or parkings shall be paved and otherwise improved to the satisfaction of the Director.

(4) Part Approval. Director's action is required in connection with approval of parts of projection permits, and extension of projections, as elsewhere herein noted.

## Sec. 311.9 Subsurface Projections.

(1) Areaways. Areaways shall comply with the following requirements:

1. Width. The width to outside of area enclosing walls between lot lines extended is not limited. The extent of projection shall be measured from the building line to the inside face of the areaway wall.

2. Enclosure Height. The height of areaway enclosure shall be limited to the surface of the pavement or grade, except for coping not over 8 inches high, and railing.

3. Projection. Projection beyond the building line shall be limited as follows:

4 feet on streets in the C, C-M and M Districts.

4 feet on unparked streets in the Residential Districts and SP Districts, 60 feet to 70 feet wide.

## TITLE 5A -1

d. Increase in Wall Height. Exterior wood frame walls shall not be increased in height except as follows: 1. Where the top story or an attic was constructed and used for human habitation, and the ceiling height is less than required, such walls may be increased sufficiently to provide the ceiling height required by this Code. 2. A flat roof covered with metal or other incombustible material may be substituted for a gable or pitched roof, provided the cubic contents of the top story is not increased.

## SECTION 313.0 - TEMPORARY HOUSING ACCOMMODATIONS

## Sections

## 313.1 Temporary Housing

## Sec. 313.1 Temporary Housing.

c That notwithstanding the provisions of Sections 301.4 and 302.1 of the Building Code of the District of Columbia; Chapter 2 of the Housing Regulations of the District of Columbia, as amended; and Section 24 of Article 17 of the Police Regulations of the District of Columbia, as amended, whenever, in connection with the reconstruction, renovation, or alteration of a structure used for single-family residential purposes, the owner or occupant of the premises on which such structure is located desires to provide temporary accommodations for himself and his family, if any, on the same premises, the Director of the Department of Economic Development is authorized to issue a permit to such owner or occupant to use such temporary accommodations on such premises, valid for a period not exceeding six months, if the Director finds that the proposed use is reasonably necessary. Such permit shall be issued by the Director subject to the condition that the permittee has provided, or will provide, for such temporary accommodations, sanitary facilities consisting of a water closet, lavatory, and kitchen sink where meals are to be prepared, all connected to the public water supply and to the public sewer system or to an approved private sewage disposal system, and subject to the further condition that the use of such temporary accommodations will not be allowed to become a nuisance.

## SECTION 314.0 - MISCELLANEOUS BUILDING APPURTENANCES

## Sections

## 314.1 Railings and Guards

## 314.2 Window Washing Anchors

## TITLE 5A-1

## Sec. 314.1 Railings and Guards.

To prevent the falls of persons, there shall be provided railings or guards along the exposed edges of all floor *and* roof openings, ramps, runways, catwalks or platforms (except where such rails or guards would interfere with loading or unloading activities), in window openings in exterior walls, in wall openings the bottoms of which are less than 21 inches above the finished floor, and at all doorways or walkways immediately adjacent to the edge of a roof. Such railings or guards shall be not less than 30 inches nor more than 42 inches above the finished floor, ramp, platform or other surface, and shall be capable of sustaining a vertical load of 100 pounds per linear foot and a horizontal thrust of 50 pounds per linear foot. The railings shall consist of a top rail and intermediate rail midway between the floor and the top rail.

## Sec. 314.2 Window Washing Anchors.

Chapter 25 of the District of Columbia Minimum Wage and Safety Standards and Regulations contain the requirements for window washing anchors.

c

## TITLE 5A-1

3. Stacks and ducts shall be of substantial construction with joints riveted and soldered or otherwise made tight. They shall be properly supported and have a clearance of not less than 18 inches on combustible construction or materials. Where passing through other spaces than the spray space they shall have incombustible fire-protective covering rating not less than 2 hours. They shall not be connected to other ventilating or collecting systems, and wherever practical, each spray booth shall have an independent stack or vent. Inspection openings and clean-out holes of sufficient size shall be provided at upturn elbows and at not less than 20 feet apart in horizontal runs. For further requirements see Section 503.144 of Article 5.

4. *Where exhaust outlets are located adjacent to public space, they shall not be less than ten feet above the grade of such public space and in all cases so arranged that the discharge of residue or fire therefrom will not endanger persons or property.*

Sec. 401.7 Storage of Finishing Materials.

For requirements relating to storage of finishing materials and protected rooms and spaces for the purpose, see Chapter 8 of the D. C. Fire Prevention Code, and § 401.3 of this Article.

c Sec. 401.8 Dry Cleaning Establishments.

(1) Classification. Dry cleaning plants shall be classified according to the properties of the solvent used as follows:

Class I. Using solvents with flash point below 100° F. (38°C)

Class II. Using solvents with flash point not lower than 100° F. but below 138° F. (59°C) and otherwise complying with the requirements for Class II plants.

Class III. Using solvents with flash point of 138° F. (59°C) or higher, and otherwise complying with the requirements for Class III plants and having equipment approved for use of the solvents.

Class IV. Using solvents classified as nonflammable at ordinary temperatures and only slightly flammable at higher temperature, and having equipment approved for use with such solvents.

The flash point on which classifications are based, shall be determined per method of Test for Flash Point by Tag Closed Tester, ASTM D56-70.

(2) Class I Dry Cleaning Plants. No permits shall be issued for Class I dry cleaning plants.

## TITLE 5A-1

## Sec. 403.4 Grandstands.

(1) Location. No grandstand shall be erected on the roof of any building or structure unless such building or structure is of adequate strength to support safely the additional loads.

## (2) Separation.

1. No outdoor wood grandstand shall be erected within less than two-thirds of its height, but in no case less than 10 feet, of a nearby building unless the wall of such building be of not less than one-hour fire resistance and have any openings therein protected against the fire exposure hazard created by the grandstand, or unless a protecting wall of not less than one-hour fire resistance is interposed between such grandstand and nearby building.

2. No wood grandstand unit shall exceed 10,000 square feet in ground area or 210 feet in length. (A unit whose total area, or length, does not exceed the above may be made up of one or more sections.) Grandstand units shall be placed not less than 20 feet apart or shall be separated by walls of one-hour fire resistance. Not more than 3 such units shall be erected in any one group. Each such group shall be separated from any other group by a wall of two-hour fire resistive construction extending 2 feet above the seat platforms or by an open space not less than 50 feet, or by incombustible construction of not less than 50 feet in length, fire-stopped at each end with walls of one-hour fire-resistive construction extending 2 feet above the seat platforms. If the grandstand units are made of flame-resistive wood, treated in accordance with standard practice, the permitted areas and lengths may be doubled. The Director may accept a recognized label or certificate of a manufacturer or processor as evidence that the wood is treated in accordance with standard practice.

3. The highest level of seat platforms of any wood grandstand shall be not more than 20 feet, and of portable grandstands within tents not more than 12 feet above the ground or the surface at the front of the grandstand.

## (3) Loads

1. Grandstands shall be designed to support, in addition to their own weight, a uniformly distributed live load of not less than 100 pounds per square foot of gross horizontal projection of the grandstand. All seats and footboard members shall be designed for live loads of not less than 120 pounds per linear foot.

## TITLE 5A-1

## (6) Habitable Rooms.

1. One-eighth of the floor area served but not less than 12 square feet; except that where only one wall has glazed openings and the distance from that wall to the opposite wall is greater than 15 feet, the glass area shall be one-seventh of the floor area served.

2. When tops of windows other than dormer windows in the top or attic floor are located below the 7 foot minimum height requirement in Section 502.2, the glass area shall be one-sixth of the floor area served; except that where only one wall has glazed openings and the distance from that wall to the opposite wall is greater than 15 feet, the glass area shall be one-fifth of the floor area served.

(7) Kitchens Serving Habitable Rooms. One-eighth of the kitchen floor area.

(8) Interior Kitchens. In dwelling units of L-1 and L-2 Residential buildings artificial light may be provided in an interior kitchen.

(9) Corridors, Public. Not less than 20 square feet or one-fortieth of floor area served where there is no change in direction or where there are windows in both ends. Otherwise one-twentieth of floor area served.

(10) Occupiable Rooms Unless Otherwise Provided. One-eighth of the floor area served.

(11) Storage Rooms. One-fortieth of floor area served.

(12) Stairways. One-eighth of the horizontal area of the stairway but not less than 12 square feet for each story served.

(13) Workspaces in Industrial Buildings. In accordance with ANSI Standard All.1-1970, Industrial Lighting.

Sec. 502.8 Other Light-Transmitting Media.

Obscure glass, glass blocks, Class D-1 plastics or other approved types of natural light-transmitting media, may be used in place of clear glass provided the area is sufficient to admit an amount of light equivalent to that which would be transmitted by the required clear glass areas.

## TITLE 5A-1

(7) No window from any bathroom or water-closet compartment may open onto a sunporch.

(8) A sunporch may not be lighted and ventilated through another sunporch or open porch.

502.52 Unglazed Openings. Windows or other openings between the sunporch and habitable rooms may be replaced by unobstructed trimmed or cased openings of equivalent or larger area.

502.53 Sunporches Within Fire Limits. On requirements for construction of sunporches within fire limits see Section 301.5 of Article 3.

502.54 Other Requirements. Sunporches shall be protected by railings, balustrades, or open grilles at locations where the Director deems such installations necessary for safety.

Sec. 502.6 Light.

In all habitable rooms except interior kitchens, facilities shall be provided for providing natural light in accordance with Section 502.7. In rooms, spaces, or both, of other occupancies, artificial light may be permitted.

Sec. 502.7 Required Glazed Areas.

502.71 Included in Glazed Areas. In computing the glazed area, the sash area of windows, and the actual glass areas of doors and other opening closures, shall be used.

502.72 Required Areas. The minimum required area of glazed openings based on clear glass shall be as follows:

- (1) Basements. One-fortieth of floor area served.
- (2) Bathrooms and Toilet Rooms. One-tenth of floor area served but not less than 4 square feet.
- (3) Cellars. Same as basements.
- (4) Classrooms and Study Rooms in Elementary and Secondary Schools.  $\frac{1}{5}$  of the floor area served (where natural light is required.)
- (5) Parking or Storage Garages. One-twentieth of floor area served.

TITLE 5A-1

Sec. 503.3 Natural Ventilation.

Windows or other openings required for natural ventilation, shall be so constructed as to permit operable areas as follows:

Types of Rooms or Spaces	Operable area, fraction of floor area served	Minimum operable area sq. ft.
Basements and Recreation Rooms in Single Family Dwellings	1/40	
Bathrooms and water-closet compartments	1/20	2
Cellars	1/40	
Classrooms and study rooms	1/12	
Corridors, public: one-eightieth of floor area served where there is no change in direction, or where there is change in direction but windows are located at both ends. Otherwise one-fortieth of floor area served.		10
Elevator Shafts	See 1972 D. C. Elevator Code	
Habitable rooms	1/16	
Occupiable rooms except as otherwise provided	1/16	
Storage Rooms	1/40	
Workspaces in industrial buildings	1/12	

Sec. 503.4 Kitchens.

503.41 For kitchens serving habitable rooms, the operable area shall be not less than one-sixteenth of the kitchen floor area. They may also be ventilated as part of another room, as an alcove under the provisions of Section 501.6, or be served by mechanical ventilation.

503.42 When interior kitchens are permitted with artificial lighting (Sec. 502.72(8)), the requirement for operable area to the outside under Section 503.1 shall not apply.

## TITLE 5A-1

## Sec. 503.10 Location of Outdoor Air Intakes.

Outdoor air intakes shall be located outside of the building and away from possible sources of contamination. Bottom of outdoor air intakes shall be not less than 6 feet above adjacent grade.

## Sec. 503.11 Heating of Outdoor Air.

Outdoor air introduced into a building by the mechanical ventilating system shall be heated. Effective room temperatures are to be maintained in the comfort zone as published in the 1972 Handbook of Fundamentals by the American Society of Heating, Refrigerating and Air Conditioning Engineers.

## Sec. 503.12 Relieving or Exhausting of Air.

Required air quantities specified under Section 503.9 shall be removed by an exhaust system or relief air opening discharging to the outside of the building. Relief air openings provided for this purpose shall be of a size to permit the required air quantity to be relieved through the net free area of the opening at a velocity of not more than five hundred feet per minute. Air quantities specific under Section 503.9 for the following occupancies shall be removed by an exhaust system discharging to the outside of the building:

(1) Lavatories, bath or toilet rooms.

(2) Kitchens.

(3) Operating rooms.

(4) Laboratories.

(5) Rooms or spaces where by reason of use or occupancy harmful dust, fumes, vapors or gases are created.

## Sec. 503.13 Recirculation of Air.

Requirements. Where a mechanical ventilating system is provided with means for controlling the dust content and temperature or humidity of the air supplied by the system, then seventy-five percent of the required air quantity specified in Section 503.9, Column I may be recirculated. Under such conditions air quantity not less than that specified in Section 503.9, Column II must be outside air. Temperature or humidity control shall be considered adequate when the effective temperature maintained within the area ventilated falls within the comfort zone as published in the 1967 Handbook of Fundamentals by the American Society of Heating, Refrigerating and Air Conditioning Engineers.

## TITLE 5A-1

3. Ventilating systems discharging air from floors above grade need not be operated continuously but shall be used during periods of peak operation of the garage.

## (5) Repair Areas.

1. Repairing of motor vehicles shall be restricted to the areas specifically provided for such purposes in repair garages.

2. All operations involving open flame or electric arcs, including fusion gas and electric welding, shall be restricted to the designated repair area. This provision includes, but is not limited to, fuel tank and radiator repairs. Responsibility for cutting and welding, and related fire prevention precautions shall be in accordance with requirements of the 1970 D. C. Fire Prevention Code.

## (6) Duct Openings.

1. Discharge openings to the outside shall have air inlet openings which are perpendicular to the floor with the bottom of the opening extending to the floor. Air velocity through these openings shall be not less than 100 lineal feet per minute. The air intake openings shall be not more than 50 feet apart.

2. Cold Air Return Openings. On combination systems, air recirculating openings shall be not less than 18 inches above floor level, measured to bottom of opening.

3. Location of Air Inlets. Mechanical systems introducing outside air and combination systems delivering heated recirculated and outside air shall deliver air horizontally in sufficient volume and with sufficient velocity to secure distribution to all parts of the building. All air inlet openings shall be above the tops of the cars, in repair and storage areas.

4. Grilles or Screens. All duct openings, either supply or exhaust, shall be protected by a substantial grille or screen through the openings of which a 1/2 inch sphere will not pass.

TITLE 5A-1

CHART 500. SPACE, LIGHT, AND VENTILATION REQUIREMENTS

All New Buildings or Remodeling Shall Comply at Least with the Minimum Areas, Dimensions, and Quantities Indicated

Area Designation or Rooms Used for The Indicated Purposes	Space Requirements				NATURAL LIGHT TO BE PROVIDED (Based on clear glass opening onto a street, alley, yard or court.)		Natural Light Required	NATURAL VENTILATION	MECHANICAL VENTILATION		Natural Ventilation Required	
	Width, Ft.	Area, Sq. Ft.	Ceiling Height, Ft.	Minimum Head Room Ft. (under beams etc.)	FRACTION OF FLOOR AREA SERVED				Operable Area Based on Fraction of Floor Area Served	Minimum Outside Air Quantity Cu. Ft. Per Min. Per Sq. Ft. Floor Area		
					Glass Opening in Only One Wall When Distance to Opposite Wall Exceeds 15 Ft.	Glass Openings in Two or More Walls or in One Wall When Distance to Opposite Wall is Less Than 15 Ft.				OOL. I NO RECIRCULATION		OOL. II WITH RECIRCULATION
Alcoves			8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
Basements				6.67	1/40	1/40	NO	1/40	0.2	0.05	NO	
Beauty & Barber Shops			8	6.67	1/8	1/8	NO	1/16	2.0	0.5	NO	
Cellars				6.67	1/40	1/40	NO	1/40	0.2	0.05	NO	
Class Rooms and Study Rooms, Elem. and Secondary Schools			8	6.67	1/5	1/5	NO	1/12	1.2	0.3	NO	
Dining & Cooking	7	80	8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
Garages, Parking				6.67	1/20	1/20	NO	1/40			(19) and (20) NO	
Garages, Repair			8	6.67	1/8	1/8	NO	1/12			(19) and (22) NO	
Garages, Storage				6.67	1/20	1/20	NO	1/40			(19) and (22) NO	
Habitable Rooms	7	70	8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
<i>Delivery &amp; Intensive Care Rooms</i> Institutional, Operating Rooms			8	6.67	1/8	1/8	NO	1/16	1.0	No Rec.	(25) and (26) NO	
Institutional, Priv. Rooms	7	70	8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
Institutional, Wards	7	70	8	6.67	1/7	1/8	YES	1/16	0.8	0.2	NO	
Kitchen Commercial			8	6.67	1/8	1/8	NO	1/16	2.0	No Rec.	NO	
Kitchen Serving Habitable Res.	5.5	60	8	6.67	1/8	1/8	NO	1/16	1.0	No Rec.	(17) NO	
Kitchenette			8	6.67	1/8	1/8	NO	1/16	2.0	No Rec.	NO	
Laboratory <i>General and Transfer Media</i>			8	6.67	1/8	1/8	NO	1/16	0.4	0.1	(21) (27) (28) NO	
Lav., Bath or Toilet Rooms Conforming to Sec. 501.43			7	6.57	1/10	1/10	NO	1/20	2.5	No Rec.	NO	
Lav., Bath or Toilet Rooms Conforming to Sec. 501.44			7	6.57	1/10	1/10	NO	1/20	1.5	No Rec.	NO	
Living - Dining	7	140	8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
Living - Dining - Conaing	7	220	8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
Locker Rooms			8	6.67	1/8	1/8	NO	1/16	0.4	0.1	NO	
Museum and Art Galleries			8	6.67	1/8	1/8	NO	1/16	0.4	0.1	NO	
Offices			8	6.67	1/8	1/8	NO	1/16	0.4	0.1	NO	
Places of Assembly			8	6.67	1/8	1/8	NO	1/16	2.0	0.5	NO	
Public Exit, Corridors & Passageways			7	6.57	1/10	1/10	NO	1/80	0.4	0.1	NO	
Railroad Stations			8	6.67	1/8	1/8	NO	1/16	0.4	0.1	NO	
Requires Public Access	7	140	8	6.67	1/7	1/8	YES	1/16	0.4	0.1	NO	
Restaurants			8	6.67	1/8	1/8	NO	1/16	2.0	0.5	NO	
Room Night Club San Francisco	7	70	8	6.67	1/7	1/8	YES	1/16			YES	
Stairways				6.67	1/8	1/8	NO	1/16	0.4	0.1	NO	
Storage			8	6.67	1/20	1/20	NO	1/40	0.2	0.05	NO	
Stores			8	6.67	1/8	1/8	NO	1/16	2.0	0.5	NO	
Work Rooms			8	6.67	1/8	1/8	YES	1/16			YES	
Work Rooms - Industrial			8	6.67	1/8	1/8	NO	1/16	4.0	1.0	NO	

Institutional, Anesthesia Storage - To comply with Section 503.147

TITLE 5A-1  
NOTES TO CHART 500

SPACE, LIGHT, AND VENTILATION REQUIREMENTS

- ① EACH DWELLING UNIT SHALL HAVE AT LEAST ONE HABITABLE ROOM OF NOT LESS THAN 140 SQ. FT.
- ② CEILING HEIGHT MAY BE 7 FT. IN HABITABLE ROOMS IN THE ALTERATION OF BUILDINGS ORIGINALLY BUILT PRIOR TO JULY 10, 1942, AND IN OCCUPIABLE ROOMS IN THE ALTERATION OF BUILDINGS BUILT PRIOR TO JAN. 6, 1952.
- ③ THE TOP OF AT LEAST ONE WINDOW IN EACH HABITABLE ROOM TO BE NOT LESS THAN 7 FT. ABOVE FLOOR, EXCEPT IN TOP OR ATTIC STORIES, WINDOWS MAY BE 6 FT 6 INCHES ABOVE FLOOR, WHEN TOPS OF WINDOWS ARE LESS THAN 7 FT ABOVE FLOOR BUT GREATER THAN 6 FT 6 INCHES IN FLOORS OTHER THAN ABOVE, GLAZED AREA SHALL BE INCREASED TO  $\frac{1}{6}$  IF IN ONE WALL OR  $\frac{1}{8}$  IF IN TWO WALLS.
- ④ LOCATED IN AND ADDED TO THE REQUIREMENT FOR SUNPORCHES.
- ⑤ WHERE NATURAL LIGHT IS NOT REQUIRED, ELECTRIC LIGHT SHALL BE INSTALLED.
- ⑥ *(Reserved for future use.)*
- ⑦ Reserved for futuro use.
- ⑧ WHEN NATURAL VENTILATION IS NOT PROVIDED, MECHANICAL VENTILATION SHALL BE INSTALLED.
- ⑨ WHEN MECHANICAL VENTILATION IS PROVIDED, OPENINGS AT LEAST EQUAL TO  $\frac{1}{2}$  OF THE AREA REQUIRED FOR NATURAL VENTILATION MUST BE PROVIDED IN ADDITION.
- ⑩ NOT LESS THAN 4 SQ. FT.
- ⑪ NOT LESS THAN 2 SQ. FT.
- ⑫ MAY BE LIGHTED AND VENTILATED THROUGH A HABITABLE ROOM PROVIDED OPENING IN COMMON WALL IS AT LEAST 80% OF WALL AREA.
- ⑬ *Reserved for future use.*
- ⑭ NOT LESS THAN 20 SQ. FT. OR  $\frac{1}{40}$  OF FLOOR AREA SERVED WHEN THERE IS NO CHANGE IN DIRECTION OR WHEN THERE ARE WINDOWS IN BOTH ENDS, OTHERWISE  $\frac{1}{20}$  OF FLOOR AREA SERVED.
- ⑮  $\frac{1}{60}$  OF FLOOR AREA SERVED WHEN THERE IS NO CHANGE IN DIRECTION OR WHEN THERE ARE WINDOWS IN BOTH ENDS, OTHERWISE  $\frac{1}{40}$  OF FLOOR AREA SERVED.
- ⑯ SEE SECTION 503.2
- ⑰ SEE SECTION 503.141 and 503.143
- ⑱ SEE SECTION 503.142 and 503.143
- ⑲ SEE SECTION 503.144
- ⑳ SEE SECTION 503.145
- ㉑ NOT LESS THAN 12 SQ. FT. FOR EACH STORY SERVED.
- ㉒  $\frac{1}{16}$  OF STAIRWAY AREA OR 6 SQ. FT. PER STORY SERVED, WHICHEVER IS GREATER.
- ㉓ See Sections 503.72 and 502.43(2)
- ㉔ SEE SECTION 503.9
- ㉕ Recreation Rooms in single-family dwellings only.
- ㉖ Fan coil type units shall not be used in operating, delivery, nursery or recovery rooms.
- ㉗ Filters with 90 percent efficiency shall be installed in the air supply system at its entrance to the Transfer Media Areas.
- ㉘ The ventilation system serving sensitive areas such as operating rooms, delivery rooms, nurseries, isolation rooms and laboratory sterile rooms, and recirculated central air system serving other hospital areas, shall be equipped with a minimum of 2 filter beds. Filter bed #1 shall be located upstream of the air conditioning equipment and shall have a minimum efficiency of 30 percent. Filter bed #2 shall be located downstream of the air conditioning equipment and shall have a minimum efficiency of 90 percent.

## TITLE 5A-1

## Sec. 603.1 General Requirement.

In buildings two or more stories in height where stairways are required for exit purposes, there shall be at least one stairway which extends from the uppermost floor to the main floor and which provides an exit for each floor served.

## Sec. 603.2 Arrangement.

(1) There shall be not more than one stairway within a shaft except that the arrangement of stairways known as interlocking may be permitted per § 603.3.

(2) Where more than one stairway is required, such stairways shall be as remotely located as practical, but not less than 30 feet apart if the corridor is 50 feet or more in length.

(3) Stairways and intermediate landings shall be continuous, with no decrease in width along the direction of exit travel.

(4) Each stairway shall lead by a direct line of travel to the exit floor and open directly on to the street or alley, or to an open air or exit passageway leading to the street or alley, or to a yard or court connected with the street or alley, except where modified. Such passage shall not be less than 7 feet in height. The required width shall be equal to the required width of the exit it serves but not less than 5 feet when it serves only one exit. After each additional exit opening onto the passage, its required width shall be increased in the direction of exit travel by two-thirds of the required width of each such exit.

(5) Stairways and exits connected therewith, shall be located so as to be readily accessible and visible to the occupants of the building, and adequate signs shall be provided to indicate stairways and the direction of travel to reach them. All stairways required for exit purposes shall be arranged to make clear the direction of travel to the street.

## Sec. 603.3 Interlocking Stairways.

The arrangement of stairs known as interlocking may be permitted to serve occupant loads requiring up to a maximum of two (2) units of exit width (44 inches), provided each flight is separated from the other flight as per Table 5, Article 2. Location of doors to stairways shall conform to Subsection 603.2(2). Flights of greater width than 44 inches will be permitted but shall receive no credit in exit capacity for such increased width.

## TITLE 5A-1

(2) A room located below the main floor and accommodating more than 74 persons, shall have at least 2 independent exits.

## Sec. 601.4 Roof Exits.

A roof area having 1,500 square feet or less, and used for recreation, sunbathing, or other similar purposes but not for assembly may be provided with only one exit. An additional exit shall be provided for each additional 1,500 square feet or part thereof.

## Sec. 601.5 Boiler Room Exits.

Two unobstructed and accessible exits remote from each other shall be provided in every room housing the following, except where otherwise approved by the Director

(1) Steam boilers operating at over 15-lb. gauge pressure and of 75 horsepower total capacity and over.

(2) Heating boilers having a total capacity of 2,400,000 B.T.U. per hour or over. (10,000 sq. ft. of steam radiation, 16,000 sq. ft. of water radiation at 150° F.)

## SECTION 602.0 - GENERAL REQUIREMENTS FOR EXIT FACILITIES

## Sections

## 602.1 Kinds of Exits

## Sec. 602.1 Kinds of Exits.

Exits shall consist of doorways, stairways, escalators, smokeproof towers, ramps, horizontal exits, public corridors and exit corridors and passageways. *General requirements for exit facilities shall be as set forth in §§ 603.0 through 612.0.*

## SECTION 603.0 - INTERIOR STAIRWAYS

## Sections

- 603.1 General Requirement
- 603.2 Arrangement
- 603.3 Interlocking Stairways
- 603.4 Stairs to Roof
- 603.5 Treads, Risers and Landings
- 603.6 Vertical Rise
- 603.7 Headroom
- 603.8 Unit of Width
- 603.9 Stairway Extending Below Level of Egress
- 603.10 Railings

## TITLE 5A-1

(2) In L-1 Buildings not more than three stories in height and containing not more than one dwelling or rooming unit per floor, closets may be constructed under stairs leading to the floor above the main floor, provided that the main floor is of Type 1 Fire-Resistive construction, that the interior of the closet has a lining with fire protection rating of not less than 45 minutes and opens directly into a dwelling or rooming unit on the main floor, and that the door opening is protected. Class "B" Label protectives shall be used.

## SECTION 607.0 -- SMOKEPROOF TOWERS

## Sections

- 607.1 Access to Tower
- 607.2 Stairways
- 607.3 Enclosure
- 607.4 Access to Vestibule or Balcony

## Sec. 607.1 Access to Tower.

Access to smokeproof towers shall be provided from each story through a vestibule open to the outside of an exterior wall, and/or from a balcony overhanging an exterior wall, and not subject to severe fire exposure hazard. Each such vestibule, balcony, or landing shall have an unobstructed length and width not less than the required width of the exit doors serving same, and shall face a street, alley, or yard, or an enclosed court open at the top, not less than 20 feet in width and 1,000 sq. ft. in area. Balconies or vestibules shall have solid balustrades or balcony railings, not less than four feet high, constructed of incombustible material. All window or other wall openings within 10 feet of balconies shall be protected by self-closing fire doors or fire windows.

## Sec. 607.2 Stairways.

Stairways of smokeproof towers shall provide continuous uniform egress from the roof and all stories to the ground.

## Sec. 607.3 Enclosure.

Stairways shall be completely enclosed with masonry walls. The enclosure shall extend from the sidewalk, court, or yard level, to a roof bulkhead or penthouse. There shall be no openings in the walls of the enclosure which separate it from the interior of the building, but fixed or automatic fire windows are permitted in the exterior walls of the enclosure, provided such windows are

## TITLE 5A-1

(3) The unit of doorway width shall be 20 inches between door jambs. The minimum width of any door shall be 30 inches. Doors with jamb opening widths exceeding multiples of 20 inches by 12 inches or more, may have such excess count as half a unit. No double door shall be less than 56 inches in jamb opening width. Where center mullions are used in double doors each leaf shall be considered as a single door.

(4) (See Section 626.7 for requirements for doorways in places of public assembly.)

(5) See Sections 903.0, 910.0, 911.0, 912.0, 913.0 and 914.0 of Article 9 for specific door type and location requirements.

(6) When folding partitions are used to subdivide areas, adequate exits from each area so enclosed shall be provided by means of swinging doors.

#### Sec. 611.2 Swinging Doors.

(1) All required designated exit doors shall swing in the direction of exit travel, except in the following locations:

1. In L-2 Residential Occupancies.
2. In C Mercantile and E Business Occupancies where the gross area per floor is less than 1,500 square feet.
3. In F Assembly Occupancies with an occupant capacity of less than 75 persons.

(2) Sliding doors and rolling shutters are prohibited on required exits *except for C Mercantile Occupancy having a separated fire area per tenant of less than 1500 square feet and with the following conditions fulfilled:*

1. *Each door or shutter shall be equipped with an emergency release mechanism, actuable manually as well as automatically, which shall permit opening the sliding door to a minimum opening width of 3' -0" and to raise the rolling shutter to a minimum opening height of 7'-0". Release mechanism shall be readily visible and easily accessible and shall not require special knowledge for its proper use.*

2. *Plans showing the location of sliding doors and rolling shutters and details of the release mechanism shall be submitted for the approval of the Director and the Fire Chief.*

(3) A 36-inch wide door entering a Class A stairway 44 inches in width shall be considered as satisfying the requirements for a 2-unit wide stairway. The minimum width of exit doors between jambs from these stairways shall not be less than 40 inches, in the case of a single door, and 54 inches, between jambs in the case of a double door.

## TITLE 5A-1

## SECTION 610.0 - PASSAGEWAYS OR AISLES

## Sections

610.1 Access to Exits

610.2 Required Width

## Sec. 610.1 Access to Exits.

Safe and continuous passageways or aisles shall be provided and maintained, leading directly to every exit, and so arranged as to be conveniently accessible to every occupant.

## Sec. 610.2 Required Width.

(1) Widths of such passageways or aisles shall be measured in the clear, at their narrowest points. The minimum clear width shall be three feet. Doors shall not swing into passageways so as to reduce the required width.

(2) The aggregate width of such passageways or aisles leading to any exit shall be at least equal to the required width of the exit. Where all travel to any exit is along the passageway, such passageway shall have a width based on the maximum potential capacity as computed in a manner prescribed in these regulations.

(3) *Unit of Width.* The unit of width of all required exit and public passageways shall be 22 inches. Passageways with widths exceeding multiples of 22 inches by 12 inches or more may have such excess count as half a unit.

## SECTION 611.0 - EXIT DOORWAYS, DOORS AND HARDWARE

## Sections

611.1 Doorways

611.2 Swinging Doors

611.3 Revolving Doors

611.4 Turnstiles

611.5 Balanced Doors

611.6 Approved Automatically Operated Doors

611.7 Hardware for Exterior Doors

## Sec. 611.1 Doorways.

(1) Doorways shall be not less than 6 feet 7 inches high in the clear.

(2) The aggregate width of exit doorways to the outside of a building shall be at least equal to the required aggregate width of lobbies and exit passages leading thereto.

## TITLE 5A-1

(4) A pair of doors, 54 inches wide between jambs may be used in openings leading to exit passages which are 5 feet in width, except as provided in Section 626.8.

(5) Doors from stairways to the outside of a building shall swing out, or be double-acting, and be so arranged as not to restrict the effective width of the stairs.

(6) Exterior doors shall be located in a recess or vestibule, so as to not swing out beyond the building line, or building restriction line, as the case may be, except where an areaway, porch, terrace, or other authorized projection adjoins the doorway. (See Section 311.11(4)).

## TITLE 5A-1

## SECTION 613.0 - EXIT LIGHTS AND SIGNS

## Sections

- 613.1 Exit Lights and Signs
- 613.2 Exit Lights
- 613.3 Required Lighting Period
- 613.4 Required Locations
- 613.5 Exit Signs

## Sec. 613.1 Exit Lights and Signs.

(1) Applicability. These requirements provide for marking and general and emergency lighting of exit facilities.

(2) All wiring shall be installed in conformity with the D. C. Electrical Code.

## Sec. 613.2 Exit Lights.

(1) Emergency lights for stairways shall be not less than 40 watts, except that "step or aisle" lamps may be 10 watts. Other emergency lights shall be not less than 25 watts. Emergency lights shall not be obscured, except in approved step or aisle light fixtures, and they shall not be dimmed.

(2) Prohibited Use. Exit or guide sign lamps shall not be used to indicate an unauthorized or non-conforming exit.

## Sec. 613.3 Required Lighting Period.

Emergency lighting shall be arranged and controlled to provide illumination during the period of occupancy.

## Sec. 613.4 Required Locations.

(1) Stairways. There shall be within the stair enclosure, and connected to the emergency lighting system, at least one white light at each floor landing, and an internally illuminated Exit Sign at the exit door leading outside or to the street, except that signs may be omitted if there are no other doors, corridors, or continuing stairways at such location. There shall be a white light at each intermediate landing or turn, which is not connected to the emergency lighting system.

(2) Corridors, Windows, or Doors to Exits.

1. There shall be an emergency white light at each intersection or change of direction of an exit corridor, exit passage, or public corridor, and at any steps therein.

## TITLE 5A-1

## Sec. 615.1 Applicability.

The special provisions applicable under requirements according to type of occupancy *under Sections 616.0 through 632.0* supplement and modify the general provisions under Sections 601.0 through 614.0 of this Article. In cases of conflict the requirements according to type of occupancy shall apply.

## Sec. 615.2 Multiple Occupancy.

When more than one occupancy is permitted in one building with occupancy separations, as defined under Sections 303.4 & 303.5 separate exit facilities shall be provided for each occupancy, except that where they are allowed common exit facilities, such facilities shall be adequate for the occupancies served.

## Sec. 615.3 Mixed Occupancies.

When mixed occupancies are allowed as defined under Section 201.0 of Article 2, and Section 303.9, the egress facilities shall conform to the requirements for the individual occupancies that constitute the mixed occupancy. When conflicting provisions exist, those requirements shall apply which offer the greater safety.

## SECTION 616.0 - RESIDENTIAL L-2 OCCUPANCIES

## Sections

- 616.1 Applicability
- 616.2 Exit Requirements
- 616.3 Escape Openings
- 616.4 Protective Appliances

## Sec. 616.1 Applicability.

The provisions of this Section shall apply to one and two-family-dwellings, Personal Care Homes and to religious community houses for not over fifteen persons. Except for the provisions included herein, the general provisions of Sections 601.0 through 614.0 of this Article do not apply.

## Sec. 616.2 Exit Requirements.

## (1) Interior Stairways.

1. At least one Class C stairway shall be provided from the upper floors to the main floor.

2. Not less than two such interior stairways are required from the upper floors to the main floor, for buildings over three stories in height, and for three-story buildings with more than

## TITLE 5A-1

(2) Stairs shall be Class A stairs except where used as a secondary means of egress for not more than twenty persons, Class B stairs may be used.

## Sec. 618.4 Number and Location of Exits.

(1) There shall be not less than two exits from each floor or section of every building, as remote from each other as practicable.

(2) Exits shall be so placed that the entrance door of every private room, ward, day room, dormitory, dining room, or other space used by inmates, shall not be more than 100 feet to the nearest exit, in buildings of Types 2B or 3 construction, and not more than 150 feet in buildings of Types 1 or 2A construction. No corridor shall dead-end at a point more than 50 feet from an exit.

## Sec. 618.5 Exit Types.

Exits shall be of the following types:

- (1) Horizontal exits.
- (2) Doors leading directly to the outside of the building.
- (3) Ramps
- (4) Stairways.

## Sec. 618.6 Egress from Stairways.

(1) Not less than 50 percent of the required exits must discharge directly to the outside, or through an exit passage leading thereto.

(2) The remainder may discharge through a first floor lobby or foyer, having direct exits to the outside. All kitchens, store-rooms, repair or maintenance shops, and similar spaces, shall be cut off from such lobby or foyer by fire-resistive walls or partitions having all openings protected.

## Sec. 618.7 Revolving Doors.

Revolving doors are prohibited in Institutional H-2 occupancies.

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## Sec. 619.5 Area of Refuge.

Whenever practicable, an outside area of refuge, suitably enclosed, shall be provided, sufficient to accommodate all occupants of the building.

## Sec. 619.6 Release from Locked Enclosures.

Reliable means shall be provided to permit prompt release of occupants in case of fire or other emergency.

## Sec. 619.7 Emergency Lighting.

Emergency lighting shall be provided for exits on a supply and circuits separate from those for the regular lighting supply. The requirements for location of lights and other details under Section 613.1 of this Article, do not necessarily apply for this occupancy.

## Sec. 619.8 Certification of Adequacy of Egress Facilities.

Specific provisions relating to a number of egress features can not be included as requirements, on account of the special occupancy conditions involved, the Director shall require a plan and description of the exits provided, and a certificate, signed by the designer, stating that the egress facilities provided are sufficient for the safety of the occupants of the building or buildings, and citing, where possible, egress facilities provided and accepted elsewhere for similar occupancy conditions. Before occupancy of the building, a similar certificate, signed by the official to be in responsible charge of the institution, shall be filed with the Director.

## SECTION 620.0 - BUSINESS USE GROUP E OCCUPANCIES

## Sections

- 620.1 Applicability
- 620.2 Width of Exits
- 620.3 Number and Location of Exits
- 620.4 Provisions for One Exit
- 620.5 Stairways
- 620.6 Egress from Stairs
- 620.7 Door Requirements
- 620.8 Emergency Lighting and Protective Appliances
- 620.9 *Places Used for Adult Educational Purposes*

## Sec. 620.1 Applicability.

The uses included are those defined under Section 202.6 of Article 2.

## TITLE 5A-1

(2) Exterior Exit Doors. *When building is not occupied and where more than one exit is required, at least one required exterior exit shall be readily openable at all times from the inside without the use of a key or similar instrument, nor the application of any special knowledge.*

## Sec. 620.8 Emergency Lighting and Protective Appliances.

Each building three or more stories in height shall be equipped with emergency lighting, fire extinguishing, and alarm appliances, except the following:

A building not more than three stories in height used exclusively for office purposes, provided that it has at least two enclosed stairways, three or more feet in width, separated from each other by a distance of at least 30 feet, and extending from the main floor, one of which extends also to the roof; and that the area per floor does not exceed 3,000 square feet in buildings of Types 2 or 3 construction, nor 5,000 square feet in buildings of Type 1 Fire-Resistive construction.

*Sec. 620.9 Places Used for Adult Educational Purposes.*

*The provisions in Section 630.10 shall be applied to places used for adult educational purposes among Business Use Group E Occupancies in buildings of Type 1 construction.*

## SECTION 621.0 - INDUSTRIAL USE GROUP D OCCUPANCIES

## Sections

- 621.1 Applicability
- 621.2 Width of Exits
- 621.3 Number and Location of Exits
- 621.4 Stairways
- 621.5 Emergency Lighting and Protective Appliances

## Sec. 621.1 Applicability.

The occupancies included are those defined under § 202.5 of Article 2.

## Sec. 621.2 Width of Exits.

The minimum aggregate width of all required exits shall be determined on the basis of one unit of width for each 4,000 square feet, or fraction thereof, of floor area of the largest floor served by the exits in question, in the case of buildings of Types 2 or 3 construction, and 7,000 square feet in the case of buildings of Type 1 Fire-Resistive construction.

## TITLE 5A-1

## Sec. 621.3 Number and Location of Exits.

(1) Not less than two exits shall be provided from each fire area in buildings three or more stories in height, or having more than 3,000 square feet area per floor.

(2) Exits shall be located as remote from each other as practicable (See Section 603.2).

(3) The maximum distance from any point in the building to the nearest exit on the same floor, measured along the line of travel, shall not exceed 150 feet in buildings fully protected with automatic sprinklers or of Type 1 Fire-Resistive construction, nor 100 feet in buildings not so protected or constructed.

(4) Where buildings are of Type 1 construction or sprinklered and have not more than 3,000 square feet per floor with a maximum of 3 stories, one interior stairway may be provided.

(5) *When building is not occupied and where* more than one exit is required, at least one required exterior exit shall be readily openable at all times from the inside without the use of a key or similar instrument, nor the application of any special knowledge.

## Sec. 621.4 Stairways.

Required stairways shall be Class A or Class B enclosed interior stairs or smokeproof towers, except that open stairways may lead to a mezzanine floor or to a second floor which is used as and conforms to the general requirements of a mezzanine floor, provided that such stairs lead no higher than such floor and there is no continuous well above that level. In the case of such a second floor, the open stairways shall be in addition to the required egress stairways.

## Sec. 621.5 Emergency Lighting and Protective Appliances.

Each building three or more stories in height shall be equipped with emergency lighting, fire extinguishing and alarm appliances, except that a building not more than three stories in height having not more than 3,000 square feet of fire area per floor above the main floor, and not having more than 9 persons employed above the second floor, may omit these appliances if all stairways and vertical shafts are enclosed according to Sections 907.0 and 908.0 of Article 9 of this Code.

## TITLE 5A-1

(3) *When building is not occupied and where* more than one exit is required, at least one required exterior exit shall be readily openable at all times from the inside without the use of a key or similar instrument, nor the application of any special knowledge.

## Sec. 622.4 Provisions with One Exit.

Where the fire or egress area does not exceed 3,000 sq. ft. in any story, one exit only may be provided in buildings not more than two stories in height; or not more than three stories in height and fully equipped with automatic sprinklers, or of Type 1 Fire-Resistive construction. However, a second exit shall be provided from a basement sales area exceeding 1,500 sq. ft.

## Sec. 622.5 Stairways.

(1) Required stairways shall be Class A stairways or smoke-proof towers.

(2) Mezzanines and balconies may be connected with the main floor by an open stairway, provided that the total area of such mezzanine or balcony does not exceed one-third of the area of the floor next below. In buildings equipped with an automatic sprinkler system, such area need not be limited if both the mezzanine or balcony and the floor below are fully protected by such system.

## Sec. 622.6 Egress from Stairways.

(1) In a building of Type 1 Fire-Resistive construction up to and including the main floor, at least 50 percent of the required exit stairs shall lead directly to the outside, or to a fire-resistive passage leading thereto; the remaining stairways may empty directly into a lobby or foyer, on the main floor, leading directly to the outside. In all other buildings, all stairways shall exit to the outside in accordance with § 603.2.

(2) Where required stairs or other exits discharge through a main lobby or foyer, such lobby or foyer shall be separated from the remainder of the main floor by fire-resistive walls or partitions having all openings therein protected by self-closing fire doors or fixed wire glass windows in metal sash and frames, except that in a building where an automatic sprinkler system is installed and maintained throughout the main floor, and 50 percent of the required exits lead directly to the outside, the remaining stairs may terminate on an open main floor.

## TITLE 5A-1

(2) Mechanical parking garages may omit emergency lighting and alarm appliances but the stairways, corridors and walkways shall be provided with general artificial illumination.

(3) Open-type parking garages, (See Section 304.2(4)) may omit emergency lighting and alarm devices.

## SECTION 625.0 - GROUP A HIGH HAZARD OCCUPANCIES

## Sections

- 625.1 Applicability
- 625.2 Width of Exits
- 625.3 Number and Location of Exits
- 625.4 Types of Exits
- 625.5 Enclosures
- 625.6 Exit Passages
- 625.7 Emergency Lighting and Protective Appliances

## Sec. 625.1 Applicability.

The special requirements of this Section shall apply to buildings housing Group A High Hazard occupancies as defined in Section 202.2 of Article 2.

## Sec. 625.2 Width of Exits.

The minimum width of all required exits shall be determined on the basis of one unit of exit width for each 1,500 sq. ft. or fraction thereof, of the largest floor served by the exits.

## Sec. 625.3 Number and Location of Exits.

(1) Not less than two exits shall be provided from each fire area in each building having more than 2,000 sq. ft. of floor area, and from any area above the first floor where ten or more persons are employed at any one time.

(2) The maximum distance from any point in the building to the nearest exit on the same floor, measured along the line of travel, shall not exceed 100 feet in buildings fully protected with automatic sprinklers or other applicable automatic fire-extinguishing equipment, nor 75 feet in buildings not so protected.

(3) *When building is not occupied and where* more than one exit is required, at least one required exterior exit shall be readily openable at all times without the use of a key or similar instrument, nor the application of any special knowledge.

TITLE 5A-1  
SECTION 627.0 - THEATRES-ASSEMBLY F-1  
OCCUPANCIES

Sections

- 627.1 Applicability
- 627.2 Floor Level
- 627.3 Courts and Open Spaces
- 627.4 Exits
- 627.5 Dressing Rooms
- 627.6 Scenery
- 627.7 Special Space Requirements

Sec. 627.1 Applicability.

(1) The special provisions of this Section apply to F-1 Theatre buildings as defined in Section 202.7(1) of Article 2, which supplement and may modify the general provisions included in Section 601.0 through 614.0 of this Article and the general provisions for Assembly buildings in Section 626.0, this Article.

(2) In case of conflict between the provisions of this Section and the provisions of § 601.0 through 614.0 and § 626.0 of this Article, the provisions of this Section shall apply.

Sec. 627.2 Floor Level.

The floor level at the main entrance shall not be higher than 30 inches above the level of the sidewalk or parking at the center of the main entrance.

Sec. 627.3 Courts and Open Spaces.

(1) When the population capacity exceeds 600 persons, open courts shall be provided on two sides of the auditorium, except that no court shall be required on a side which opens directly onto a street or public alley.

(2) Such courts shall be so located that each side exit of the auditorium will open into a court or courts.

(3) The minimum width of such court shall be not less than 8 feet when the total population capacity of the auditorium is not over 1,000, and thereafter shall be increased 2-1/2 inches for each additional 100 of capacity.

(4) If the width of the public alley is less than the required width of such court, the walls of the auditorium shall be set back, so that the aggregate width of the alley and the set-back shall be equivalent to the required width of the court.

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## Sec. 629.4 Egress Stairways and Doorways.

(1) In such places on the upper floors of Type 1 buildings, the emergency stairs may be used as exits for the other parts of the building, provided their required width is increased correspondingly.

(2) All required exterior exits, except main entrance doors, shall be provided with approved full panic releasing devices.

## Sec. 629.5 Seats.

Temporary seats of the folding or collapsible type, which are not fastened to the floor, may be used, if such seats are securely fastened together in groups of not less than four, and are arranged in rows with aisles and crossovers as required for theatres, except that in rooms used frequently for multiple purposes, where it is necessary to effect a quick change-over from one function to another, the Director may waive the requirement of attachment in groups of four.

## SECTION 630.0 - ASSEMBLY F-4A OCCUPANCIES

## Sections

- 630.1 Applicability
- 630.2 Number and Location of Exits
- 630.3 Exit Widths
- 630.4 Stairways
- 630.5 Corridors
- 630.6 Aisles
- 630.7 Assembly Halls
- 630.8 Portable or Folding Seats
- 630.9 Emergency Lighting and Protective Appliances
- 630.10 *Adult Educational Facilities in Group E Occupancies*

## Sec. 630.1 Applicability.

(1) The special provisions of this Section apply for Group F-4A Assembly buildings as defined in Section 202.7(4)1. of Article 2 and similar places.

(2) The special provisions of this Section supplement and generally modify the general provisions under Sections 601.0 through 614.0 and Section 626.0 of this Article.

## TITLE 5A-1

room, or other room, which on account of its equipment cannot be used for assembly purposes, shall be classed as an assembly hall and shall comply with all requirements for such places of assembly.

(2) No assembly hall more than 2,100 square feet in area shall be located above the main floor, except in Type 1 buildings.

## Sec. 630.8 Portable or Folding Seats.

Portable or folding type seats in gymnasiums or other places of assembly in F-4A occupancy shall comply with the requirements of Section 632.0 of this Article.

## Sec. 630.9 Emergency Lighting and Protective Appliances.

Each building two or more stories in height shall be equipped with emergency lighting, fire extinguishing and alarm appliances, except that a building not more than two stories in height having enclosed stairs, and having a floor area in the second story of not more than 3,000 square feet, may omit these appliances.

## Sec. 630.10 Adult Educational Facilities in Group E Occupancies.

*Buildings which meet all the requirements for E Business Use and which are of Type 1 construction, may be occupied for adult educational purposes and still remain classified E Business Use for determining egress requirements provided the following conditions are met:*

- (1) Students are 18 years of age or older.
- (2) The occupant load for adult educational purposes does not exceed 100 persons computed on the basis of 30 square feet per person in classrooms and 50 square feet per person in laboratory and work rooms.
- (3) The principle use of the building must remain E Business not related to the school.
- (4) All live loads must be met for F-4A use as in Article 7.

## SECTION 631.0 - ASSEMBLY F-4B OCCUPANCIES

## Sections

- 631.1 Applicability
- 631.2 Courts and Open Spaces
- 631.3 Exit Doors, Exit Corridor and Passages
- 631.4 Seats
- 631.5 Emergency Lighting
- 631.6 Special Provisions for Places Generally Used for Religious Purposes Not More Than One Day Per Week When Adjunct to Group F-4B Assembly Buildings.

## Sec. 631.1 Applicability.

(1) The special provisions of this Section apply for Group F-4B Assembly buildings, as defined in Sec. 202.7(4)2. of Article 2.

(2) The special provisions of this Section supplement and generally modify the general provisions under Sections 601.0 through 614.0 and Section 626.0 of this Article.

(3) In case of conflict, the provisions of this Section shall apply.

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Sec. 631.6 Special Provisions for Places Generally Used for Religious Purposes Not More Than One Day Per Week When Adjunct to Group F-4B Assembly Buildings.

(1) For purpose of determining capacity, all rooms exceeding 875 square feet in area will be computed on the basis of 7 square feet per person, as for assembly rooms, and rooms under 875 square feet in area will be computed on the basis of 14 square feet per person as for classrooms. No allowance shall be made for part time use.

(2) Stair width shall be computed on the basis of 75 persons per unit width of 22 inches on an accumulative population.

(3) Protectives between rooms and public corridors or exit corridors shall be as provided for Group F-4B Assembly. Light and ventilation shall be required as for Group F-4B Assembly.

SECTION 632.0 - GRANDSTANDS, STADIUMS, REVIEWING STANDS,  
AND OTHER OUTDOOR ASSEMBLY STRUCTURES-ASSEMBLY  
F-5 OCCUPANCY

## Sections

- 632.1 Applicability
- 632.2 Number of Exits
- 632.3 Distance to an Exit
- 632.4 Doorways, Stairways and Ramps
- 632.5 Aisles and Passageways
- 632.6 Aisles in Grandstands
- 632.7 Seating
- 632.8 Unobstructed Means of Egress

## Sec. 632.1 Applicability.

(1) The special provisions of this Section supplement and generally modify the general provisions of Sections 602.0 through 614.0 and Section 626.0 of this Article.

(2) In case of conflict, the special provisions of this Section shall apply.

(3) In specific cases, the provisions and requirements of this Section may, for good cause shown, be modified by the Commissioner except that no such modification shall have the effect of reducing the structural safety of a grandstand, stadium, reviewing stand, or other outdoor assembly structure. Whenever a provision or requirement of this Section is modified by the Commissioner under the authority of this subsection, the applicant

## TITLE 5A-1

(2) Three-story L-2 buildings converted to L-1 uses having rooming units for not more than 15 persons above the main floor and having a direct, independent, second means of egress from each rooming unit.

## Sec. 634.3 Closets in and Under Stairways.

Except in two-story buildings, closets installed in non-fire-resistive stair enclosures shall be fire protected on the inside in accordance with the requirements of Section 606.5(2). Openings between the stairway and the closet shall be protected. In fire-resistive stairways, the doors of each such closets shall be protected.

## Sec. 634.4 Smokeproof Towers.

(1) Class B stairs, where permitted by occupancy egress requirements, may be used in smokeproof towers.

(2) Where Fire-Resistive construction is not required, except in places of public assembly, the stairs, landings, and platforms within the tower enclosure may be of wood, if tower is protected in accordance with Section 607.3.

## Sec. 634.5 Exterior Stairs.

Required exterior stairs shall consist of exterior screened stairways or fire escapes, and shall be constructed of incombustible materials.

## Sec. 634.6 Limitations on Use.

(1) Fire escapes shall not be permitted as a required exit on buildings erected after March 8, 1946.

(2) Fire escapes shall not be permitted as required means of egress on any building, regardless of date of erection, that is altered or converted for use as a school, Group F-4<sup>1</sup> (see exception in Section 639.2(3) for schools in Business Group E buildings) or in any other Group F Assembly buildings, nor on Group H-2 Institutional buildings.

(3) See Section 634.9(7)3. for fire escapes on buildings over five stories in height.

## Sec. 634.7 General Requirements for Exterior Stairs.

The following requirements shall apply to all types of exterior stairs.

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SECTION 635.0 - EMERGENCY LIGHTING, SIGNS, AND PROTECTIVE  
APPLIANCES FOR BUILDINGS ALTERED OR CONVERTED

## Sections

- 635.1 Emergency Lighting and Signs
- 635.2 Special Protective Appliances

## Sec. 635.1 Emergency Lighting and Signs.

(1) The requirements for emergency lighting and signs in connection with exterior screened stairways and fire escapes shall be the same as set forth for other types of exits in Section 613.0 of this Article.

(2) The requirements for lighting other types of exits shall be the same as in Section 613.0 of this Article.

## Sec. 635.2 Special Protective Appliances.

The requirements for hand fire extinguishers, fire alarm equipment, standpipes, and automatic sprinklers, or other automatic protection, shall be the same as are specified for new construction in this Code.

SECTION 636.0 - RESIDENTIAL L-1 AND BUSINESS GROUP E  
OCCUPANCIES FOR BUILDINGS ALTERED OR CONVERTED

## Sections

- 636.1 Stairways

## Sec. 636.1 Stairways.

Required stairs for buildings altered or converted for L-1 Residential use ~~or~~ for E Business use shall consist of not less than one Class A or B interior stairway or smokeproof tower. If additional means of egress are required, they may be exterior screened stairways. Fire escapes may be permitted if the building was erected prior to March 8, 1946.

SECTION 637.0 - STORAGE B, MERCANTILE C, AND INDUSTRIAL D  
OCCUPANCIES FOR BUILDINGS ALTERED OR CONVERTED

## Sections

- 637.1 Stairways
- 637.2 Storage or Parking Garages

## TITLE 5A-1

SECTION 649.0 - MULTIPLE OCCUPANCIES  
FOR EXISTING BUILDINGS

## Sections

## 649.1 Multiple Occupancy

*Sec. 649.1 Multiple Occupancy*

Multiple occupancy separations in existing buildings shall be accepted if being constructed of, or having a fire resistance rating equivalent to a double wall of metal lath and plaster. Any layout of exit facilities, including exit widths, may be accepted by the Director with the concurrence of the Fire Chief, subject to such modifications as in their judgment are essential for safety.

SECTION 650.0 - BUILDINGS AFFECTED BY THE TEMPORARY  
REGULATIONS

## Sections

## 650.1 Applicability

## Sec. 650.1 Applicability.

(1) Those buildings for which certificates of occupancy were issued under the authority of Commissioners' Order dated May 28, 1943, E. D. 210583-54 and Commissioners' Order dated November 24, 1943, E. D. 236470-27 known as the "Temporary Regulations" for the war emergency and wherein the certificate of occupancy is desired to be continued, shall meet the following:

1. All buildings, three or more stories in height, shall meet all applicable provisions of Sections 640.0 through 649.0 of this Article.

2. All buildings, two stories in height, having rooming or dwelling units for more than 25 persons above the main floor shall, in addition to a direct, independent second means of egress from each such unit, have a fully or partially enclosed stairway accessible to each rooming or dwelling unit and shall meet the other applicable provisions of Sections 640.0 through 649.0 of this Article pertaining to L-1 occupancies.

3. All buildings, two stories in height, having rooming or dwelling units for not more than 25 persons above the main floor and having a direct, independent second means of egress from each rooming or dwelling unit will not be required to have a fully enclosed stairway, but all other applicable provisions of Sections 640.0 through 649.0 of this Article pertaining to L-1 occupancies shall apply.

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SECTION 649.0 - MULTIPLE OCCUPANCIES  
FOR EXISTING BUILDINGS

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## TITLE 5A-1

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Sec. 701.3 Miscellaneous Additional Loads.

The imposed load of machinery, motors, large safes, storage or bank vaults, storage batteries, earth fills, fans, piping, and ducts, etc., shall be provided for, and buildings shall be properly designed to resist vibration of machinery such as printing presses, cranes, compactors, dozers, etc.

SECTION 702.0 - LIVE LOADS

Sections

- 702.1 Application
- 702.2 Residential L Buildings
- 702.3 H Institutional Buildings
- 702.4 F Assembly Buildings
- 702.5 E Business Buildings
- 702.6 D Industrial Buildings
- 702.7 C Mercantile Buildings
- 702.8 B Storage
- 702.9 High Hazard
- 702.10 Miscellaneous Loadings

Sec. 702.1 Application.

The requirements for live loads herein given apply for the design of building members, subject to the reductions in Section 703.0 below, and with special requirements for roofs in Section 706.0 below.

Sec. 702.2 Residential L Buildings.

- (1) L-2, One and Two Family Dwellings.

	Minimum live load lbs. per sq. ft.
Rooms . . . . .	40
Hallways . . . . .	40
Attics, floored . . . . .	40
Attics, not floored . . . . .	15

- (2) L-1, Hotels, Multiple Dwellings.

Living, sleeping, private dining and cooking spaces . . . . .	40
Corridors, connecting with above spaces . . . . .	40
Lobbies, exit and other corridors . . . . .	70
Public dining rooms and kitchens . . . . .	70
Attics, same as for L-2 buildings.	

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Sec. 709.2 Approval of Bearing Media.

Approval of bearing value of foundation media shall be made only after site and excavation examination, supplemented by such bearing tests and boring of test holes as the Director may require.

SECTION 710.0 - PRESUMPTIVE BEARING VALUES

Sections

710.1 Allowable Loads for Spread Foundations

710.2 Special Approvals

710.3 Borings and Load Tests

Sec. 710.1 Allowable Loads for Spread Foundations.

- (1) On rock:
  - Solid bedrock..... 30 tons per sq. foot
  - Soft rock ..... 10 tons per sq. foot
  - Disintegrated rock ..... 5 tons per sq. foot
  
- (2) On gravel:
  - Gravel ..... 4 tons per sq. foot
  - Gravel and coarse sand,  
well cemented ..... 4 tons per sq. foot
  
- (3) On sand:
  - Fine and dry ..... 3 tons per sq. foot
  - Compact and well cemented. 4 tons per sq. foot
  
- (4) On clay:
  - Dry ..... 3 tons per sq. foot
  - Dry, thick beds ..... 4 tons per sq. foot
  - Soft ..... 1-2 tons per sq. foot
  - Clay and gravel ..... 4 tons per sq. foot
  - Clay and sand ..... 3 tons per sq. foot
  
- (5) On filled land ..... See § 710.3

Sec. 710.2 Special Approvals.

Upon receipt of satisfactory soil *investigation* information, the Director may approve soil bearing values different from those set forth in Sec. 710.1.

Sec. 710.3 Borings and Load Tests.

In case of filled ground, or where the site may be underlaid with organic matter, and for other doubtful foundation conditions, the Director may require borings or test holes and load tests at the owner's expense, and they may be required to be made in the presence of the Director or his designated representative.

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A copy of results of all tests and borings shall be filed with the Director. Based thereon, the Director may approve soil values to be used.

## SECTION 711.0 - SOIL LOAD TEST PROCEDURE

## Sections

- 711.1 Apparatus and Method
- 711.2 Test Area
- 711.3 Depth of Bearing Area
- 711.4 Load Application
- 711.5 Conditions for Acceptances

## Sec. 711.1 Apparatus and Method.

Even distribution of load over the test area shall be obtained and the accuracy of the loading shall be within five percent of the total load giving a pressure equal to the desired bearing value. The apparatus and method shall be subject to the approval of the Director.

## Sec. 711.2 Test Area.

The area under test shall not be less than four square feet, except that on materials with bearing value of ten tons or more per square foot, the test area may be reduced to one square foot.

## Sec. 711.3 Depth of Bearing Area.

The depth of the bearing area shall be representative of that for the bottom of the footings for which the test is made.

## Sec. 711.4 Load Application.

(1) The load shall be applied in increments not greater than 25 percent of the test load at full bearing value, except that the first increment shall be not more than 10 percent of such load. Readings of settlement shall be taken not less than one hour after the application of each increment, except that the reading after the first increment may be taken after 10 minutes. When the test load at full bearing is reached, readings shall be taken at appropriate intervals *approved by the Director* for not less than 24 hours to determine whether further settlement will occur.

(2) If no further settlement occurs, the load shall be increased by 50 percent in not less than two increments *with readings taken not less than one hour after the application of each increment*, after which readings of settlement shall be taken at appropriate intervals *approved by the Director* for not less than 24 hours to determine whether further settlement will occur.

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## Sec. 714.1 Materials.

Footings shall be of plain concrete  $f'_c = 2000$  psi or higher (see Sec. 823.0 of Article 8); reinforced concrete  $f'_c = 2500$  psi or higher; structural steel grillages or beams encased in  $f'_c = 2000$  psi or stronger concrete; or of timber as provided in Sec. 714.3 below. Foundation slabs shall be of reinforced concrete,  $f'_c = 2500$  psi or higher. Excavations for footings shall be kept dry, and pouring of concrete in presence of water shall be done only on approval by the Director, and the mix and placement conditions shall be such as to assure adequate strength of the concrete. In no case shall water be allowed to flow through the deposited concrete.

## Sec. 714.2 Details of Design.

(1) Footings shall be designed so as not to exceed allowable unit soil pressures or stresses in footing materials. When footings are connected with a strap not designed for bearing, provision shall be made to avoid bearing under the strap.

(2) Footings shall be at least one foot in thickness, and shall have a minimum projection of 6 inches for walls and 9 inches for piers and pilasters, which minimum dimensions may be modified where permitted by the safe design of the buildings.

(3) For plain concrete footings, the horizontal projection shall not exceed five-eighths of the thickness for a wall footing, or one-half of the thickness for a pier or column footing.

(4) Steel grillages shall have separators and bolts not over 5 feet on centers, and shall be filled solidly between webs with concrete. The covering for steel bars and grillage shall be not less than 3 inches of concrete.

(5) Reinforced concrete foundation slabs shall be designed as reinforced concrete slabs, according to applicable requirements of Sec. 823.0, Article 8, spanning between the supported columns, piers, or walls.

(6) The above requirements may be modified for wood, metal, or metal-covered garages, sheds, porches, and other minor structures, and for wharves, as approved by the Director.

## Sec. 714.3 Timber Footings.

(1) Timber footings may be used to support waterfront and similar structures. Untreated timber may be used when it will be entirely below the permanent ground water level.

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(2) Load Test of Pile Groups. In determining the load capacity by load tests of any group, when driven through materials subject to displacement or shift, the immediately surrounding pile groups shall be driven in place before the test load is applied to that group.

## Sec. 717.6 Limiting Pile Loads.

In no case shall the allowable load on any single pile exceed the following values:

200 Tons when open-ended concrete-filled steel pipe piles are installed to bear on bed rock;

120 Tons on all other types of piles when bearing on bed rock except timber piles (See Section 719.0 below);

80 Tons when bearing on or in materials where presumptive values are four (4) to ten (10) tons per square foot;

60 Tons when bearing on or in other materials classified in Section 719.0 above.

## SECTION 718.0 - TYPES OF PILES

## Sections

- 718.1 Application
- 718.2 Timber Piles
- 718.3 Precast Concrete Piles
- 718.4 Cast-in-place Concrete Piles
- 718.5 Steel Pipe and Tapered Tubular Piles
- 718.6 Structural Steel Piles
- 718.7 Special Piles

## Sec. 718.1 Application.

Any type of pile meeting the requirements of the site conditions and the structure to be supported may be used within the limitations of this Code.

## Sec. 718.2 Timber Piles.

(1) Specifications. Timber piles shall be of a species of wood that will satisfactorily withstand driving, and shall conform to ASTM Specification D25-70 for Round Timber Piles.

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## Sec. 717.2 Short Column Load.

Except when extending above permanent ground level or when driven in surrounding material which furnishes negligible lateral support as defined in § 715.7, or when driven through soil which will be removed subsequently to the completion of the pile, all piles used to support a building or structure or part thereof shall be designed without a reduction in allowable load due to slenderness ratio. The average compressive stress on any cross-section of a pile produced by that portion of the design load which is transmitted to that section shall not exceed the allowable column value.

## Sec. 717.3 Driving Formula Load.

The allowable load on any pile when determined by the application of an approved driving formula shall not exceed forty (40) tons. The formula load shall be determined for gravity-drop or power-actuated hammers and the hammer energy used shall be the maximum consistent with the size, strength and weight of the driven piles. The use of a follower shall be permitted only with the approval of the Director.

## Sec. 717.4 Approved Test Load.

When greater loads per pile than permitted by § 717.3 are desired, control-test piles shall be tested in each area by maintaining constant load under increasing settlements in accordance with the procedure prescribed for soil ~~load~~ tests in Sec. 711.4 ~~above~~, *except that in Sec. 711.4(2) the load shall be increased by one hundred percent (100%) in not less than four increments.* The resulting allowable load shall be not more than one-half (1/2) of that test load which produces a permanent net settlement per ton of test load of not more than one-hundredth (0.01) inch or which produces a gross settlement of one (1) inch whichever is less. In subsequent driving of the balance of foundation piles, all piles shall be deemed to have a supporting capacity equal to the control-pile, when the rates of penetration of such piles are equal to or less than that of the control-pile through a comparable driving distance; except as provided in § 717.5. Not less than three (3) test piles shall be driven in any area of uniform foundation materials and one (1) of such test piles shall be test loaded. At least one (1) test shall be made for each fifteen thousand (15,000) square feet of building area.

## Sec. 717.5 Group Pile Load.

(1) Limiting Load. In no case shall the total allowable load on any cluster or group of piles exceed the bearing capacity on the loaded area of the underlying soil *strata*.

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## Sec. 718.7 Special Piles.

Conditions for Acceptance. Types of piles not specifically covered by the above provisions may be permitted, provided sufficient test data, and design and construction information are filed for approval of the type of pile. Before approval, the Director may require test demonstrations on the site to determine the adequacy of the design and suitability of method of installation.

## SECTION 719.0 - CAISSONS

## Sections

- 719.1 General Requirements
- 719.2 Concrete Fill
- 719.3 Belled Bottoms

## Sec. 719.1 General Requirements.

Caissons shall include drilled-in, open or pneumatic excavated, and other approved types. Caissons shall consist of a shaft section of concrete, extending to the bearing strata. The bearing strata may consist of rock, clay, gravel, or other material; filled ground shall not be considered as a bearing strata for caissons. The bearing value and elevation of the bearing strata shall be ascertained by test borings. The bearing value used shall be in accordance with the values specified in Section 710.0, above. Caissons shall be provided with a socket extending not less than 6 inches into the bearing strata. Where necessary, due to the magnitude of loads, the caisson shall be provided with structural steel core or other suitable reinforcement. Where required by the surrounding soil conditions, steel shells shall be provided. Steel shells may be left in position or may be removed as the concrete is poured. The minimum diameter of a caisson shall be 24 inches unless approved otherwise by the Director. Where the design has been based on the caisson bearing on rock, a test hole shall be drilled to a depth of not less than 3 feet into the rock to ascertain that the underlying strata is in fact solid bedrock. Unreinforced caissons shall have a maximum length to diameter ratio of 16. Length to be measured from the top of bell.

## Sec. 719.2 Concrete Fill.

The concrete fill of drilled caissons shall be  $f'_c=2500$  psi or better concrete, deposited with a slump of not more than six (6) inches. When deposited in water, the concrete shall be placed with an approved bottom dump bucket or tremie to eliminate segregation.

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ARTICLE 8 - STRUCTURAL MATERIAL AND  
CONSTRUCTION REQUIREMENTS

## SECTION 800.0 - GENERAL REQUIREMENTS

## Sections

- 800.1 *Scope*
- 800.2 General Design Requirements
- 800.3 Special Structures

*Sec. 800.1 Scope*

These requirements apply for the design and construction of buildings and other structures. *These general requirements shall be as set forth in Sections 801.0 through 806.0.*

## Sec. 800.2 General Design Requirements.

The design shall be made to conform with the requirements of this Code, or in absence of specific requirements, with recognized engineering and construction practice. Unit working stresses specified, shall not be exceeded, and all members shall be so framed, anchored, tied, and braced together as to develop the strength and rigidity necessary for the purpose for which they are used. No member shall be stressed in excess of the strength of its details and connections.

## Sec. 800.3 Special Structures.

Special structures such as tanks, bins, hydraulic structures, gas holders, chimneys, bridges, and similar structures, for which the special design requirements are not given in this Code, may be designed according to the recognized practice for such structures, with the approval of the Director.

## SECTION 801.0 - STRUCTURAL DRAWINGS AND DETAILS

## Sections

- 801.1 Structural Plans
- 801.2 Shop Details

## Sec. 801.1 Structural Plans.

Before a permit is issued for the erection of any structure, structural plans shall be submitted showing the complete design, with sizes, sections, and relative locations of the various members; floor levels, column centers, and beam spacings shall be

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## SECTION 724.0 - INTERIOR FLOORS ON GROUND

## Sections

## 724.1 Materials and Construction

## Sec. 724.1 Materials and Construction

(1) Floors on ground other than crawl spaces, etc., shall be of thickness not less than 4 inches of  $f'_c=2500$  psi concrete or shall be paved with hard brick laid in Portland cement mortar.

(2) In damp locations, or as determined by the Director, floors on ground shall be placed over a pervious fill consisting of not less than 4 inches of gravel or other suitable material. An approved method of damp-proofing shall be provided on or in the slab, or between the pervious fill and the slab.

(3) In exceptionally wet locations a positive waterstop must be provided and provision made in the floor slab design to resist any anticipated uplift effect from the water, otherwise positive drainage must be provided to relieve hydrostatic pressure.

## SECTION 725.0 - EARTHQUAKE LOADS

This Section is in the process of research and development by the Chapter 7 Subcommittee of the Building Code Advisory Committee.

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(2) Live Load Deflection. Under the approved live load, the deflection of floor and roof assemblies shall be not greater than one three-hundred-sixtieth ( $1/360$ ) of the span for plastered construction; one two-hundred-fortieth ( $1/240$ ) of the span for unplastered floor construction; and one one-hundred-eightieth ( $1/180$ ) of the span for unplastered roof construction.

(3) Wall and Partition Assemblies. Bearing wall and partition assemblies shall sustain the load test both with and without window framing.

(4) Comparative Tests. When not available from existing authoritative test data, the Director may require comparative tests of assemblies of standard traditional forms of construction used for similar purposes to assist in determining the adequacy of the new construction.

(5) Concentrated Load Tests. When not capable of design, all floor constructions in the use classification groups specified in Section 702.0 of Article 7 shall be subjected to the concentrated loads therein prescribed when such loading exceeds in stress effect the uniformly distributed load specified for such uses in Section 702.0 of Article 7.

(6) Puncture Penetration Tests. All finish floor constructions in which light gage metal or other thin materials are used as the structural floor shall withstand the application of a two-hundred (200) pound concentrated load applied to the top surface on an area of one (1) square inch at any point or points of the construction designated by the Director.

## SECTION 807.0 - LUMBER AND TIMBER CONSTRUCTION

## Sections

- 807.1 Scope
- 807.2 Permit Requirements
- 807.3 General Requirements for Wood
- 807.4 Moisture Content
- 807.5 Allowable Stresses
- 807.6 Grade Identification

## Sec. 807.1 Scope.

The quality of the wood and sizes of wood members shall be as herein required where the strength, stability, or permanence of the structure, or parts thereof into which they enter, are dependent thereon, either during or after erection. *The requirements for Lumber and Timber Construction shall be as set forth in Sections 807.0 through 812.0.*

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unless recesses for timbers on both sides are provided at the time the wall is built. The cutting of such walls for joists shall not be permitted, and joist hangers shall be used. In all masonry walls the joists on opposite sides shall be so placed as to provide at least 2-3/4 inches of solid masonry between them.

(4) Each tier of floor joists and roof rafters of flat roofs shall be securely anchored to masonry walls with approved steel anchors at intervals of not more than 6 feet. Anchors shall be attached in a way to afford easy release in case of fire burning through the joists. The ends of lapped joists resting upon girders or bearing partitions shall be securely spiked. When butted they shall be connected with steel straps or dogs.

(5) Joists running parallel to masonry walls, including stair carriages, shall be anchored to the walls at least once between bearings and at intervals of not more than 6 feet with steel anchors. Such anchors shall extend back and engage three joists. Girders shall be anchored to the walls and fastened to each other in a suitable manner with steel straps and shall be beveled to release the girder from the wall in case of fire.

(6) Each joist, beam, and girder framing into wood enclosing walls shall be securely nailed or anchored to the wall construction. Where joists rest upon ledger or ribbon boards they shall be securely nailed to the stud.

Sec. 808.10 Subflooring and Roof Sheathing.

(1) Plywood subflooring with finished strip flooring perpendicular to supports, shall be not less than 1/2 inch in thickness and placed in accordance with the identification index appearing on the panel.

(2) Where no strip or other finish flooring capable of transferring load is used, subflooring of plywood shall be not less than 5/8 inch thick. Panel edges shall be blocked with 2 x 4 inch nominal supports or panels shall have tongue and groove edges.

(3) Plywood subflooring shall span two or more supports, *shall be placed with face grain perpendicular to supports*, and shall have nailing equivalent to at least 8d common nails spaced at not more than 6 inches on centers on edge bearings. Plywood subflooring shall be applied in conformance with Table 808.10.

(4) Plywood roof sheathing shall be in accordance with Table 808.10.

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TABLE 808.10 <sup>1</sup>					
ALLOWABLE SPANS FOR PLYWOOD FLOOR AND ROOF SHEATHING <sup>1</sup> Panels shall be applied continuous over two or more spans with the direction of the face grain perpendicular to supports.					
Panel Identification Index <sup>2</sup>	ROOF				FLOOR
	Maximum Span (inches)		Load (psf)		Maximum <sup>4</sup> Span (inches)
	Edges Blocked	Edges Unblocked	Total Load	Live Load	
12/0	12	12	130	100	0
16/0	16	16	75	55	0
20/0	20	20	55	45	0
24/0	24 <sup>5</sup>	24	60	45	0
30/12	30	26	55	40	12 <sup>6</sup>
32/16	32	28	50 <sup>3</sup>	40	16 <sup>7</sup>
36/16	36	30	50 <sup>3</sup>	35 <sup>3</sup>	16 <sup>7</sup>
42/20	42	32	45 <sup>3</sup>	35 <sup>3</sup>	20 <sup>7</sup>
48/24	48	36	40 <sup>3</sup>	40	24

- <sup>1</sup> These values apply for STRUCTURAL I and II, STANDARD sheathing, and C-C grades only. Spans shall be limited to values shown because of possible effect of concentrated loads.
- <sup>2</sup> Identification Index appears on all panels in the construction grades listed in footnote <sup>1</sup>.
- <sup>3</sup> For roof live load of 40 psf or total load of 55 psf, decrease spans by 13 percent or use panel with next greater identification index.
- <sup>4</sup> Plywood edges shall have approved tongue and groove joints or shall be supported with blocking, unless 1/4 inch minimum thickness Underlayment is installed, or finish floor is 25/32" wood strip. Allowable uniform load based on deflection of 1/360 of span is 100 psf.
- <sup>5</sup> 32/16 STRUCTURAL I, when continuous over one support, may be laid with face grain parallel to supports provided all panel edges are blocked or other approved type edge support is provided, the spacing of the supports does not exceed 24" on center, and the live load does not exceed 30 pounds per square foot. For other grades, a thickness of 5/8" is required.
- <sup>6</sup> May be 16" if 25/32" wood strip flooring is installed at right angles to joists.
- <sup>7</sup> May be 24" if 25/32" wood strip flooring is installed at right angles to joists.

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(5) Such roof sheathing shall span two or more spans, shall be placed with face grain perpendicular to supports, and shall have nailing equivalent to at least 6d common nails spaced at not more than 6 inches on edge bearings and 12 inches on other bearings.

Sec. 808.11 Base and Roof Anchorage.

Wooden structures resting on masonry foundation or other walls shall have steel anchor bolts not less than 1/2 inch diameter with hook or plate, extending down into the wall not less than 15 inches and spaced not over 6 feet apart. Where rafters or sloped roof rest on masonry walls, there shall be not less than nominal 2 inch wall plates bolted to the wall; bolting shall be as set forth above.

Sec. 808.12 Special Framing for One-story Buildings.

(1) The use of vertical plank wall construction with plank not less than 1-5/8 inches in thickness, grooved on each edge, the lip of one groove engaging the groove of the adjoining plank; or factory-built, prefabricated wall sections of panels made with stressed covering such as plywood glued to studs to form essentially a box girder, when approved by the Director, may be permitted in one-story buildings not exceeding 10 feet in height from the underside of sill to eave of the roof.

(2) Proper provision shall be made to insure continuous ties through the building at the ceiling line where required to insure integrity of the construction.

(3) Where vertical plank wall construction is used, diagonal bracing not less than 2 inches by 2 inches nominal size and spaced not to exceed 16 inches on centers, shall be applied to the inside of the wall. Concentrated loads shall be supported by columns built into the wall construction. The stresses in all structural members shall not exceed the allowable stresses permitted by this Code.

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(2) Attic spaces between roofs and top floor ceilings shall be ventilated by two windows, louvers, or vents, not in the same wall, with total clear area not less than one-third of one percent of the projected roof area.

## Sec. 812.4 Termite Shields.

Approved metal shields shall be placed around pipes and other appurtenances entering buildings through foundation walls or basement floors in interior locations that are not accessible.

## SECTION 813.0 - MASONRY WALL REQUIREMENTS

## Sections

- 813.1 Scope
- 813.2 Dimensions
- 813.3 Height of Walls
- 813.4 Thickness of Walls
- 813.5 Stress Based on Tests
- 813.6 Use of Wood in Masonry Walls

## Sec. 813.1 Scope.

(1) The requirements cover the design and construction of masonry for walls, partitions, and piers. They do not include requirements for reinforced masonry nor requirements for masonry relating to fire protection. *These Masonry Wall Requirements shall be as set forth in Sections 813.0 through 822.0.*

(2) In lieu of the requirements set forth hereinafter, the engineer may design the masonry elements in accordance with 'Recommended Building Code Requirements for Engineered Brick Masonry, May 1966' as published by the *Brick Institute of America* or with "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968" as published by the National Concrete Masonry Association.

Structures incorporating this type of design shall be certified as set forth in §§ 107.8, 107.81 and 107.82 of this Code and shall in addition be inspected during construction by the certifying engineer or his qualified representative to insure compliance with this Code.

Section 1. 1. 1 of the "Recommended Building Code Requirements for Engineered Brick Masonry, May 1966", and Section 1.1 of the "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968", are hereby modified to be consistent with the above requirement of certification and inspection.

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## Sec. 813.4 Thickness of Walls.

(1) The thickness of walls shall be taken exclusive of furring, veneer, or facing that does not exert a common action with the backing under load. (See Section 818.3 on faced walls.)

(2) Masonry protection over membrane waterproofing shall not be considered as a part of the required wall thickness.

## Sec. 813.5 Stress Based on Tests.

(1) Allowable compressive stress for alternate constructions, acceptance of which is based on tests, shall not exceed one-third of the average compressive strength of representative full-size specimens of the proposed constructions, as determined by methods defined in Section 805.2.

(2) When stresses are based on tests of small specimens, with ratio of height to thickness not more than 2 and height of 16 inches or more, the allowable stress shall not exceed one-fifth of the average compressive strength of representative specimens.

## Sec. 813.6 Use of Wood in Masonry Walls.

No lumber or timber, except segmental lintels over openings, brace blocks or nailing blocks not more than 8 inches in length, shall be built into any masonry wall of any building as part of such wall. Segmental wood lintels shall have masonry arches over them. Nailing strips of wood not over 1/2 inch by 1-5/8 inches may be built into walls. In hollow tile or concrete masonry unit walls, vertical wood nailing blocks only may be used.

## SECTION 814.0 - MATERIALS FOR MASONRY WALLS

## Sections

- 814.1 Building Brick
- 814.2 Clay or Shale Brick
- 814.3 Sand-lime Brick
- 814.4 Concrete Brick and Split Block
- 814.5 Concrete Masonry Units
- 814.6 Hollow Load-Bearing Units
- 814.7 Solid Load-Bearing Units
- 814.8 Hollow Non-load-bearing Walls
- 814.9 Structural Clay Tile and Ceramic Veneer
- 814.10 Stone
- 814.11 Glass Block
- 814.12 Gypsum Block or Tile
- 814.13 Plain Concrete
- 814.14 Mortar

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TABLE 13				
ALLOWABLE COMPRESSIVE STRESSES IN UNIT MASONRY				
CONSTRUCTION, GRADE OF UNIT	Allowable compressive stresses on gross-sectional area (except as noted)			
	Type M mortar	Type S mortar	Type N mortar	Type O mortar
Solid masonry walls and piers of brick and other solid units of clay or shale; sand-lime or concrete brick:	psi	psi	psi	psi
8,000 plus, psi	400	350	300	200
4,500 to 8,000 psi	250	225	200	150
2,500 to 4,500 psi	175	160	140	110
1,500 to 2,500 psi	125	115	100	75
Solid masonry walls and piers of solid concrete masonry units				
Grade A	175	160	140	100
Grade B	125	115	100	75
Masonry walls and piers of hollow unit	85	75	---	---
Piers of hollow units, cellular spaces filled, as in Section 816.4	125	115	100	---
Hollow walls (cavity or masonry bonded)				
Solid units: See § 815.1(2)				
Grade A or 2,500, psi plus	140	130	110	---
Grade B, or 1,500 to 2,500, psi	100	90	80	---
Hollow units	70	60	55	---
Stone ashlar masonry walls and piers				
Granite	800	720	640	500
Limestone or marble	500	450	400	325
Sandstone or cast stone	400	360	320	250
Rubble stone, coursed, rough or random	140	120	100	80

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(1) Bearing Stresses. Bearing stresses may exceed the allowable stresses in Table 13 above, where the least distance between the edges of the loaded area and solid unloaded area is a minimum of one-half of the parallel side dimension of the loaded area, but shall not exceed 50 percent.

(2) Tension Stress. The maximum allowable tension in masonry due to eccentric loads shall not exceed five percent of the working stress in compression.

## Sec. 815.3 Composite Walls.

In composite walls or other structural members composed of different kinds or grades of units or mortars, the maximum stress shall not exceed the allowable stress for the weakest of the combinations of units and mortars of which the member is composed.

## Sec. 815.4 Stresses for Plain Concrete.

(1) The allowable compressive stress for solid walls and piers shall not exceed 17.5 percent of  $f_c^1$  for concrete conforming with the requirements of Section 814.13(3).

(2) For hollow (cavity) walls of plain concrete, the allowable stress shall not exceed 10 percent  $f_c^1$  for cement conforming with the requirements of Section 814.13(c), with loads computed per Section 815.1(1)2.

## Sec. 815.5 Higher Stresses.

Higher stresses than herein specified may be used, but only if it is clearly established to the satisfaction of the Director, by test as provided under Section 813.5, or other approved evidence, that material of higher grade or a superior workmanship than is generally provided in accepted practice, will be employed under approved inspection. The use of higher stresses, however, shall not be allowed until a statement giving the reasons for such permission together with the facts and circumstances on which it is based, has been placed on file and made a part of the official record of the permit.

## SECTION 816.0 - LATERAL SUPPORT FOR MASONRY WALLS

## Sections

- 816.1 Stress and Lateral Support
- 816.2 Ratio of Height or Length to Thickness
- 816.3 Method of Support
- 816.4 Piers, Pilasters, and Buttresses
- 816.5 Reduction in Pier Stresses with Height
- 816.6 Nonbearing Partitions

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## Sec. 816.6 Nonbearing Partitions.

The distance between lateral supports of nonbearing partitions of masonry, shall not exceed 36 times the actual thickness of the partition, including plaster. (See Section 813.4).

SECTION 817.0 - THICKNESS AND HEIGHT FOR  
MASONRY WALLS

## Sections

- 817.1 General Requirements
- 817.2 Change in Thickness
- 817.3 Bearing and Party Walls of Solid Masonry Units
- 817.4 Bearing Walls of Hollow Units
- 817.5 Plain Concrete Walls
- 817.6 Stone Walls
- 817.7 Top-story and One-story Walls
- 817.8 Penthouse Walls
- 817.9 Walls of Accessory Buildings
- 817.10 Thickness of Nonbearing Walls and Partitions

## Sec. 817.1 General Requirements.

(1) The thickness of masonry walls shall conform to the requirements of this section and Section 816.0 of this Article, provided the allowable stresses are not exceeded.

(2) See Sections 813.3 and 813.4 for requirements of wall height and thickness.

## Sec. 817.2 Change in Thickness.

(1) Variation in Thickness. Except for permissible chases and recesses, walls shall not vary in thickness between their lateral supports. When a change in thickness, due to minimum thickness requirements, occurs between floor levels, the greater thickness shall be carried up to the higher floor level.

(2) Decrease in Thickness. Where walls of masonry of hollow units or masonry-bonded hollow walls are decreased in thickness, a course or courses of solid masonry shall be interposed between the wall below and the thinner wall above, or special units or construction shall be used that will adequately transmit the loads from the shells above to those below.

(3) Change in Thickness Due to Span.

1. Where the clear span between walls or from wall to bearing opposite is greater than 32 feet, the bearing walls shall

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(2) Interior nonbearing partitions shall not be less than 2 inches thick and shall comply with the lateral support requirements of Section 816.6.

## SECTION 818.0 - MASONRY WALLS OF SPECIAL DESIGN

## Sections

- 818.1 Scope
- 818.2 Cavity Masonry Bearing Walls
- 818.3 Faced Walls
- 818.4 Masonry Curtain Walls
- 818.5 Masonry Panel Walls
- 818.6 Wall of Glass Block
- 818.7 Parapet Walls
- 818.8 Foundation Walls
- 818.9 Reinforced Concrete Walls

## Sec. 818.1 Scope.

The walls comprise those having special design features and serving special structural purposes.

## Sec. 818.2 Cavity Masonry Bearing Walls.

(1) General Requirements. Cavity masonry bearing walls shall consist of two or more wythes separated by a continuous hollow space not less than 2 inches nor more than 3 inches wide, the wythes to be bonded together with rigid steel or solid masonry ties. (See Section 820.5 for details of bonding.)

(2) Materials. The wythes may be of either solid or hollow load-bearing masonry units and shall be not less than 4 inches thick.

(3) Height and Thickness. The height of cavity walls shall not exceed 30 feet, except that 14-inch cavity walls may be 40 feet in height. These heights shall exclude the height of the required foundation walls on which they may be supported provided the foundation walls are solid masonry.

(4) Concentrated Loads. Girders or other concentrated loads shall be supported on pilasters of solid masonry not less than 12 by 12 inches, and extending down to the footings.

(5) Change in Thickness. Where such walls are decreased in thickness, a course of solid masonry shall be interposed between the wall below and the thinner wall above.

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25 feet downward, or fraction thereof, measured from the top of the wall. In no case shall the thickness for bearing walls be less than  $1/25$  of the unsupported length or height.

2. Exterior basement, foundation walls, and party walls, shall be not less than 8 inches thick.

3. Reinforced concrete walls shall be anchored to floors and to other contiguous constructions, such as columns, pilasters, buttresses or intersecting walls, with reinforcement at least equivalent to one  $3/8$  inch round bar on 12-inch centers for each layer of wall reinforcement.

(3) Lateral Support.

1. Where lateral support is provided at vertical intervals and relied on in determining thickness, the floor system shall be of reinforced concrete, where there is a floor system on one side only. Such support in a vertical plane shall be as for brick walls and shall be poured monolithically with the walls. Where the wall is laterally supported on both sides, floors of wood or steel joists or other properly tied walls may be accepted. Where lateral support is not provided as above the thickness shall be not less than that required for plain concrete walls.

2. Adequate support shall be provided for foundation walls to resist lateral pressures exerted thereon. These supports may be horizontal or vertical at intervals determined by the wall design.

(4) Allowable Stresses.

1. The allowable compressive stress in bearing walls *carrying reasonably concentric loads* shall not exceed  $0.36 f'_c$  for ratio of height to thickness of ten or less, and shall be reduced proportionately to  $0.24 f'_c$  for ratio of height to thickness of 25.

2. In the case of concentrated loads, the length of wall to be considered as effective shall not exceed center to center distance between loads, nor the width of the bearing plus four times the wall thickness.

3. Other allowable stresses shall be as defined for reinforced concrete under Section 823.0 of this Article.

4. The unsupported height of piers shall not exceed 10 times their least dimension unless designed as reinforced concrete columns.

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## SECTION 819.0 - PARTY WALLS

## Sections

- 819.1 Construction
- 819.2 Projection
- 819.3 Separation

## Sec. 819.1 Construction.

## (1) Materials.

1. Party walls shall be built of either concrete, brick or concrete masonry units.

2. Materials shall be of grades permitted for load-bearing walls exposed to the action of weather under Section 814.0, of this Article.

3. Exterior walls within 18 inches of a party line shall be masonry or party walls shall extend not less than 18 inches beyond exterior walls, *where they do not project into public space.*

(2) Masonry Units. Masonry party walls shall be of clay brick, except that when consents of adjoining owners are filed with the Director, such walls may be of solid concrete brick, concrete, or stone; and except that when adjoining buildings are erected simultaneously, and the consents of the adjoining owners are filed with the Director, such walls, where common to both buildings, may be of sand-lime brick, hollow building tile, or hollow concrete block. The thickness of such walls shall be not less than required for solid bearing walls.

## (3) Parapets.

1. Party walls shall have parapets at least 12 inches above adjacent roof surfaces, except as provided below and with the consent of adjoining owners. Parapet walls shall be coped or otherwise protected from the weather. The height may be reduced to 6 inches where the roof slopes more than one vertical to four horizontal.

2. In buildings of Type 1 construction, the parapet may be omitted if the roof construction has the required fire resistance, and if a reinforced concrete roof slab rests tightly on and is bonded to the top of the party wall with 1/2-inch steel bars, 8 inches long, projecting 3/4-inch into the slab, and spaced not over 18 in. apart.

3. In buildings of Type 2 or 3 construction, the parapet of party walls between L-2 buildings may be omitted if a slab of fire-resistive material of minimum 2-inch thickness rests on the party wall. The slab shall extend not less than 18 inches to each side of the party line and shall be firmly secured to the roof construction.

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## (2) Protection Against Freezing.

1. Masonry shall be protected against freezing for at least 48 hours after being laid. Unless adequate protection against freezing is taken, no masonry shall be built when the temperature is below 30 degrees F. on a rising temperature or below 40 degrees F. on a falling temperature at the site of the work. No frozen masonry shall be permitted.

2. Calcium chloride, dissolved in the mixing water, and not to exceed 2 percent by weight of the portland cement content of the mortar, may be used to accelerate the hardening of the mortar.

(3) Simultaneous Building Up of Walls. The walls of every building shall be constructed as nearly simultaneously as possible, and in no case shall a wall be built more than ten feet higher than any other unfinished wall of the same structure without special permission from the Director.

## SECTION 823.0 - CONCRETE AND REINFORCED CONCRETE

## Sections

- 823.1 General Requirements
- 823.2 Definition
- 823.3 Exceptions
- 823.4 Load Tests and Special Systems
- 823.5 Specifications, Tests and Inspection
- 823.6 Concrete Proportions and Classification
- 823.7 Formwork, Embedded Pipes and Construction Joints
- 823.8 Reinforced Concrete Retaining Walls

## Sec. 823.1 General Requirements.

Except as specified herein all reinforced concrete work shall be in accordance with Building Code Requirements for Reinforced Concrete, ACI 318-71. In Chapter 1 of the Building Code Requirements for Reinforced Concrete ACI 318-71, only sections 1.1.1, 1.1.3, 1.2.2, and 1.2.3 shall be applicable.

## Sec. 823.2 Definition.

Where "Building Official" is specified in the referenced codes it shall be understood to mean the "Director, Department of Economic Development".

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## Sec. 823.3 Exceptions.

The Building Code Requirements for Reinforced Concrete, ACI 318-71, shall be generally modified and supplemented by the provisions of this Section as hereinafter stated. Where in conflict with ACI 318-71, these provisions shall govern.

## Sec. 823.4 Load Tests and Special Systems.

(1) The provisions for load testing of any concrete structure shall be those contained in Chapter 20 of ACI 318-71.

(2) For approval of special systems of design or construction the provisions of Sections 800.3 and 805.1 of this Code shall be applicable.

## Sec. 823.5 Specifications, Tests and Inspection.

(1) For all buildings, before any concrete is placed, the Office of the Director shall be notified and an inspector from that office shall examine the forms and approve the reinforcement.

(2) Before concrete footings are placed, the bearing value of the soil shall be approved by the Inspector.

(3) In general, *strength tests of concrete shall follow the provisions outlined in Sec. 4.3 of ACI 318-71.* Test cylinders will not be required for concrete placed in unreinforced footings, slabs on ground, floor fills, structural steel fireproofing, and plain concrete walls. Concrete delivery tickets shall be made available to the Inspector for these pours.

(4) The consistency of concrete shall be measured in accordance with Method and Test for Slump of Portland-Cement Concrete, ASTM C143-71.

(5) *Specifications for concrete reinforcement shall comply with Sec. 3.5 of ACI 318-71.*

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## Sec. 823.6 Concrete Proportions and Classifications.

(1) *Except as specified herein concrete shall be mixed in the proportions, to attain the required strengths, as provided for in Chapter 4 of ACI 318-71, except that Table 4.2.4 is modified as follows to suit local conditions. See Table 14-Prescription Concrete.*

TABLE 14 - PRESCRIPTION CONCRETE		
STRENGTH psi	CEMENT FACTOR 94 lb. bags/cu.yd.	MAXIMUM SLUMP inches
4000	7	5
3500	6 1/2	5
3000	6	5
2500	5 1/2	5
2000	5	5

NOTE: Size and proportion of aggregate may vary but shall be as required by ACI 211.1-70 for stone concrete and ACI 211.2-69 for lightweight concrete.

(2) Upon special approval of the Director, mixes of other cement factors and/or strength value, than those shown in Table 14, may be used, provided the procedures as outlined in Sec. 4.2.3 ACI 318-71, are followed. No substitutions shall be made in the materials used on the work without additional tests in accordance herewith to show that the quality of the concrete is satisfactory. Where this method is used, a qualified professional engineer, registered in the District of Columbia, acceptable to the Director, shall supervise the mixing and placing of the concrete. He shall be responsible that the quality of the concrete, its ingredients and proportions, is in accordance with that established by the design and approved by the Director, and shall so certify at the completion of the job. Such certification, bearing his seal, shall be filed with the Office of the Director. Adequate test specimens, as provided in Section 823.5, shall be made during the course of the work and a continuous record kept of the test results. Copies shall be filed with the Office of the Director as they are made. The Director may place such conditions or restrictions on the use of controlled concrete which, in his judgment, he may deem necessary. The approval of its use shall be subject to those conditions.

(3) The structural plans shall show the concrete mixes for strengths used in the design of the structure, prior to the issuance

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of permit. They shall also indicate if the mix is to be prescription or controlled concrete. In the case of controlled concrete, indication shall be made to show that the structure, or parts thereof, was designed under the working stress or ultimate strength method.

(4) Approved admixtures may be used but their use shall not reduce the required minimum cement factor.

Sec. 823.7 Formwork, Embedded Pipes and Construction Joints.

(1) These construction requirements shall follow, generally, the provisions outlined in Chapter 6 of ACI 318-71, except as herein modified and supplemented.

(2) Concrete formwork shall be structurally designed to conform to recognized engineering and construction practice and shall also comply with the requirements of the Minimum Wage and Industrial Safety Board's Construction Standards. Inspection prior to concrete placing shall be done only to determine that forms are substantial and sufficiently tight to prevent leakage.

(3) Aluminum metallic tubing or conduit and their fittings shall not be embedded in any concrete slab, wall, pier, column, beam or other concrete construction.

Holes shall not be cut in any concrete construction without first obtaining approval of the Director after proper submittal of details by the structural engineer responsible for the design.

Sec. 823.8 Reinforced Concrete Retaining Walls.

(1) General Requirements. In proportioning retaining walls, consideration shall be given to the bearing value of the soil, and stability against overturning and sliding. The permissible unit stresses shall not be exceeded, except as provided in (2) below.

(2) Exception. The heels of cantilever, counterforted, and buttressed retaining walls shall be proportioned to support the maximum resultant vertical loads, provided, that when the foundation reaction under them is neglected, the permissible unit stresses in supporting vertical load may be increased by not more than 50 percent.

(3) Cantilever Walls Without Counterforts or Buttresses.

1. The unsupported toe and heel of the base shall be considered as cantilever beams.

2. The vertical section shall be considered as a cantilever beam fixed at the top of the base.

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SECTION 836.0 - FORMS, MIXING AND PLACING FOR  
REINFORCED GYPSUM CONSTRUCTION

## Sections

## 836.1 General Requirements

## Sec. 836.1 General Requirements.

(1) Forms shall be tight and adequately supported and braced. Gypsum or other formboards shall not be considered a part of the slab in computing its strength.

(2) Either manual or mechanical mixing may be employed.

(3) Water for mixing shall be from the public water supply or equivalent if from other sources.

(4) The mixing and placing shall not continue through the setting time of the material.

(5) The full required thickness of slab shall be placed in one pour.

(6) In cold weather the concrete shall be protected against freezing until after complete chemical set has taken place and the greater part of the excess water has been given off.

(7) Competent supervision, satisfactory to the Director, shall be provided for all work.

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## Sec. 833.3 Concrete and Laminated Tile Arches and Domes.

(1) Laminated tile arches and domes shall be built up of courses of flat tile, properly bonded, solidly bedded, and thoroughly grouted in M mortar. The maximum stresses in the tile in direct compression and in extreme fiber in bending shall be 300 lbs. per square inch. The maximum stress for shear shall be 100 lbs. per square inch. If laminated tile construction is reinforced with steel bars, the allowable stresses for the bars shall be as specified in § 828.2. Concrete shall be Class B or better per Section 823.0 of this Article and the allowable stresses shall not exceed the limits given in Section 823.0 of this Article.

(2) If horizontal reactions of arches and domes are not completely resisted by steel ties or rings, computations shall be submitted, showing the ability of the supporting masonry to properly withstand the overturning moments.

## SECTION 834.0 - REINFORCED GYPSUM CONSTRUCTION

## Sections

## 834.1 Scope

## Sec. 834.1 Scope.

The present requirements apply for the use of precast or cast-in-place reinforced gypsum concrete in roof and floor constructions. *These Reinforced Gypsum Construction requirements shall be as set forth in Sections 834.0 through 841.0.*

SECTION 835.0 - MATERIALS FOR REINFORCED  
GYPSUM CONSTRUCTION

## Sections

## 835.1 Gypsum and Gypsum Concrete

## 835.2 Reinforcement

## Sec. 835.1 Gypsum and Gypsum Concrete.

(1) Calcined gypsum shall conform with the requirements given in Specifications for Gypsum Plaster, ASTM C28-68.

(2) Aggregate for gypsum concrete shall be dry and clean wood chips or shavings passing 1-inch sieve and not over 1/16 inch in thickness.

(3) Gypsum concrete shall consist of calcined gypsum mixed at the mill with the aggregate and conforming with Specifications for Gypsum Concrete, ASTM C317-64 (1970).

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(8) Compression steel in beams or girders shall be anchored by ties or stirrups not less than 1/4 inch in diameter, spaced not further apart than 24 bar diameters or 48 tie diameters. Such ties or stirrups shall be used throughout the distance where compression steel is required.

## Sec. 829.3 Combined Axial and Flexural Stresses.

Members subject to combined axial and flexural stresses shall be so proportioned that the quantity

$$\frac{f_a}{F_a} + \frac{f_m}{F_m} \text{ shall not exceed } 1.$$

Where  $f_a$  = Computed axial unit stress

$F_a$  = Axial unit stress permitted by this Code at point under consideration if member were carrying axial load only.

$f_m$  = Computed flexural unit stress

$F_m$  = Flexural unit stress permitted by this Code, if member were carrying bending load only.

SECTION 830.0 -- SHEAR AND BOND FOR  
REINFORCED MASONRY

## Sections

830.1 Shear and Diagonal Tension

830.2 Bond and Anchorage

## Sec. 830.1 Shear and Diagonal Tension.

The requirements of Section 823.0 of this Article on shear and diagonal tension for reinforced concrete shall apply for reinforced masonry, with allowable shearing stresses as given in Table 17, *Sec. 828.2*, and area resisting shear as given in Section 829.2(5) and (6).

## Sec. 830.2 Bond and Anchorage.

The requirements of Section 823.0 of this Article on bond and anchorage of reinforcement for reinforced concrete shall apply for reinforced masonry, with allowable bond stresses as given in Table 17, *Section 828.2*.

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SECTION 829.0 - GENERAL DESIGN CONSIDERATIONS  
FOR REINFORCED MASONRY

## Sections

- 829.1 Assumptions
- 829.2 Flexural Computations
- 829.3 Combined Axial and Flexural Stresses

## Sec. 829.1 Assumptions.

The design of reinforced masonry shall be in accordance with the following general assumptions.

- (1) A section plane before bending remains plane after bending.
- (2) The moduli of elasticity of the masonry and the reinforcement remain constant.
- (3) Tensile forces are resisted only by the tensile reinforcement.
- (4) Reinforcement is completely surrounded by grout or concrete bonded to the masonry units.
- (5) The stresses shall be assumed carried by the net cross-sectional area of units bedded in mortar and including mortar, grout, or concrete in joints and filled hollow spaces.
- (6) In reinforced masonry or concrete joist floor construction, having solid joists and fillers of hollow units, the shells of fillers which are part of or bonded with mortar, grout, or concrete to the joists, shall be assumed as effective in resisting shear and bending moment.

## Sec. 829.2 Flexural Computations.

- (1) All members shall be designed to resist at all sections the maximum bending moment and shears produced by dead load, live load, and other forces, as determined by the principle of continuity and relative rigidity of connecting members.
- (2) In the case of two or more spans where the larger of the two adjacent spans does not exceed the shorter by more than 20 percent, and loads are uniformly distributed, and the live load does not exceed 3 times the unit dead load, the following moment and shear coefficients may be used,  $w$ , being the uniformly distributed load per unit length of member, and  $l'$ , the clear span for positive moment and the average of two adjacent clear spans for negative moment.

## TITLE 5A-1

(6) Reinforcement consisting of bars or wire 1/4 inch or less in diameter embedded in horizontal mortar joints for control of temperature and shrinkage effects, shall have not less than 5/8 inch mortar coverage from the face of the construction.

(7) Where a fire-resistance rating as per Table 5 of Article 2 is required, any additional thickness necessary for the purpose shall be provided to qualify for such rating.

## Sec. 826.12 Construction Joints.

Where fresh masonry joins masonry that is partially or totally set, the exposed surface of the finished masonry shall be cleaned with a wire brush, and dampened when necessary to obtain the best possible bond with the new work. All loose masonry units and mortar shall be removed.

SECTION 827.0 - CHASES AND RECESSES FOR REINFORCED  
AND ARCHED MASONRY

## Sections

## 827.1 General Requirements.

## Sec. 827.1 General Requirements.

The limitations on chases and recesses in reinforced *and arched* masonry walls shall be the same as in Section 822.2 for unreinforced masonry walls.

SECTION 828.0 - WORKING STRESSES FOR  
REINFORCED MASONRY

## Sections

## 828.1 Allowable Masonry Stresses.

## 828.2 Allowable Stresses for Reinforcement

## Sec. 828.1 Allowable Masonry Stresses.

With grade of masonry units not less than required in Sections 825.2, 825.3 and 825.4, and M and S mortar and grout as defined in Sections 825.5 and 825.6, the working stresses for the masonry shall not exceed the values given in Table 17 below, using net sections but including mortar, grout, or concrete in joints and filled hollow spaces.

## Sec. 828.2 Allowable Stresses for Reinforcement.

(1) Tension. The tension in longitudinal bars and web reinforcement shall not exceed 18,000 psi for billet-steel and axle steel concrete reinforcement bars of structural grade, nor 20,000 psi

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Sec. 825.8 Reinforcement.

See Section 823.0 of this Article.

SECTION 826.0 - CONSTRUCTION REQUIREMENTS FOR  
REINFORCED AND ARCHED MASONRY

Sections

- 826.1 Mixing of Mortar and Grout
- 826.2 Laying of Brick
- 826.3 Bond Patterns
- 826.4 Laying Hollow Units
- 826.5 Face Joints
- 826.6 Cold Weather Precautions
- 826.7 Forms and Form Removal
- 826.8 Embedded Pipes and Conduits
- 826.9 Cleaning, Bending, and Placing Reinforcement
- 826.10 Splices in Reinforcement
- 826.11 Protection for Reinforcement
- 826.12 Construction Joints

Sec. 826.1 Mixing of Mortar and Grout.

(1) In a batch mixer, the mortar or grout shall be mixed for at least three minutes after all materials are in the drum, and the drum completely emptied before the materials for the succeeding batch are placed therein.

(2) Handmixing will be permitted on small jobs provided results equivalent to machine mixing are obtained.

(3) The consistency of mortar shall be adjusted to the satisfaction of the mason. If the mortar begins to stiffen from evaporation or absorption of part of the mixing water, the mortar shall be restored to working consistency by added water and remixing. Mortar or grout shall not be used after it has begun to set.

(4) Grout shall be stirred at frequent intervals before placing to prevent separation of materials.

Sec. 826.2 Laying of Brick.

(1) Brick shall be laid on smooth spread beds with all joints filled with mortar or grout, which joints shall be not less than 1/2 inch thick except that a longitudinal vertical joint filled with grout shall be not less than 3/4 inch wide.

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Section 1. 1. 1 of the "Recommended Building Code Requirements for Engineered Brick Masonry, May 1966", and Section 1. 1 of the "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968" are hereby modified to be consistent with the above requirements of certification and inspection.

(4) Section 1. 1. 2 of the "Recommended Building Code Requirements for Engineered Brick Masonry, May 1966", and Section 1. 1. 2 of the "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968", are deleted. Where in conflict with the "Recommended Building Code Requirements for Engineered Brick Masonry, May 1966", and "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968", the provisions of this Code shall govern.

(5) Standard specification referred to in Chapter 2, materials of the "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968", shall be those in effect on 10-21-69.

## Sec. 824.3 Tests.

In addition to tests of materials, there may be required tests of members constructed to be representative of those entering into the construction, applying testing methods as defined in Methods of Conducting Strength Tests of Panels for Building Construction, ASTM E72-68.

SECTION 825.0 - MATERIALS FOR REINFORCED  
AND ARCHED MASONRY

## Sections

- 825.1 Sizes and Shapes of Units
- 825.2 Brick
- 825.3 Concrete Masonry Units
- 825.4 Structural Clay Tile
- 825.5 Mortar
- 825.6 Grout
- 825.7 Concrete
- 825.8 Reinforcement

## Sec. 825.1 Sizes and Shapes of Units.

Units shall be of a size and shape to be suitable for their intended use.

## Sec. 825.2 Brick.

(1) The brick shall comply with the requirements of Sections 814.2 and 814.3 for brick permitted for load-bearing purposes exposed to the weather.

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2. Where hydrostatic pressure might develop and the wall is not designed to resist such pressure, the drains shall be connected with horizontal pockets, not less than two square feet in area filled with porous material.

(For design of gravity and dry stone retaining walls see Sections 722.0 and 723.0 of Article 7).

## SECTION 824.0 -- REINFORCED AND ARCHED MASONRY

## Sections

- 824.1 Scope
- 824.2 Design and Supervision
- 824.3 Tests

## Sec. 824.1 Scope.

These provisions supplement the requirements in other parts of this Code to attain proper design and construction of reinforced and arched masonry. *These reinforced and arched masonry requirements are as set forth in Sections 824.0 through 833.0.*

## Sec. 824.2 Design and Supervision.

(1) In connection with the application for permit for a structure in which reinforced or arched masonry is used, there shall be submitted by means of plans, specifications, and design data, the details of the construction, the type and grade of masonry units, mortar, and grout, the design loads, the stresses in masonry and reinforcement, and any other required information.

(2) Satisfactory assurance shall be given that supervision will be provided to obtain the required quality of workmanship.

(3) In lieu of the requirements set forth hereinafter, the engineer may design the reinforced masonry elements in accordance with "Recommended Building Code Requirements for Engineered Brick Masonry, May, 1966" as published by the *Brick Institute of America* or with "Specification for the Design and Construction of Load Bearing Concrete Masonry, 1968", as published by the National Concrete Masonry Association.

Structures incorporating this type of design shall be certified as set forth in Sections 107.8, 107.81 and 107.82 of this Code and shall in addition be inspected during construction by the certifying engineer or his qualified representative to insure compliance with this Code.

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SECTION 838.0 - GENERAL DESIGN REQUIREMENTS FOR  
REINFORCED GYPSUM CONSTRUCTION

## Sections

- 838.1 Flexure
- 838.2 Suspension Systems
- 838.3 Minimum Thickness of Slabs

## Sec. 838.1 Flexure.

The principles and methods given for reinforced concrete in Section 823.0 of this Article as far as applicable, shall govern the design of gypsum concrete slabs in flexure, applying the modular ratios given in § 835.1(4) and the allowable stresses in § 837.1, except that bending moment and shear coefficients shall be taken not lower than in § 829.2 for reinforced masonry. Beams and other supporting members shall be of materials other than gypsum concrete.

Deflection. The maximum deflection of floor slabs under full design load shall not exceed 1/360 of the span length.

## Sec. 838.2 Suspension Systems.

(1) The reinforcement shall consist of wires or wire fabric continuous over interior supports and anchored into the supporting members at the ends. The reinforcement shall be supported in the top of the slab over the supports and tightly drawn down to near the bottom of the slab at mid-span. Provision shall be made in the framing of the end bays to resist the forces due to end anchorage of the reinforcement.

(2) The reinforcement shall be designed for a tension in pounds per foot width of slab equal to

$$\frac{w L^2}{8 d}$$

where w is the total load in pounds per square foot.

L is the span length in feet.

d is the sag of the reinforcement in feet.

(3) The maximum span shall not exceed 8 feet.

## Sec. 838.3 Minimum Thickness of Slabs.

(1) Slabs cast in place shall be not less than 2 inches thick except that for suspension systems the thickness shall be not less than 3 inches for roofs and 4 inches for floor.

(2) Slabs cast in place shall be anchored to their supporting members in an approved manner.

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SECTION 837.0 - ALLOWABLE DESIGN STRESSES FOR  
REINFORCED GYPSUM CONSTRUCTION

Sections

- 837.1 Stresses in Gypsum Concrete
- 837.2 Stresses in Reinforcement
- 837.3 Tension and Compression
- 837.4 Embedment of Reinforcement
- 837.5 Minimum Reinforcement

Sec. 837.1 Stresses in Gypsum Concrete.

The following stresses in pounds per square inch shall not be exceeded:

	Class A	Class B
Compressive in flexure .....	125	250
Bearing .....	100	200
Bond .....	10	20
Shear .....	10	20

Sec. 837.2 Stresses in Reinforcement.

Billet steel reinforcing bars shall not be stressed over 18,000 lbs. per square inch, and cold-drawn steel wire and wires in welded steel fabric, not over 20,000 lbs. per square inch.

Sec. 837.3 Tension and Compression.

Gypsum concrete shall not be assumed as effective in tension, and shall not carry load in direct compression other than as a bearing stress.

Sec. 837.4 Embedment of Reinforcement.

(1) Bars and wire shall be located in slabs not less than 1/2 inch clear from the surfaces thereof, and as much more as necessary for a required fire-resistance rating.

(2) Where gypsum or incombustible formboard is left permanently in place, the clearance of reinforcement on the formboard need be no more than the diameter of the bars or wires, or as otherwise required from the standpoint of fire resistance.

Sec. 837.5 Minimum Reinforcement.

No minimum area of reinforcement for shrinkage and temperature change need be provided.

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## Sec. 840.2 Construction.

(1) Protection from the weather shall be provided for the construction as completed and used. Roofing shall be applied over gypsum roof construction as soon as the final set or necessary strength has been attained. The time may be extended if weather conditions permit to facilitate drying of the slab. The under side of overhang at eaves shall be suitably protected against the weather.

(2) Adequate ventilation accompanied by heat, as required, shall be provided below slabs to remove excess water.

(3) Floor slabs shall be protected with a waterproof wearing surface.

## Sec. 840.3 Pipe and Conduits.

Pipes carrying liquid, steam, gas, or vapor shall not be embedded in floor or roof slabs. Electric conduits embedded therein shall be galvanized or have other rust-resistive coating. Placed lengthwise in the slab, the diameter of the conduits shall not be greater than one-third the thickness of the slab and be located not nearer than one inch from its surface.

SECTION 841.0 - LIMITATIONS ON USE OF  
*REINFORCED GYPSUM CONSTRUCTION*

## Sections

841.1 Loading

841.2 Moisture and Temperature

## Sec. 841.1 Loading.

(1) Floor slabs of gypsum shall not be used to support live loads exceeding 70 pounds per square foot.

(2) They shall not be used where the floor is subject to vibration or impacts when requiring increase in design load or reduction in working stresses.

(3) Concentrated loads shall have base supports to prevent undue stresses in the slab or be supported independently of the floor or roof slab construction.

## Sec. 841.2 Moisture and Temperature.

(1) Floor or roof constructions of gypsum shall not be used where subject to excessive moisture.

## TITLE 5A-1

SECTION 839.0 - PRECAST SLABS OF  
REINFORCED GYPSUM CONSTRUCTION

## Sections

- 839.1 Material
- 839.2 Design
- 839.3 Thickness
- 839.4 Special Designs

## Sec. 839.1 Material.

Precast slabs shall be made of Class A or Class B material as defined in Section 835.1(4).

## Sec. 839.2 Design.

(1) Precast slabs shall be designed under the requirements of Section 838.1.

(2) Unless the shape and marking of the slab is such as to insure its being placed right side up, it shall be reinforced to enable the slab to support its load with either side up.

## Sec. 839.3 Thickness.

Solid precast gypsum slabs shall have a thickness of not less than 2 inches. Hollow slabs shall be permitted only in roof construction and shall have a total thickness of not less than 3 inches and a shell thickness of not less than 1/2 inch.

## Sec. 839.4 Special Designs.

Precast gypsum slabs of special design, the strength of which cannot be determined by accepted methods, shall be permitted to carry a uniform load equal to one-fourth of the total transverse load causing failure, as tested according to the Standard Methods of Testing Gypsum and Gypsum Products, ASTM C473-68.

SECTION 840.0 - PROTECTIVE MEASURES FOR  
REINFORCED GYPSUM CONSTRUCTION

## Sections

- 840.1 Materials
- 840.2 Construction
- 840.3 Pipe and Conduits

## Sec. 840.1 Materials.

Materials for reinforced gypsum construction shall be protected from the weather and undue dampness.

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(2) They shall not be used where normal ambient temperatures exceed 110° F. such as at boiler settings.

(3) Insulation shall be provided around chimneys and flues to keep temperatures on the exposed construction below 130° F.

## SECTION 842.0 - STRUCTURAL STEEL, CAST STEEL, AND CAST IRON

## Sections

- 842.1 Drawings, Inspection, and Workmanship
- 842.2 General Requirements
- 842.3 Modifications and Supplements
- 842.4 Protection Against Corrosion
- 842.5 Erection
- 842.6 Metal Smoke Stacks

## Sec. 842.1 Drawings, Inspection, and Workmanship.

(1) For required drawings and design data see Sec. 801.0 of this Article.

(2) The Director may require the owner to have approved mill inspection and to file reports as may be required.

st (3) The workmanship shall conform with recognized standards. No field work shall be concealed or covered up before approval by the Director.

## Sec. 842.2 General Requirements.

Except as specified otherwise herein, all structural steel work shall be in accordance with the American Institute for Steel Construction SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS, *adopted February 12, 1969 and Supplement No. 1 thereto effective November 1, 1970 and Supplement No. 2 thereto effective December 8, 1971.*

## Sec. 842.3 Modifications and Supplements.

The SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS shall be modified and supplemented as stated hereinafter. Where in conflict with the requirements of the SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS, these provisions shall govern.

## (1) Cast Iron.

1. Cast iron shall conform to the "Standard Specifications for Gray Iron Castings", ASTM A48-64.

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(2) *Corrosion Protection.* All iron and steel *except steel piles* used in damp locations, below water level or directly exposed to weather, except when encased in concrete of  $f'_c=2000$  psi having a minimum of 3" thick coverage, shall be protected, with Director's approval, by corrosion resistant materials or other protective method unless of corrosion resistant type or grade.

## Sec. 842.5 Erection.

(1) *Bracing.* The frame of all steel-skeleton buildings shall be carried up true and plumb, and temporary bracing shall be introduced wherever necessary to take care of all loads to which the structure may be subjected, including erection equipment, and the operation of same. Such bracing shall be left in place as long as may be required for safety.

(2) *Bolting Up.* As erection progresses, the work shall be securely bolted up, or welded, to take care of all dead load, wind, and erection stresses.

(3) *Erection Stresses.* Wherever piles of material, erection equipment, or other loads are carried during erection, proper provision shall be made to take care of stresses resulting from the same.

(4) *Alignment.* No riveting or welding shall be done until as much of the structure as will be stiffened thereby has been properly aligned.

(5) *Burning Holes.* Burning holes for connections is positively prohibited.

## Sec. 842.6 Metal Smoke Stacks.

(1) *Support.* Metal smoke stacks for high pressure boilers and other appliances producing a corresponding temperature, when isolated, shall have base plates of ample strength securely anchored to the foundations. If not designed to be freestanding they shall be braced at least every 50 feet in height from at least 2 sides by means of stiff leg struts, or from at least 3 sides by means of guys of rods or wire ropes. Stiff leg struts shall be designed as columns, the ratio  $l/r$  not exceeding 200. Guy rods shall be not less than 5/8 inch in diameter and guys of wire rope shall be galvanized and shall be not less than 1/2 inch in diameter. Where metal stacks are built in connection with buildings they shall be securely anchored or guyed to the frame work or walls and proper provision shall be made for expansion.

(2) *Construction.* When constructed of rolled iron or steel, all joints shall be welded or securely riveted, and no rivet less than 1/2 inch in diameter shall be used. For stacks of 30 inches

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diameter, no plate less than 10 gage in thickness, and for stacks of greater cross-section no plate less than 3/16 inch shall be used. (See Section 1003.3 of Article 10).

## SECTION 843.0 - LIGHT STEEL CONSTRUCTION

Sections  
843.1 Scope

Sec. 843.1 Scope.

The requirements apply to steel joists and light gage structural members, cold-formed to shape from sheet or strip steel. *These requirements for Light Steel Construction shall be as set forth in Sections 843.0 through 848.0.*

SECTION 844.0 - PLANS AND SPECIFICATIONS FOR LIGHT  
STEEL CONSTRUCTION

Sections  
844.1 General Requirements

Sec. 844.1 General Requirements.

The dimensions and section properties of members and parts thereof, and all other data required for determining grade of steel and strength and adequacy for the intended use, shall be submitted to the Director for approval.

SECTION 845.0 - MATERIAL AND WORKMANSHIP FOR LIGHT  
STEEL CONSTRUCTION

Sections  
845.1 Steel  
845.2 Workmanship

Sec. 845.1 Steel.

(1) All steel used shall be of welding quality and conform with the following specifications as applicable for the materials used in particular types of members:

Standard Specification for Steel for Bridges and Buildings,  
ASTM A283-70a.

*Specification for Cold-Rolled Carbon Structural Steel Sheet,*  
ASTM A611-70.

Standard Specification for Hot-Rolled Carbon-Steel *Sheets and Strip* of Structural Quality, ASTM A570-70.

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(2) Representative samples of steel for tension tests shall be supplied when required.

## Sec. 845.2 Workmanship.

(1) All work in the fabrication and erection of members of light steel construction and the constructions of which they are a part, shall be performed by experienced workmen under competent supervision.

(2) Gas or arc welding where used, shall be designed and executed in accordance with the *provisions of Sections 2, 3, and 4 of the "Code for Welding in Building Construction"* of the American Welding Society, D 1.0-69.

(3) Each person performing welding operations for structural purposes shall have proven ability to pass such welding tests as are prescribed in *Appendix A, Parts II, III, and IV of the "Code for Welding in Building Construction"*, of the American Welding Society, D 1.0-69.

SECTION 846.0 - EXPOSURE CONDITIONS FOR  
LIGHT STEEL CONSTRUCTION

## Sections

## 846.1 General Requirements

## Sec. 846.1 General Requirements.

The minimum metal thicknesses allowed, and the protective coatings required are predicated upon the intended use of the structural members within a building or having such protections that they are not directly exposed to the weather. Where subjected to outside exposure, or to unusual or specially corrosive conditions, adequate protection shall be provided.

## SECTION 847.0 - STEEL JOIST CONSTRUCTION

## Sections

## 847.1 General Requirements

## 847.2 Modifications and Supplements

## 847.3 Design of Joists

## 847.4 Shop Details

## 847.5 Performance Test

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## Sec. 847.1 General Requirements.

Except as specified otherwise, steel joists shall be designed, fabricated, and erected in strict accordance with one of the following specifications:

(1) Standard specifications for Open Web Steel Joists, J-and H-SERIES, adopted by the Steel Joist Institute and American Institute of Steel Construction, Inc. on December 15, 1970.

(2) Standard Specifications for Long Span Steel Joists LJ- and LH- SERIES, adopted by the American Institute of Steel Construction, Inc. and the Steel Joist Institute on July 1, 1970.

(3) Standard Specifications for Deep-Long Span Steel Joists DLJ- and DLH- SERIES, adopted by the American Institute of Steel Construction, Inc. and the Steel Joist Institute on February 1, 1970.

## Sec. 847.2 Modifications and Supplements.

(1) Material Identification. All materials used in the fabrication of steel joists shall be positively identified in a manner satisfactory to the Director in order that the type of steel and its tensile strength and/or ultimate yield point can be established. Steel joists fabricators will be required upon the request of the Director to provide physical and/or chemical tests of the steels used. Such tests shall be performed by an approved independent testing laboratory at the expense of the fabricator.

(2) Use of Printed Load Tables. In order to ascertain allowable uniform loadings for various sizes and series of joists, the standard load tables of the Steel Joist Institute may be used. Where other than uniform loading is used, the joist design shall be completely engineered.

## Sec. 847.3 Design of Joists.

Joist manufacturers shall be required to certify that their joists comply with all requirements of the applicable specifications listed in Section 847.1. Joist manufacturer's shall be also required to submit to the Director prior to fabrication of the joists, complete structural design analysis including details and computations for each type of joist they will furnish.

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## Sec. 847.4 Shop Details.

Shop details indicating sizes, lengths, and location of joists shall be submitted to the Director for approval, prior to fabrication and erection.

## Sec. 847.5 Performance Test.

(1) The Director may require load tests of joists or assembly of joists representative of constructions proposed for use.

(2) The construction or member shall be suitably bridged or laterally stayed, and have a top slab, or the load otherwise distributed to the top chord and panel points in representative manner.

(3) The test load shall consist of a dead load equal to the weight of the joists and the construction it would carry, plus twice the design live load, the design live load plus the dead load to be within the published capacity of the joist.

(4) After the superimposed test load of two times the design live load is removed, the permanent deflection shall not exceed 20 percent of the deflection during a 12-hour test due to this same test load.

## SECTION 848.0 - COLD-FORMED STEEL CONSTRUCTION

## Sections

- 848.1 Scope
- 848.2 Application
- 848.3 Material
- 848.4 Design Procedure, Stresses, Connections and Bracing
- 848.5 (*Reserved for future use*)
- 848.6 Erection
- 848.7 (*Reserved for future use*)
- 848.8 Protection of Metal
- 848.9 Performance Tests

## Sec. 848.1 Scope.

The provisions apply to *the design and construction of structural members of steel sheet or strip cold-formed to shape.*

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## Sec. 848.2 Application.

*Cold-formed steel structural members may be used for members supporting floors, walls and roofs, and as formed panels. Particular consideration shall be given to effects of unusual loads that may occur due to handling of material and during erection.*

## Sec. 848.3 Material.

(1) Except as provided under (2) below, steel shall conform with specifications for carbon-steel sheet and strip, listed in Section 845.1(1).

(2) Steel of higher strength than covered by the specifications contained in Section 845.1, may be used, provided the design is based upon properties of such higher strength steel as certified by the manufacturer's test reports, and the steel is produced and identified with a published specification which specifically established its qualifications and properties.

## (3) Identification.

1. Each application for permit shall specify the grade of steel to be used.

2. When required, and per arrangements duly made, representative samples for tension tests shall be cut from extra members, or extra length of members, supplied for a given project.

3. The preparation of samples and testing at an approved laboratory, shall be done at the expense of the submitter.

## Sec. 848.4 Design, Procedure, Stresses, Connections, and Bracing.

*The general requirements for applying to construction of members cold-formed to shape from sheet or strip steel shall be in accordance with the provisions of the Specification for the Design of Cold-Formed Steel Structural Members, 1968 Edition, issued by the American Iron and Steel Institute and Addendum No. 1 thereto.*

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Sec. 848.5 *(Reserved for future use)*

Sec. 848.6 Erection.

(1) Members shall be straight and free from twist.

(2) All members shall be fastened in place and required permanent bridging and bracing installed before any construction loads are placed on the members.

Sec. 848.7 *(Reserved for future use)*

Sec. 848.8 Protection of Metal.

(1) Members shall be protected with a shop coat of corrosion-resistant paint or be galvanized.

(2) After erection, all members supporting load, not including roof and floor decks and secondary roof and floor members, shall be given a field coat of paint or other metal protection over the shop coat, except where encased in or having surface in contact with metal or portland cement concrete, mortar, or plaster made with non-corrosive aggregates.

(3) Exterior Wall or Roof Covering.

1. Exterior wall or roof covering shall be of corrosion-resistant or galvanized steel, and shall be given a field coat of metal protection for a height not less than 12 inches above the finished grade in contact with the metal.

2. The thickness of metal shall be not less than 26 U.S. gage.

## TITLE 5A-1

(2) Where the flame spread is based on more than one determination, the classification shall be determined by the average result except that no single valid result shall exceed 20 percent of the average.

(3) Thin Surface Veneers. For the purpose of this test, the effect on flame spread of thin combustible veneers of materials corresponding to Class D-1, may be neglected, or the veneers may be removed before test, if the thickness thereof is not greater than the following:

For Class A qualification - 0.01 inch  
For Class B qualification - 0.025 inch  
For Class C qualification - 0.04 inch

Sec. 901.3 Pressure-Treated Wood.

The flame resistance of wood, impregnated throughout its cross-section with chemicals to reduce flammability, shall be determined by the method given under Section 901.22. *Coatings applied by roller, brush, spray or other methods shall not be used as flame-spread retardants, except that in buildings completed prior to the effective date of the 1972 D. C. Building Code, with the Director's approval, existing surfaces may be treated in accordance with manufacturer's specifications.*

## TITLE 5A -1

## SECTION 905.0 - INTERIOR WALLS AND PARTITIONS

## Sections

- 905.1 Support
- 905.2 Separation of Beam Supports
- 905.3 Materials for Partitions
- 905.4 Partitions Enclosing Passages and Corridors
- 905.5 Accessory Occupancy Separations

## Sec. 905.1 Support

905.11 Fire walls in buildings of Types 2 and 3 construction shall extend from the foundation to the underside of the roof slab or sheathing. If offset, the floor construction in the offset and the support under the offset part of the wall shall have fire resistance not less than required for the fire wall.

905.12 In buildings of Type 1 construction fire division walls and vertical occupancy separations may be supported on structural framing having fire resistance not less than required for the supported construction, and need not extend through Type 1 roof construction. See § 819.1(4) of this Code, for party wall requirements.

## Sec. 905.2 Separation of Beam Supports.

Where ends of combustible beams or joists are supported in fire walls, they shall be separated by construction with a fire rating as provided in Table 5 of Article 2.

## Sec. 905.3 Materials for Partitions.

## 905.31 Type 1 or 2 Construction.

(1) All required partitions in buildings of Type 1 or 2 construction shall be of incombustible construction, except as permitted under (2) and (3) below.

(2) In buildings of Type 1 or 2A construction and E Business or F-4A Assembly occupancy, partitions within an area not exceeding 3,000 square feet, and occupied by a single tenant, may be of wood, wood and glass, or similar construction, if the area is enclosed with incombustible partitions having not less than three-fourth hour fire-resistance rating, with protected openings into public corridors and other exitways.

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(3) Existing trash and/or rubbish chutes wherein the incinerator is discontinued and other approved disposal equipment is substituted shall meet the requirements of Section V 9(m) of the Fuel Burning Equipment Regulations of the District of Columbia, 1966 amended edition, except as follows:

1. The existing construction of the collection room *may* be accepted *with the approval of the Director or the Fire Chief.*

2. The existing doors into the chute *may* be accepted *with the approval of the Director or the Fire Chief.*

3. The existing inside dimensions of the chute *may* be accepted *with the approval of the Director or the Fire Chief.*

(4) The provision of an automatic sprinkler system in the collection room will not be required.

Sec. 908.2 Stairs Not Requiring Enclosure. See §§ 606.3, 617.6 and 620.5, Article 6.

Sec. 908.3 Stairs Required to Extend to Roof. See § 603.4, Article 6, with exemptions.

Sec. 908.4 Shafts Required to Extend to Roof.

Generally, shaft enclosures shall not be stopped at ceilings but shall extend up through roof construction except as follows:

908.41 A shaft adjacent to a second shaft which is not a stairway, will not be required to extend through the roof if an opening at least equal to 10 percent of the area of such shaft is made at its highest point, so as to open into the second shaft. The top of such a shaft shall have a fire-resistance rating not less than that required for the enclosure. A horizontal offset of not more than six times the least dimension of such shaft will be permitted at any floor level. The offset shall be of fire-resistive construction equal to the requirement for the shaft enclosure.

908.42 The provisions under 908.41 above shall not apply where either or both shafts are toilet, lavatory, or ventilating shafts, requirements for which are given in § 503.15.

908.43 Shafts for dumb-waiters or elevators extending through not more than two of the lower stories, need not be extended through the roof. Such 2-story shafts shall, in all cases, have fire-resistive enclosures.

908.44 Shafts for dumb-waiters not in excess of 10 square feet, or which serve only two landings, and which have a travel not in excess of 20 feet need not be extended through the roof but shall have fire-resistive enclosures.

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Table 22 - General Requirements for Interior Opening Protectives by Location

Type of construction	Use group	Below main floor Type of room, corridor or shaft	Doors	Windows
1	H-2, L-1 E, F-4A	Stair	C	E
1	Other	do	B(1 hr.)	NP
2 or 3	Any	do	CC	NP
1,2, or 3	Any	Elevator	B(1½ hr.) or BOCA	NP
1,2, or 3	Any	Other shafts	CC	E(WP)
1,2, or 3	Any	Any Exit corridor	B(1 hr.)	<b>NP</b>
1	{ E, F-4A { H-2, L-1	OR,HR Public corridor	C	<b>E</b>
2 or 3	{ E, F-4A { H-2, L-1	OR,HR do	C	NP
1,2, or 3	Other	Any do	C	NP
1,2, or 3	Any	Storage, Utility do	B(1 hr.)	NP
<u>Main Floor and Above</u>				
1,2, or 3	Any (See 913.6)	Stair	C (See 913.6)	E
1,2 or 3	Any	Elevator	B(1½ hr.) or BOCA	NP
1,2, or 3	Any	Other shafts	CC	E(WP)
1,2, or 3	Any	Any Exit corridor	B(1 hr.)	NP
1	H-2, L-1	HR Public corridor	K, (NC)	E
1	E, F-4A	OR do	<b>M(NC)(LP)</b>	<b>E*</b>
1	Other	OR do	K, (NC)	E
2 or 3	H-2, L-1	HR do	K, (NC)	E
2 or 3	E, F-4A	OR do	K(NC)	E
2 or 3	Other	OR do	C	E(WP)
1,2, or 3	Any	Storage, Utility do	CC	NP

\* Plain glass permitted for E-Use on public corridors, *Type 1 Construction*

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924.23 Colonnades projecting not more than 6 feet and not over two stories in height may be of wood construction except for beams supporting joists and columns, if not over 15 feet in length or one-fourth of the wall length. Facings over 12 inches high shall be incombustible or covered with incombustible materials.

924.24 On requirements for porches see §§ 301.5 and 301.6, Article 3.

## Sec. 924.3 Exterior Trim.

924.31 In buildings not over three stories or 40 feet in height, half timbering or similar architectural decorations may be of Class B fire-retardant material if solidly backed with incombustible material and pieces are not over 12 inches wide and cover not over 25 percent of the exterior wall surface.

924.32 For border details at roofs see § 926.4.

## SECTION 925.0 - ROOFING AND SKYLIGHTS

## Sections

## 925.1 Applicability

## Sec. 925.1 Applicability

The requirements apply where the material and construction of the roof deck are such that a roof covering is required. The provisions shall not be interpreted to require the installation of a roof covering on an incombustible deck which provides adequate weathering resistance and fire protection equivalent to or greater than the roof covering, which otherwise would be required. *The requirements for Roofing and Skylights shall be as set forth in Sections 925.0 through 928.0.*

## SECTION 926.0 - ROOF COVERINGS

## Sections

## 926.1 Coverings on Type 1 Buildings

## 926.2 Roofing on Other Types

## 926.3 Snow Guards

## 926.4 Border Details

## Sec. 926.1 Coverings on Type 1 Buildings.

Roof coverings on Type 1 Fire-Resistive buildings shall be Class 1 or 2 as defined in Section 902.0 of this Article.

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928.13 Individual roof panels shall be separated from each other by a distance of not less than four (4) feet measured in a horizontal plane.

928.14 Where exterior wall openings are required to be fire protected by § 915.0 of Article 9, no roof panel or unit shall be installed within six (6) feet of such exterior wall.

928.15 Roof panels or units shall be limited in area and the aggregate area of panels shall be limited by a percentage of the floor area of the room or space sheltered in accordance with the following:

Class of Plastic	Individual Unit or Panel (sq. ft.)	Maximum Aggregate Area (% of Floor Area)
SE	300	30
VSB	200	25
SB	100	20

928.16 Exceptions.

(1) One story buildings not more than sixteen (16) feet in height and not exceeding twelve hundred (1200) square feet in area and not closer than eleven (11) feet to another building are exempt from the limitations of 928.15.

(2) Low hazard uses such as swimming pool shelters, greenhouses, etc., are exempt from the area limitations of 928.15 provided they do not exceed twenty-four hundred (2400) square feet in area, twenty (20) feet in height and are not closer than eleven (11) feet to the property line or adjacent buildings.

(3) Roof coverings over terraces and patios of one-and-two family dwellings shall be permitted with approved plastics.

SECTION 929.0 - BUILDINGS ALTERED OR CONVERTED

Sections

- 929.1 Fire-Resistive Doors, Windows, and Shutters
- 929.2 Openings on Exterior Stairs or Fire Escapes

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## Sec. 929.1 Fire-Resistive Doors, Windows, and Shutters.

When buildings are altered or converted the requirements for fire-resistive doors, windows, and shutters shall be the same as for new construction. The Director may allow minor variations where the required degree of fire safety is substantially obtained.

## Sec. 929.2 Openings on Exterior Stairs or Fire Escapes.

Where exterior screened stairs or fire-escapes are approved in connection with the alteration or conversion of buildings, the windows and doors opening onto them, or within ten feet under them shall be protected in accordance with the following:

929.21 Double-hung or single-hung windows shall have the upper half of the sash glazed with wired glass, 1/4 inch thick, and shall be properly counterbalanced or shall be permanently fixed.

929.22 Casement windows shall be glazed with wired glass 1/4 inch thick.

929.23 Doors shall be covered on the inside with metal not thinner than 26 gage, and if glazed, shall be glazed with 1/4 inch wired glass; jambs and trim may be unprotected on the ground floor.

929.24 Show windows on the ground floor either projecting or in the walls of the building, need not be protected.

SECTION 930.0 - PROJECTING DOORS *FOR BUILDINGS  
ALTERED OR CONVERTED*

## Sections

## 930.1 Exit Doors

## Sec. 930.1 Exit Doors.

Exit doors required to swing outward when buildings are altered or converted, may swing beyond the building line not more than 18 inches where there are no adjoining projections.

SECTION 931.0 - INTERIOR TRIM AND FINISH *FOR BUILDINGS  
ALTERED OR CONVERTED*

## Sections

## 931.1 General Requirements

## 931.2 Wooden Wainscoting

## 931.3 Combustible Lath

## TITLE 5A-1

other material that will ignite and burn. Such material shall be considered as combustible even though flameproofed, fire-retardant treated, or plastered.

## Sec. 1000.5 Liners

When lining chimneys or connectors, castable or plastic refractories may be used instead of firebrick provided such refractory is equivalent, in its resistance to heat and erosion by fuel gases, to that of the firebrick which would otherwise have been specified. Liners made of castable or plastic refractories shall be secured to the supporting walls by anchors made of corrosion resistant steel capable of supporting the refractory load at 1500° F.

## Sec. 1000.6 Draft

1000.61 A chimney, gas vent, or venting system shall be capable of producing a draft at the appliance not less than that required for safe operation of the appliance(s) connected thereto.

1000.62 A mechanical draft system of either forced or induced draft design may be used to increase low draft or capacity. When a mechanical draft system is installed, provision shall be made to prevent the flow of fuel to the appliance(s) when that system is not operating.

1000.63 Chimneys serving incinerators, or other *process* equipment where the combustion process cannot be completely stopped by fuel shutoff alone, shall be sized for natural draft conditions. When air pollution control devices, or other devices, in the chimney system require a mechanical draft system, the chimney system shall be so arranged that upon a power failure the natural draft chimney alone can satisfactorily remove the products of combustion until the combustible material is completely consumed.

1000.64 Forced draft systems and all portions of induced draft systems under positive pressure during operation shall be designed and installed so as to be gas tight or as to prevent leakage of combustion products into a building.

1000.65 Natural draft chimneys or gas vents shall not terminate at an elevation less than 5 ft. above the flue collar or highest connected draft hood outlet except as provided in § 1005.2.

1000.66 Gas vents serving vented wall furnaces shall terminate at an elevation not less than 12 feet above the bottom of the furnaces.

## Sec. 1000.7 Termination (Height)

Chimneys, vents and venting systems shall terminate above the roof level in accordance with the requirements of this Article except as provided in § 1003.21(2) and 1005.1. See Figures 1000.7-1 and 1000, 7-2.

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1004.14 Termination (Height). Except as provided in Sections 1003.21(2) and 1005.0, all vents and venting systems shall terminate above the roof surface. See Figures 1000.7-1 and 1000.7-2.

(1) Vents and venting systems installed with mechanical exhausters may be terminated not less than 12 inches above the highest point where they pass through the roof surface.

(2) Vents and venting systems installed with listed caps shall terminate in accordance with the terms of the cap's listing.

(3) Vents and venting systems installed without listed caps or mechanical exhausters shall extend 2 feet above the highest point where they pass through the roof surface of a building and at least 2 feet higher than any portion of a building within 10 feet.

## Sec. 1004.5 Support

## TITLE 5A-1

1004.51 Type B gas vents and U.L. approved chimneys shall be supported upon a reinforced portland cement concrete or masonry foundation or by a ceiling, floor or roof jack designed to carry their weight and subject to the approval of the Director.

1004.52 Type B gas vents and U.L. approved chimneys when attached to the exterior wall of a building, shall be adequately supported and protected against mechanical injury.

## Sec. 1004.6 Protection

1004.61 In any installation where a Type B gas vent or U.L. approved chimney would be subject to injury by storage or movement of materials or by the movement of vehicles, it shall be protected by being *entirely* enclosed in masonry or other approved walls having a fire resistance of not less than 2 hours. Portions which extend through accessible spaces shall be protected or enclosed to avoid personal contact with the flue and prevent material being stored close to or against it. For the intent of this Section an attic shall be considered to be an accessible space.

1004.62 Type B gas vents and U.L. approved chimneys shall be inspected and approved before being concealed and it shall be unlawful to use the equipment connected thereto until the installation has been approved.

## Sec. 1004.7 Size of Type B Gas Vents and U.L. Approved Chimneys

1004.71 L-2 Buildings. Type B gas vents and U.L. approved chimneys for use in L-2 buildings shall be sized in accordance with the Building Code Manual.

1004.72 Other than L-2 Buildings. Type B gas vents and U.L. approved chimneys for other than L-2 buildings shall be sized in accordance with methods published by the American Society of Heating, Refrigerating and Air Conditioning Engineers (See ASHRAE Guide and Data Book-Equipment, 1969). Also see the 1972 D. C. Fuel Burning Equipment Regulations and the 1972 D. C. Gas Code.

Sec. 1004.8 Height of Type B Gas Vents, U.L. Approved Chimneys,  
and Type L Vents.

1004.81 The height of Type B gas vents, U.L. approved chimneys and Type L Vents shall be in accordance with the U.L. listing. Also see Figures 1000.7-1 and 1000.7-2 and the 1972 D. C. Fuel Burning Equipment Regulations and the 1972 D. C. Gas Code.

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1004.82 U. L. approved chimneys shall extend at least 3 feet above penthouses, cooling towers, elevator shafts, settling chambers, ventilating ducts or other projections located within 10 feet of the chimney.

1004.83 The height of Type B gas vents, U.L. approved chimneys and Type L Vents for boilers, furnaces and other fuel burning equipment in buildings other than L-2 buildings shall be governed by the requirements of the 1972 D. C. Fuel Burning Equipment Regulations, but in no case shall it exceed the U. L. listing.

## SECTION 1005.0 - SPECIAL VENTING ARRANGEMENTS

## Sections

- 1005.1 Sealed Combustion System Appliances
- 1005.2 Ventilating Hoods and Exhaust Systems
- 1005.3 Draft Hoods
- 1005.4 Dampers
- 1005.5 Draft Regulators
- 1005.6 Clothes Dryers
- 1005.7 Other Regulations

## Sec. 1005.1 Sealed Combustion System Appliances

Sealed combustion system appliances shall be installed in accordance with their listings and the manufacturer's instructions.

## Sec. 1005.2 Ventilating Hoods and Exhaust Systems.

1005.21 Ventilating hoods and exhaust systems serving commercial cooking appliances may be used to vent gas-burning appliances installed in commercial applications. The connector from the appliance shall terminate under the hood 18 inches from any grease filter or screen installed in the hood.

NOTE: For information on ventilation of restaurant cooking equipment see Article 11 - §1111.0 - Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment.

1005.22 When automatically operated appliances, such as water heaters, are vented through natural draft ventilating hoods, dampers other than fire dampers shall not be installed in the ventilating system.

## TITLE 5A-1

Such hearth extensions may be placed on the sub or finish flooring whether the flooring is combustible or not. The hearth extension shall be readily distinguishable from the surrounding floor.

## 1007.14 Ventilation Ducts.

(1) A metal ventilating construction providing circulation of air around the back and sides of the fire chamber may be installed, but this shall not reduce the required thickness of fireplace walls.

(2) Warm air ducts employed with steel fireplace units of the circulating air type shall be constructed of metal or masonry.

## 1007.15 Fireplace Heaters

(1) No heater which burns solid fuel shall be placed in a fireplace which does not conform with the requirements of 1007.1 and 1007.2 of this Section.

(2) Gas-fired fireplace heaters for use with imitation fireplaces shall be A.G.A. or U. L. listed and D. C. approved and shall be vented and installed in accordance with the conditions of approval. If installed in a masonry fireplace, the fireplace damper shall be altered to assure a minimum vent opening in the closed position of at least 1 sq. in. per 2500 Btuh appliance input *rating*.

1007.16 Dampers. Fireplaces shall be equipped with manually controlled dampers to close off flue when not in use.

## 1007.17 Flues.

(1) The minimum area for a flue serving a fireplace shall be equivalent to that of a nominal 8 inch by 12 inch flue lining but in no case less than one-twelfth of the fireplace opening.

(2) Separate flue shall be provided for every fireplace. Fireplace chimneys shall meet the requirements of this Article, Sections 1002.3 and 1002.4, Tables 1001.0-I and 1001.0-II, for Residential-Type Appliances.

(3) Fireplace chimneys shall extend at least 3 feet above the highest point where they pass through the roof of a building and at least 2 feet higher than any portion of the building or other obstruction within 10 feet.

TITLE 5A-1  
SECTION 1105.0 - HEATING EQUIPMENT

Sections

- 1105.1 Prohibited Location
- 1105.2 Boilers, Furnaces, Floor Mounted Unit Heaters and Water Heaters
- 1105.3 Attic Furnace
- 1105.4 Downflow Furnaces
- 1105.5 Duct Furnace
- 1105.6 Floor Furnaces
- 1105.7 Furnaces Used with Refrigeration Systems
- 1105.8 Industrial Furnaces and Boilers, Stationary Type
- 1105.9 Miscellaneous Heaters (Temporary heating during construction.)
- 1105.10 Recessed Wall Furnaces
- 1105.11 Unit Heaters, Suspended Type
- 1105.12 Heating of Garages
- 1105.13 Steam and Water Pipes
- 1105.14 Domestic Heating

Sec. 1105.1 Prohibited Location.

No boiler or central heating furnace, unit heater, duct furnace or similar appliance, regardless of size or capacity, shall be installed in a stair-tower or a public corridor or exit passageway, or in closets or other confined spaces used for storage.

Sec. 1105.2 Boilers, Furnaces, Floor Mounted Unit Heaters and Water Heaters.

Boilers, furnaces, floor mounted unit heaters and water heaters shall be installed as follows:

(1) Gas and oil-fired appliances shall be installed in rooms that are large compared with the size of the appliance except that an appliance specifically listed for installation in a confined space such as an alcove or closet may be so installed when the installation is in compliance with the listing. In alcove and closet installations, the clearances from the appliance to the walls and ceilings shall be not less than as specified in the listing, regardless of the type of construction.

(2) Appliances in rooms shall be installed with the clearances from combustible material not less than as indicated in Figure 1105.2-1 and Table 1105.2-I, except that appliances specifically listed for installation at lesser clearance may be installed in accordance with their listing. In no case shall the clearance be such as to interfere with the requirements for combustion air and accessibility. See Section 1106.3. For installation of chimney connector see Article 10, Section 1005.0.

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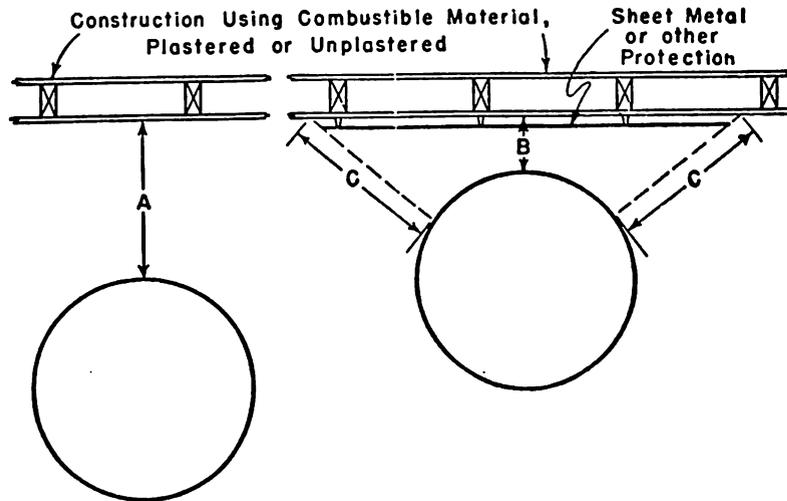


FIGURE 1105.2-2

Clearances with Specified Forms of Protection

Sheet metal or other protection to reduce required clearance from heating appliance.

"A" equals the required clearance with no protection, specified in Figure 7.

"B" equals the reduced clearance permitted. The protection applied to combustible material is required to extend far enough in each direction to make "C" equal "A". Plastered constructions having combustible supports are classed as combustible regardless of the type of lath.

TABLE 1105.2-II  
CLEARANCES, INCHES, WITH SPECIFIED FORMS OF PROTECTION\*

Type of Protection. Applied to the combustible material unless otherwise specified and covering all surfaces within the distance specified as the required clearance with no protection (See Fig. 7). Thicknesses are minimum.	Where the required Clearance with no protection is:										
	36 inches			18 inches			12 inches		9 inches	6 inches	
	Above	Sides & Rear	Chimney Con- nector	Above	Sides & Rear	Chimney Con- nector	Above	Sides & Rear	Chimney Con- nector	Above	Sides & Rear
(a) ¼ in. asbestos millboard spaced out 1 in.†.....	30	18	30	15	9	12	9	6	6	3	2
(b) 28 gauge sheet metal on ¼ in. asbestos millboard.....	24	18	24	12	9	12	9	6	4	3	2
(c) 28 gauge sheet metal spaced out 1 in.†.....	18	12	18	9	6	9	6	4	4	2	2
(d) 28 gauge sheet metal on ½ in. asbestos millboard spaced out 1 in.†.....	18	12	18	9	6	9	6	4	4	2	2
(e) 1½ in. asbestos cement covering on heating appliance..	18	12	36	9	6	18	6	4	9	2	1
(f) ¼ in. asbestos millboard on 1 in. rockwool bats reinforced with wire mesh or equivalent .....	18	12	18	6	6	6	4	4	4	2	2
(g) 22 gauge sheet metal on 1 in. rockwool bats reinforced with wire mesh or equivalent .....	18	12	12	4	3	3	2	2	2	2	2
(h) ¼ in. asbestos cement board or ¼ in. asbestos millboard	36	36	36	18	18	18	12	12	9	4	4
(i) ¼ in. cellular asbestos.....	36	36	36	18	18	18	12	12	9	3	3

\*Except for the protection indicated in (e) above, all clearances shall be measured from the outer surface of the appliance to the combustible material disregarding any intervening protection applied to the combustible material, but in no case shall the clearance be such as to interfere with the requirements for combustion air and for accessibility.

†Spacers shall be of noncombustible material.

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1105.122 Location of Heating Furnaces.

(1) Heating equipment, other than suspended unit heaters as covered in Section 1105.124, should be installed in a detached building or room separated from motor vehicles servicing or parking areas by walls having a fire resistance rating of at least 2 hours and without openings into such areas. This room shall not be used for combustible storage and all air for combustion purposes shall come from outside the building. Openings in walls separating heater rooms from motor vehicle servicing or parking areas should be restricted to those necessary for heating pipes and ducts; such ducts should be protected with approved type automatic fire dampers or doors.

(2) Heating equipment may be installed in motor vehicle servicing or parking areas where there is no dispensing or transferring of flammable liquids or liquefied petroleum gas, provided the bottom of the combustion chamber is at least 18 inches above the floor and the heating equipment is protected from physical damage by vehicles.

NOTE: See Section 1105.124 for provisions applicable to suspended unit heaters.

1105.123 Warm Air Heating.

(1) Warm air heating systems shall be designed to furnish outdoor air. The outdoor air shall not be taken from any floors below the grade level and the quantity of outdoor air being supplied to the system shall be sufficient to replace that which is being exhausted from the building and shall be at rates stated in Article 5, Section 503.146(4)1. and 2.

(2) In motor vehicle repair and storage areas, heated air supply grilles shall be located above vehicle height.

(3) Return air openings in motor vehicle repair or storage areas shall be not less than 18 inches above the floor level measured to the bottom of the openings.

(4) It is recommended that the fans for such systems be arranged to shut down automatically by the operation of any type of automatic fire protection system. One or more manual shutoff switches *shall* also be provided. Where provided, shutoff switches shall be readily accessible and clearly placarded. Personnel should be fully instructed that in event of a serious gasoline or similar flammable liquid spill on the garage floor, the fans should be shut off.

(5) Gravity warm air heating systems shall not be used in garages covered by this Standard.

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3. In a single story residence, the return air may travel through the first floor living space to *furnace air inlet grilles located at or above the first floor level.* (See Sec. 1109.21(17)1.)

(5) Public Hall as Plenum. Public halls or public stairways shall not be used as plenums.

(6) Negative Pressure from Circulating Fan. The return system and circulating fan shall be arranged so that negative pressure from the circulating fan cannot affect the air supply for combustion or act to draw products of combustion from joints or openings in the furnace or flue.

## 1108.19 Air Filters.

(1) Type Required. Air filters shall be of a type that will not burn freely or emit large volume of smoke or other objectionable products of combustion when attacked by flames. Filters qualifying as Class 1 and Class 2 shall be accepted as meeting the requirements of Underwriters' Laboratories, Inc. Standard 900-1970. An evaporative cooler containing a combustible filter and water evaporation medium, such as excelsior, shall not be used.

(2) Filter Coatings. Liquid adhesive coatings used on filters shall have a flash point of 325° F., Cleveland open cup tester, or higher.

## 1108.20 Air Cooling Equipment.

(1) Installation. Mechanical refrigeration used with air duct systems shall be installed in accordance with nationally recognized safe practices. Installations conforming to the 1967 Refrigeration and Air Conditioning Regulations of the District of Columbia shall be considered as meeting these requirements

## (2) Furnaces Used with Cooling Units.

1. Combination units in which a refrigeration coil is provided shall have the refrigeration coil located downstream from the heating furnace, unless the heating furnace is specifically approved for installation downstream from the coil, or the coil shall be located parallel to the heating furnace. When the heating furnace is located upstream from the coil, the coil shall be so designed or equipped as to not develop excessive temperatures or pressures. In those cases where the coil is located parallel to the heating furnace, dampers or other means used to control flow of air shall be adequate to prevent chilled air from entering the furnace section.

## TITLE 5A-1

(2) Restrict the spread of heat and fire through duct systems from one fire area to another or into a building from the outside.

(3) Maintain the fire resistive integrity of building elements such as floors, walls and columns affected by duct system installation.

(4) Minimize ignition sources and combustibility of the elements of the duct system.

(5) Permit the air duct systems in a building to be used for the additional purpose of emergency smoke control.

1109.12 This Article applies to duct systems used for heating and ventilating, including warm air heating systems, plain ventilating systems, combination heating and ventilating systems, air cooling systems, air conditioning systems, and exhaust systems.

1109.13 This Article is intended to prescribe reasonable provisions based on minimum requirements for safety to life and property from fire.

#### Sec. 1109.2 System Components.

##### 1109.21 Construction of Ducts.

(1) Ducts shall comply with (1)1. or 2., and shall have the following fire hazard classification:

Class 0 material shall have a fire-hazard classification of zero (flame-spread and smoke developed).

Class 1 material shall have a flame-spread rating of not over 25 without evidence of continued progressive combustion and a smoke-developed rating of not over 50.

Class 2 material shall have a flame-spread rating of not over 50 without evidence of continued progressive combustion and a smoke-developed rating of not over 50 for the inside surface material and not over 100 for the outside surface material.

1. Ducts shall be constructed of iron, steel, aluminum or other approved metal or materials such as clay, except as provided in (1)2.

2. Ducts need not conform to the provisions of (1)1. provided they are not used for vertical risers in air duct systems serving more than two stories and comply with the following:

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2. Flexible connectors (duct) for use between ducts and air outlet units which pass through one floor only shall conform *for their full length* to the following provisions:

(a) They shall conform to the requirements for Class 1 connectors when tested in accordance with paragraphs 10 to 131 of Underwriters' Laboratories, Inc. Standard for Air Ducts, UL 181, April 1970.

(b) They shall not exceed 20 square inches in cross-sectional area.

(c) They shall not exceed 14 feet in length.

(d) They shall not pass through any fire wall or partition which serves to restrict the spread of fire and is required to have a standard fire resistance rating of not less than two hours.

(e) They shall be manufactured with or covered with not less than one-half inch of noncombustible insulating material or shall be located in an enclosure of noncombustible construction such as by locating above a noncombustible ceiling.

(4) Vibration isolation connectors in duct systems shall be made of woven asbestos or approved flameproofed fabric or shall consist of sleeve joints with packing of rope asbestos or other approved noncombustible material. Vibration isolation connectors of fabric shall not exceed 10 inches in length.

(5) Duct coverings and linings.

1. Duct coverings and linings (See Article 2, Definitions.) shall have a flame-spread rating not over 25 without evidence of continued progressive combustion and with a smoke developed rating not higher than 50. If the coverings and linings are to be applied with adhesives, they shall be tested as applied with such adhesives, or the adhesives used shall have a flame-spread rating not over 25 and a smoke developed rating not higher than 50.

Exception: Coverings need not meet these requirements where they are entirely located outside of a building and do not penetrate a wall or roof, and do not create an exposure hazard.

2. Evidence shall also be offered that the duct coverings and linings will not flame, glow, smolder, or smoke when tested in accordance with the method of test ASTM C411-61 (1967) Hot-Surface Performance of High-Temperature Thermal Insulation) at a temperature to which it is exposed in service. In no case shall the test temperature be below 250° F.

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(6) Duct covering shall not extend through walls or floors required to be firestopped or required to have a fire resistance rating. Duct linings shall be interrupted at fire dampers and fire doors so as not to interfere with their operation. Duct coverings and linings shall also be interrupted at the immediate area of operation of heat sources in a duct system involving electric resistance or fuel burning heaters.

(7) Work involving the use of torches shall not be undertaken on ducts until the system has been shut down, the duct cleaned and all lining and covering material has been removed from the portion of the duct being repaired.

(8) The materials, thickness and construction of ducts shall provide structural strength and durability in conformance with recognized good practice. Ducts which are constructed, braced and reinforced in accordance with the Guide and Data Book of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), Chapter 3, 1969 Edition, shall be deemed as meeting the intent of this Section.

(9) Ducts are classified as follows:

1. Low Pressure, mean velocities less than 2000 fpm and static pressures in duct 2 inches of water or less.
2. Medium Pressure, static pressures in duct up through 6 inches of water.
3. High Pressure, static pressures in duct over 6 inches of water and up to 10 inches of water.

It should be noted that the static pressure in the duct is not the static pressure rating of the fan, and that the actual value must be obtained by computation. Since the computation involves certain assumptions, it is recommended that the system designer specify the pressure classification of various ducts.

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(10) Ducts shall be made reasonably tight throughout and shall have no openings other than those required for proper operation and maintenance of the system. Wired glass may be used for inspection windows in ducts. Tape may be used for sealing joints but where exposed to the air in the duct, it shall be not more combustible than approved flameproofed fabric.

(11) Return plenums and ducts, other than vertical ducts, shall be so constructed that the interior is accessible to facilitate the cleaning of possible accumulations of dust and combustible material in them, except that accessibility is not required for ducts where all of the following conditions prevail:

1. The occupancy is not productive of combustible material such as lint, dust, greasy vapors, etc. Such occupancies are banks, office buildings, churches, hotels and institutions (but not kitchens, service rooms and manufacturing portions).

2. The return openings are at least 7 feet above the floor or are protected by corrosion-resistant metal screens of at least 14 mesh installed back of the grilles so that they will not draw in papers, refuse, cigarettes and other combustible solids.

3. The minimum design velocity in the return from the particular occupancy is 1,000 feet per minute.

Clean-out openings at approximately 20-foot intervals shall be provided where accessibility to facilitate cleaning is required and where the ducts are smaller than 18 by 24 inches. Removable grilles of adequate size and accessibility may be accepted as clean-out openings.

(12) Supply ducts, other than vertical, shall conform to the above requirement for return ducts, unless all of the supply air passes through either water spray or filters.

(13) The clearance from metal ducts to stored combustible material shall not be less than 6 inches, and to combustible construction including plaster on wood lath not less than 1/2 inch, except that these clearances may be disregarded for systems solely for ventilation, air cooling, or air conditioning without heating in small buildings, subject to approval by the authority having jurisdiction.

(14) Where ducts pass through walls, floors or partitions, *the opening in the construction around the ducts shall not exceed 1/2 inch average clearance on all sides and shall be fire-stopped by packing with mineral wool or other approved material to prevent the passage of flame and smoke.*

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*Sec. 1109.21(14) (cont'd.)*

*EXCEPTION 1: This requirement may be disregarded where ducts are installed and enclosed as required under (16).*

*EXCEPTION 2: Where fire dampers are installed their proper clearance to building construction shall be maintained. [See Sec. 1109.33(1)6.]*

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2. The space between the ceiling and floor (or roof) of a floor and ceiling assembly or roof and ceiling assembly which has been tested in accordance with NFPA No. 251, (1969), Standard Methods of Fire Tests of Building Construction and Materials and obtained not less than a one-hour fire resistance rating may be used in accordance with (17)1. above, provided:

(a) No combustible materials are incorporated in the floor and ceiling construction.

(b) Openings in such ceilings shall be permitted only when the area of such openings does not exceed the proportionate areas of such openings in the assembly tested.

(c) The integrity of fire-stopping shall not be destroyed.

(d) They are used for a supply air plenum. (They also may be used for a return air plenum if tested for that purpose.)

(e) Electrical wiring in concealed spaces used as part of the air distribution system shall conform with section 300-22 of the 1972 D.C. Electrical Code.

3. The space between the ceiling and floor (or roof) of other than the fire resistive assemblies covered by (17)2. may be used in accordance with (17)1. provided there are no combustible materials in the concealed space, electrical wiring in such space complies with Section 300-22 of the 1972 D. C. Electrical Code, the ceiling material is constructed to resist deformation or collapse during installation and use and complies with the following:

(a) They shall be made from a base material of metal or mineral.

(b) All surfaces of ceiling material shall possess a flamespread rating of not over 25 without evidence of continued progressive combustion, and with a smoke developed rating of not higher than 50 or designated "Light" or "Negligible."

(c) The ceiling material shall be supported by noncombustible material which if of metal shall have a melting point above 1400° F.

(d) They shall not be subject to deterioration or deformation on long exposure to temperatures of 250° F., or under conditions of high humidity, excessive moisture or mildew.

(e) They shall not be used on systems which operate with an air temperature higher than 250° F. entering the air ducts.

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(15) Where ducts pass through concealed ceiling spaces of combustible construction or are located inside combustible partitions or walls, either the ducts or the interior surfaces of such concealed ceiling space, partition or walls shall be protected with 1/4-inch asbestos or other approved insulating material or a clearance of 1/2-inch as specified in (13) shall be maintained between ducts and all combustible construction. The integrity of fire-stopping shall not be destroyed. The spaces between the ducts and the fire-stopping shall be filled solidly with brick, asbestos, mineral wool or other approved noncombustible material.

(16) Ducts which pass through floors of buildings requiring the protection of vertical openings shall be enclosed with approved noncombustible walls having an interior and exterior fire resistance rating as required for shafts in Table 5, Article 2, except as qualified below:

1. The enclosure of ducts shall not be required for branches which are cut off from the main portion of the duct by approved fire dampers.

2. Ducts which are located in one story and have all duct openings extending through a floor to the story next above or below may in lieu of such fire resistive enclosure be provided with approved fire dampers at each such point where the floor is pierced.

3. Two or more ducts serving separate floors shall not be encased in the same fire resistive enclosure unless approved fire dampers are installed where each branch is taken from such encased ducts.

4. *The portion of a duct system below a floor which has a branch serving connectors which pierce the floor at more than one point is not required to be enclosed when all of the following are complied with:*

- (a) *Each connector has a cross sectional area less than 20 square inches.*
- (b) *The connectors pierce only one floor.*
- (c) *Each connector serves an air handling terminal enclosed with material having a melting point of not less than 1700° F, classed as noncombustible as defined in test procedure E136 of the American Society for Testing and Materials, located on the floor above and protected by the above mentioned enclosure.*
- (d) *The above mentioned duct system is of material having a melting point of not less than 1700° F, classed as noncombustible as defined in test procedure E136 of the American Society for Testing and Materials and conforms with requirements for Class 1 air duct materials of Underwriters' Laboratories, Inc., Standard for Air Ducts, UL 181, April 1970.*

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5. Where a branch serves connectors which pierce the floor at more than one point, that portion of the duct system below the floor shall be enclosed with construction having an interior and exterior fire resistance rating of not less than 1 hour.

(17)1. No attic, basement, room or concealed space in a building shall be used as an integral part of a duct system unless it conforms to all the requirements for ducts. Such arrangements shall be subject to the approval of the authority having jurisdiction. Plenum chambers which conform to all the requirements for ducts may be located in any such portion of the building; such chambers shall not be used for storage or occupational purposes. A concealed space formed by a ceiling and floor above may be used as a plenum chamber, provided the installation conforms with the appropriate provisions in (17)2. and 3. below.

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## TITLE 5A-1

2. Where ducts and openings are employed in a fire resistive floor and ceiling assembly or roof and ceiling assembly, the duct materials tested shall be used and such openings shall be limited in size and adequately protected to preserve the required fire resistance.

NOTE: For information on duct construction and means of protection, see Underwriters' Laboratories, Inc. Building Materials List under the heading; "Retardant Classification (Fire), Floor or Roof, and Ceiling Constructions."

3. If access doors are necessary in a ceiling of fire-resistive floor and ceiling assembly or roof and ceiling assembly they shall be limited to a maximum size of 400 square inches and be of construction equivalent in fire resistance to the ceiling. (For definition of fire-resisting ceiling, see (17)2.

4. Where the installation of the hangers for the components of an air duct system penetrates an existing ceiling of a fire-resistive floor and ceiling assembly or roof and ceiling assembly and requires removal of a portion of that ceiling, materials used to repair the ceiling shall provide a construction equivalent to the existing ceiling or in lieu of repair of the existing ceiling, another ceiling of the same construction may be installed below the duct system.

(19) Ducts shall not be located where they will be subject to damage or rupture. Where so located they shall be suitably protected.

(20) Ducts shall be substantially supported. Hangers and brackets for supporting ducts shall be of metal.

#### 1109.22 Air Intakes and Outlets

(1) Air shall not be recirculated from any space in which flammable vapors, flyings, or dust are present in quantities resulting in threshold limit values exceeding those recommended in *the Threshold Limit Values for Toxic Dusts, Fumes and Mists published by the American Conference of Governmental Industrial Hygiene*, as determined with the fans off.

(2) Discharge and exhaust air openings and recirculating air intakes shall be located at least 3 inches above the floor, except that protected floor inlets may be permitted, under seats, in theatres. When located less than 7 feet above the floor, inlet openings shall be protected by a substantial grille or screen, the openings in which, a half-inch sphere will not pass.

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4. Public corridors in institutional and residential occupancies except one- and two- family dwellings shall not be used as a portion of a supply or return air system serving adjoining areas other than toilet rooms, bathrooms, shower rooms, sink closets and similar auxiliary spaces opening directly on the corridor. This requirement shall not prohibit the use of mechanical ventilation for the corridors *or incidental exfiltration because of pressure differential in special institutional occupancies*. In apartment houses, this requirement shall not prohibit the use of a corridor as a source of make-up air through normal leakage around doors for interior exhaust fans in kitchens, appliances, bathrooms, and toilets.

5. In non-residential buildings of low hazard, such as office buildings and schools, public corridors may be used as return air ducts in connection with mechanical ventilation, except when such corridors are used as exit passageways.

6. Air conditioning, warm air heating or mechanical ventilating systems shall not supply air to exit passageways, or lobbies used as exit passageways, when these systems recirculate air from other areas of the building. Where an air conditioning, warm air heating or mechanical ventilating system is used to serve an exit passageway, or lobby used as an exit passageway, such system may recirculate air only within the area encompassed by the exit passageway, or lobby used as an exit passageway. Areas of a building not separated from exit passageways or lobbies used as such exit passageways, by fire resistive or fire protected walls, partitions and fire doors may be considered as part of the exit passageway, or lobby used as such passageway, and the system serving the exit passageway or lobby used as an exit passageway, may also recirculate air within those areas.

7. Exit passageways, stairways, ramps and other exits shall not be used as part of a supply, return, or exhaust system serving other areas of the building.

NOTE: For a definition of exits see NFPA No. 101, 1970, Code for Safety to Life from Fire in Buildings and Structures.

(18)1. Ducts shall not be built into a building in such a way as to impair the effectiveness of the fireproofing around steel or iron structural members, such as placing ducts between the fireproofing and the members protected, except in the case of beams or joists protected by a ceiling of a fire resistive floor and ceiling or roof and ceiling assembly.

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(3) Fresh air intakes shall be protected by screens of corrosion-resistant material not larger than one-half inch mesh.

(4) Care should be exercised in choosing the location of fresh air intakes to avoid drawing in combustible material and to minimize the hazard from fires in other structures.

(5) Air inlet and outlet ceiling openings with combustible grilles may be permitted provided the installation of such grilles conforms to the following provisions:

1. They shall be of such materials and installed in such a manner as will assure their falling from position before they ignite.

2. They shall be installed not less than 7 feet above the floor.

3. They shall be installed so as not to permit propagation of flame from one grille or unit to another.

4. They shall not be installed in ceilings of fire resistive floor and ceiling or roof and ceiling assemblies unless Section 1109.22 is complied with.

## 1109.23 Air Filters.

(1) Air filters shall be of approved types that will not burn freely or emit large volumes of smoke or other objectionable products of combustion when attacked by flames. Filters qualifying as Class 1 and Class 2 shall be accepted as meeting these requirements. Class 1 air filter is one which, when clean, does not contribute fuel when attacked by flame and emits only negligible amounts of smoke when tested by the method of Underwriters' Laboratories, Inc., Standard 900, September, 1965. Class 2 air filter is one which, when clean, burns moderately when attacked by flame or emits moderate amounts of smoke, or both when tested by the method of Underwriters' Laboratories, Inc., Standard 900, September, 1965. An evaporative cooler containing a combustible filter and water evaporation medium, such as excelsior, shall not be used.

2. The installation of approved automatic extinguishing equipment employing water, inert gas or other approved means in the enclosure of the air conditioning system to protect against combustion of material that may accumulate is recommended for systems other than those of the unit or cabinet type with blower capacity not exceeding 20,000 cubic feet per minute and which supply only one floor area or a portion thereof.

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If the dampers are manually operated means shall be provided to prevent operation of either unit unless the damper is in the full heat or cool position. Adequate means shall be provided for disposal of condensate and to prevent dripping of condensate on the heating element.

The capacity of the blower shall be adequate to overcome the external static resistance imposed by the combined heating and cooling units at the air throughput required for heating or cooling, whichever is greater.

Furnaces (including duct furnaces) may be installed downstream from evaporative coolers or air washers if the heating element is made of corrosion-resistant material. Stainless steel, ceramic-coated steel, or an aluminized steel in which the bond between the steel and the aluminum is an iron-aluminum alloy, are considered to be corrosion-resistant. Air washers operating with chilled water which delivers air below the dew point of the ambient air at the appliance are considered as refrigeration systems.

(4) When the same coil is used for both heating and cooling, valves shall be provided to prevent chilling of the boiler during the operation of the cooling system.

When hot water heating boilers are connected to heating coils located in air handling units where they may be exposed to refrigerated air circulation, such boiler piping systems shall be equipped with flow control valves or other automatic means to prevent gravity circulation of the boiler water during the cooling cycle.

(5) Where heat sources are introduced in a duct system involving electric resistance or fuel burning heaters, the adjacent duct covering and lining shall comply with Section 1109.21(5)1.

### Sec. 1109.3 Fire Control.

#### 1109.31 Automatic Fire Doors and Fire Dampers.

(1) Where Fire Doors are Required. The passing of ducts through fire walls should be avoided where possible. *Where* ducts or the outlets from or inlets to them pass through fire walls, they shall be provided with approved fire dampers or fire doors having a fire resistive rating not less than that required for vertical separations in Article 9, Sec. 912.2.

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1. The main portion of the duct system served by the fan passes through floors of fire-resistive, protected noncombustible, or heavy timber construction, in which vertical openings are generally protected, or

2. The system serves more than a single room of a public or institution building. Examples of public buildings are schools, libraries, exhibition buildings, assembly halls, dance halls and theatres; and of institutional buildings, hospitals, asylums, sanitariums and jails.

NOTE: If the fan room is used as a plenum chamber, see (17)1. of this Section.

## 1109.25 Electric Wiring and Equipment.

(1) Electric wiring and equipment shall be installed in accordance with the 1972 D. C. Electrical Code.

(2) Motors installed inside air ducts or plenum chambers, or inside unit type air conditioning equipment should be provided with protection devices designed to cut off current before temperatures reach a point where smoke may be generated. These may be inherent over-temperature protective devices or over-current protective devices of the thermal overload relay type.

## 1109.26 Air Cooling and Heating Equipment.

(1) Mechanical refrigeration used with air duct systems shall be installed in accordance with nationally recognized safety practices. Installations conforming to the 1967 D. C. Refrigeration and Air Conditioning Regulations shall be considered as meeting these requirements.

(2) Heating equipment shall be installed in a standard manner with due regard to proper clearance between hot surfaces and *woodwork* and other combustible materials.

(3) Heating furnaces and cooling units using the same duct system and blower shall have the refrigeration coil located downstream from the heating furnace, unless the heating furnace is specifically approved for installation downstream from the coil, or the coil is located parallel to the heating furnace. When the heating furnace is located upstream from the coil, the coil shall be so designed or equipped as to not develop excessive temperatures or pressures. In those cases where the coil is located parallel to the heating furnace, dampers or other means used to control flow of air shall be adequate to prevent chilled air from entering the furnace section.

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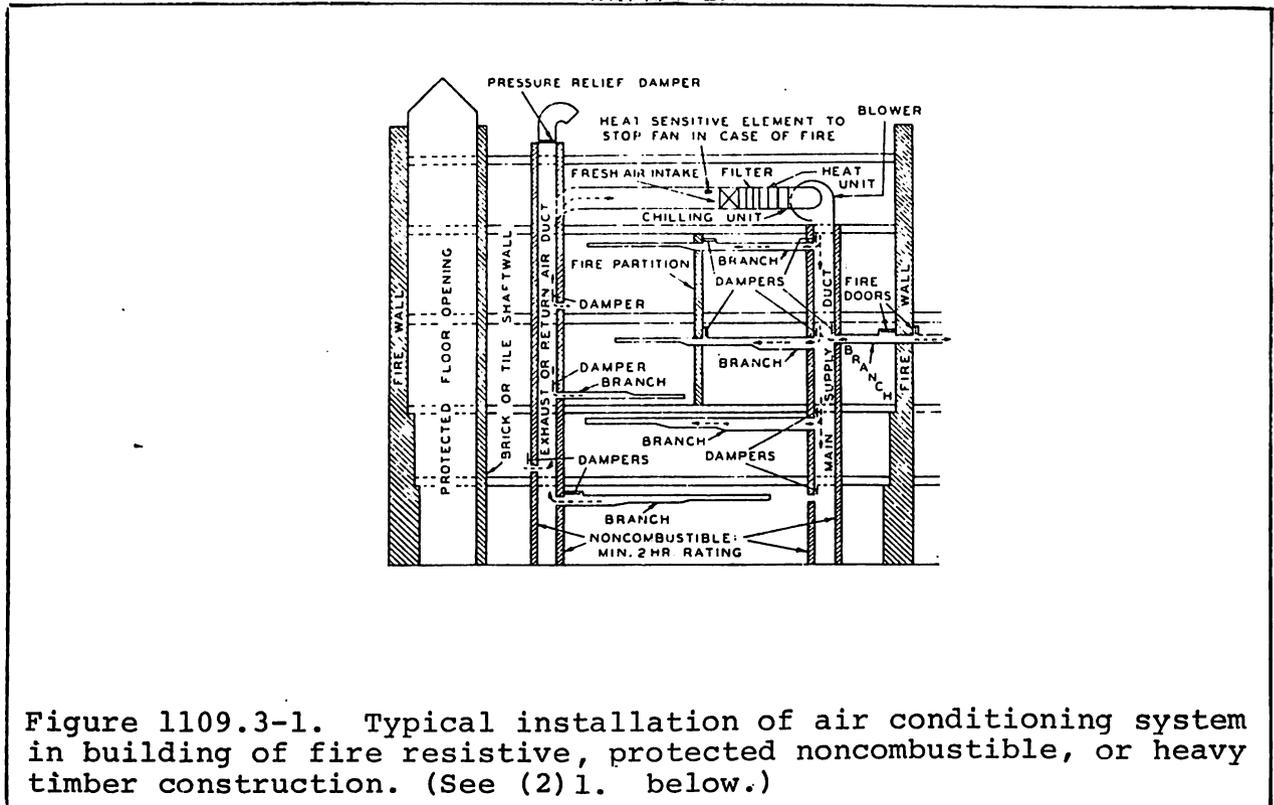


Figure 1109.3-1. Typical installation of air conditioning system in building of fire resistive, protected noncombustible, or heavy timber construction. (See (2) 1. below.)

(2) Where Fire Dampers Are Required. Approved fire dampers shall be provided as follows, subject to the exceptions in (3):

1. Where a duct passes through a partition which serves to restrict the spread of fire and is required to have a standard fire resistance rating of not less than 2 hours.

2. At each opening through the wall of a required fire enclosure of a vertical shaft.

3. Where duct systems serve two or more floors, (1) at each direct air outlet or air inlet in the enclosure for a main vertical duct,

(2) and at the point where each branch duct pierces the enclosure for a main vertical duct. (See Figure 1109.3-1 and Section 1109.21(15).

4. Where an aluminum duct or Class 1 duct regardless of size passes through a fire resistive floor, unless encased as specified in Section 1109.21(15).

5. At *outside* air intakes **except** where permission to omit them, because of light exposure, is granted by the authority having jurisdiction.

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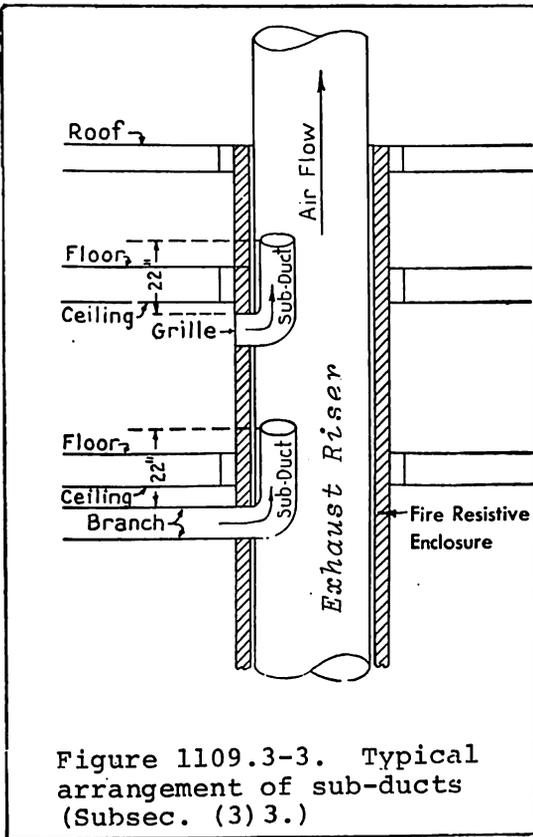
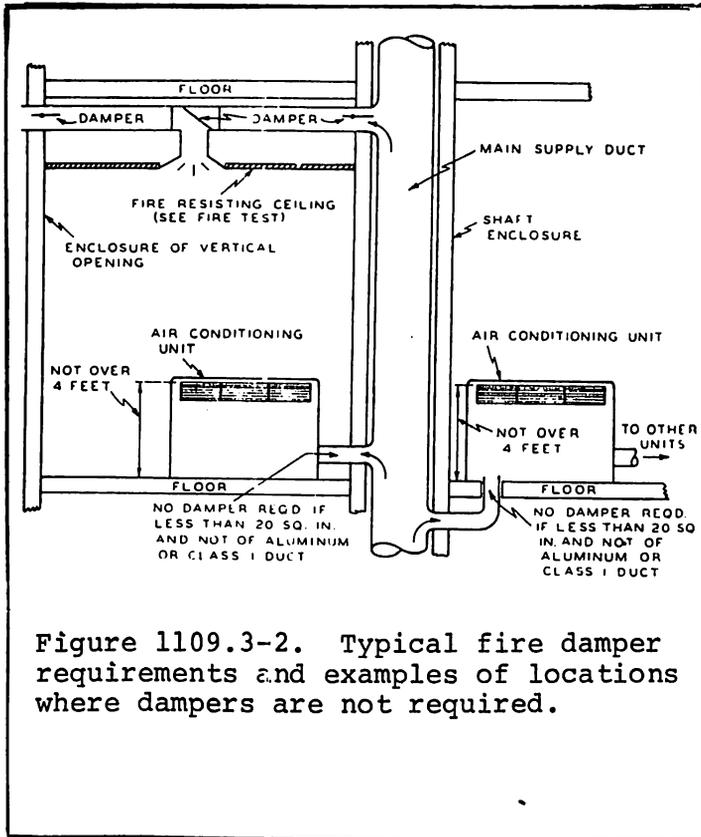


Figure 1109.3-2. Typical fire damper requirements and examples of locations where dampers are not required.

Figure 1109.3-3. Typical arrangement of sub-ducts (Subsec. (3) 3.)

6. As an alternate to enclosure of vertical ducts which extend through only one floor, dampers to be located at each point where the floor is pierced. (See Section 1109.21(16)2.)

7. Where ducts installed above a ceiling of a fire resistive floor and ceiling assembly or roof and ceiling assembly are provided with openings in the ceiling, and such openings require fire dampers for protection to conform with the design of the fire resistive assembly as tested in accordance with NFPA No. 251 - Standard Methods of Fire Tests of Building Construction and Materials. (See also 1109.21(16)2.)

NOTE: For information on means of protection of openings in fire resisting ceilings, see Underwriters' Laboratories, Inc., Building Materials List under the heading, Retardant Classification (Fire), Floor or Roof, and Ceiling Constructions.

(3) Exception: Fire dampers required under (2) may be omitted where any of the following conditions prevail:

1. In branch ducts, not aluminum or Class 1 duct, having a cross-sectional area of less than 20 square inches which supply only air conditioning units discharging air at not over 4 feet above the floor.

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2. Where a duct less than 20 square inches in cross-sectional area and not made of aluminum or Class 1 duct pierces the floor at *one* place only and supplies air conditioning units in one story only that discharge air at not over 4 feet above the floor (See Figure 1109.3-2 and Section 1109.21(16)4.).

3. In duct systems serving only one floor and used only for exhaust of air to the outside and not penetrating a fire wall or partition which serves to restrict the spread of fire and is required to have a standard fire resistance rating of not less than two hours, or passing entirely through the enclosure for a vertical shaft.

4. Where branch ducts connect to *exhaust* risers in which the air flow is upward and subducts at least 22 inches in length are carried up inside the riser from each inlet (See Figure 1109.3-3.)

## 1109.32 Installation of Fire Doors.

(1) Fire doors shall be approved for the protection of openings in fire walls.

(2) On small openings not exceeding 300 sq. in. in area, 3/8 inch steel plates may be used in lieu of fire doors.

(3) Suitable hand hole openings shall be provided to make all fire doors in ducts accessible for inspection and servicing.

(4) Fire doors shall be arranged to close automatically and remain tightly closed, upon the operation of an approved fusible link or other approved heat actuated device located where readily affected by an abnormal rise of temperature in the duct. Fusible links *shall* have a temperature rating approximately 50° F. above the maximum temperature that would normally be encountered with the system in operation or shut down, *but not less than 165° F.*

(5) Fire doors shall be so arranged that the disruption of the duct will not cause failure to protect the fire wall opening.

NOTE: This may be accomplished by locating the fire door in a substantial sleeve securely fastened to the wall.

## 1109.33 Construction of Fire Dampers.

(1) Approved fire dampers shall have the following performance characteristics:

1. Fire dampers installed in the system, as required at other than fire wall openings, shall be No. 16 U.S. Gage Steel in

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ducts to 18 inches in diameter or greatest width, No. 12 U.S. Gage on ducts up to 36 inches in diameter or greatest width, and No. 7 U. S. Gage on ducts above 36 inches in diameter or greatest width. Louvered type automatic dampers may be constructed on NO. 18 U.S. Gage steel, provided the individual louvers are not over 6 inches in width and are stiffened by formed edges. Fire damper sleeves shall be not less than No. 10 U. S. Gage Steel.

2. They shall be arranged to close automatically in event of abnormal high temperature.

NOTE: Automatic closure is usually effected upon operation of an approved fusible link or other approved heat actuated device located where readily affected by an abnormal rise of temperature in the duct. Fusible links should have a temperature rating approximately 50° F. above the maximum temperature that would normally be encountered with the system in operation or shut down, *but not less than 165° F.*

3. They shall provide the maximum practical barrier to passage of air, when in the closed position.

4. They shall remain in the closed position under fire conditions.

5. They shall have resistance to corrosion.

6. They shall be so installed as to stay in place at the protected opening, even though the duct is disrupted during a fire, such as by the use of a sleeve, *as defined in (1)1. above*, or frame secured by perimeter angles on both sides of the opening. Fire dampers shall be installed in accordance with the conditions of their approval and the manufacturer's instructions.

7. Suitable hand hole openings with tightly fitted covers shall be provided to make them accessible for inspection and maintenance.

8. They shall possess a 1-1/2 hour standard fire protection rating in accordance with Underwriters' Laboratories, Inc. Standard No. 555-1970 *for Fire Dampers, except for dampers protecting openings in fire-resisting ceilings.*

NOTE: The Building Materials List of Underwriters' Laboratories, Inc., illustrates many fire-rated floor and roof-and-ceiling assemblies tested with air conditioning ducts that pierce the ceiling of the assembly and with fire dampers installed. Means other than fire dampers have also been used for ceiling opening protection.

9. Fire dampers provided in ducts used solely for exhaust of air to the outside shall be installed in such a way that they will not interfere with the flow of air in the main duct.

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(5) Explosion relief vents shall not be connected to chimneys or duct systems used for other purposes.

## 1110.56 Fire Extinguishing Systems.

(1) The buildings or rooms in which the storage, processing and handling of combustible material are conducted should be protected by a system of approved automatic sprinklers and shall be equipped with approved portable fire extinguishers, together with approved small hose. (See Standards for Sprinkler Systems, NFPA No. 13-69, Standpipe and Hose Systems, NFPA No. 14-70 and Portable Fire Extinguishers, NFPA No. 10-70).

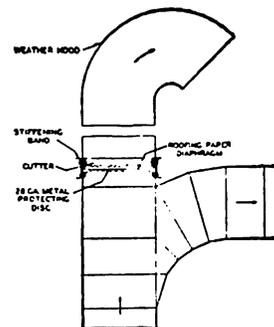
(2) Inert gas may be effectively used to create safe atmospheres in conveying systems.

(3) Equipment of large volume in which pulverized stock is stored or may accumulate, such as bins, dust collectors, etc., should be protected by automatic sprinklers or fixed pipe inert gas extinguishing systems, or both.

NOTE: If fixed pipe inert gas extinguishing systems are used, it is important that means be provided to automatically close all openings to the enclosure involved, including rupture diaphragm vent openings, also to shut down all blowers in connection therewith in order to confine the extinguishing agent and prevent the spread of fire. (See Figure 1110.5-2).

(4) Small hand hose connections with adequate hose and nozzles or water-spray applicators, should be provided and properly located for use in manually extinguishing smoldering stock fires.

Fig. 1110.5-1. Suggested method of explosion relief vent suitable for use at duct turns, at storage bins or other receptacles. The thin metal protecting disk shown beneath the rupture diaphragm serves to prevent abrasion of the diaphragm, and upon operation of the device will blow free.



## TITLE 5A-1

(3) The operation of any extinguishing system shall automatically shut off all sources of fuel and heat to all cooking equipment except for the fuel supply to proved gas pilots. A manual operation shall be required to reestablish the fuel or heat supply. When gaseous fuels are used, a premanent notice shall be posted at the reset device cautioning the operator to shut off the gas at all appliances before resetting the device.

(4) Visual means shall be provided to show that the extinguishing system is energized if actuation is electrical.

(5) Detailed information of the system shall be submitted for review.

(6) Installation of systems shall be made only by persons properly trained and qualified by the manufacturer of the system being installed. Extinguishing systems shall be inspected at least every six months. Inspections shall be made only by properly trained and qualified personnel. All actuation components including remote manual pullstations, mechanical or electrical devices, detectors, actuators, etc., shall be checked for proper operation during the inspection. Fusible links shall be replaced annually. Certificates of Inspection shall be forwarded to the authority having jurisdiction.

Sec. 1111.11 Recommended Minimum Safety Requirements for Cooking Equipment.

1111.111 Cooking Equipment.

(1) Cooking equipment shall be tested, approved and listed by a nationally recognized testing laboratory.

(2) All fat fryers shall be installed with at least a 16 inch space between the fryer and surface flames from adjacent cooking equipment.

1111.112 Operating Controls.

(1) Deep fat fryers shall be equipped with a separate high limit control in addition to the adjustable operating control (thermostat) to shut off fuel or energy in the event the fat exceeds a temperature of 475° F.

Regulation No. 72-19



August 26, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION ENACTING THE 1972 PLUMBING CODE

Vice Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, the Council is authorized to promulgate building regulations for  
2 the District of Columbia; and

3  
4 WHEREAS, the Council wishes to promulgate a new plumbing code for the  
5 District of Columbia;

6  
7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

8  
9 Section 1. The regulation attached hereto as Title 5C-2, and denominated  
10 "1972 Plumbing Code of the District of Columbia," and the 1971 Model Plumbing  
11 Code for the Washington Metropolitan area prepared by the Metropolitan Washington  
12 Council of Governments, which is incorporated into Title 5C-2 by reference, are  
13 hereby enacted. The regulations shall govern the installation, maintenance, and  
14 repair of all plumbing work in the District of Columbia, except for buildings owned  
15 by the government of the United States.

16  
17 Section 2. Any person who violates, or fails to comply with, any of the  
18 provisions or requirements of this Code or its amendments or orders authorized  
19 thereby, shall upon conviction be punished by a fine not to exceed three hundred  
20 dollars, or imprisonment not to exceed ten days, or both, for each such violation or  
21 failure to comply.

22  
23 Section 3. This regulation shall take effect thirty days following enactment.  
24 Upon the effective date of the 1972 D. C. Plumbing Code, the Regulations Governing

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
NEVIUS	X					MEYERS	X											
TUCKER	X					ROBINSON	X											
ANDERSON	X					VEAZEY	X											

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on August 1, 1972

Adopted on second and final reading August 15, 1972

Presented to the Mayor-Commissioner August 17, 1972

*Edward B. White*  
Secretary of the City Council

Approved *Sterling Tucker*  
Mayor-Commissioner

8/26/72  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward B. White*  
Secretary of the City Council

REGULATION 72-19

2 of 2

1 the Installation of Plumbing and Gas Fitting in the District of Columbia, adopted  
2 February 15, 1893, as amended, and the Plumbing Code of the District of Columbia  
3 promulgated by Commissioners' Order and effective May 1, 1953, as amended, and  
4 the 1967 Revised Plumbing Code of the District of Columbia approved and promul-  
5 gated by Commissioners' Order and effective May 1, 1968, shall be repealed;  
6 Provided, however, that said rules and regulations effective May 1, 1968, as  
7 amended, shall be considered as remaining temporarily in effect for the purpose of  
8 permitting the completion of any plumbing work for which plans were filed prior to  
9 the effective date hereof, but permits issued for such work shall not be renewable.  
10 Provided further, that said 1967 D. C. Revised Plumbing Code effective May 1,  
11 1968, as amended, shall continue in full force and effect with respect to offenses  
12 committed during the effective period of said Code and with respect to prosecution  
13 of such offenses, whether such prosecutions are commenced before or after the  
14 effective date hereof.

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Regulation No. 72-20



August 25, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION REQUIRING DOG OWNERS TO REMOVE DOG WASTE FROM PUBLIC PLACES

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council has found that dog waste  
2 in public places constitutes a hazard to the safety and welfare of the public;  
3 and  
4

5 WHEREAS, pursuant to paragraphs 3 and 4, Section 402, Reorganization  
6 Plan No. 3 of 1967, the Council is authorized to adopt measures to regulate the  
7 keeping of dogs and to adopt reasonable police regulations.  
8

9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
10 that:

11 Section 1. Article 18, Police Regulation of the District of Columbia is  
12 hereby amended by the addition of new Sections 4 and 5. Sections formerly  
13 numbered 4 through 15 shall be renumbered accordingly.  
14

15 Section 2. Sections 4 and 5, Article 18, Police Regulation shall read  
16 as follows:  
17

18 "Section 4. No person owning, keeping or having  
19 custody of a dog, except a Seeing Eye dog, in the  
20 District of Columbia shall allow or permit excrement  
21 of such dog to remain in any public place, nor shall  
22 any person permit excrement of such dog to remain on  
23 private property without the consent of the owner or  
24 occupant thereof."

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVTUS	X					MEYERS	X										
TUCKER	X					ROBINSON	X										
ANDERSON	X					VEAZEY	X										

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on August 1, 1972

Adopted on second and final reading August 15, 1972

Presented to the Mayor-Commissioner August 17, 1972

*Edward B. Wolf*  
Secretary of the City Council

Approved *Walter Washington*  
Mayor-Commissioner

AUG 25 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

\_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

\_\_\_\_\_ Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward B. Wolf*  
Secretary of the City Council

"Section 5. Any person violating Section 4, thereof shall be punished by a fine of not more than \$50 or by imprisonment not exceeding five (5) days."

Section 3. This amendment shall take effect immediately upon enactment.

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Regulation No. 72-21



August 25, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION ESTABLISHING STANDARDS OF IDENTITY FOR GROUND MEAT PRODUCTS

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the Council is empowered to make rules and regulations relating  
2 to the sale of food products in the District of Columbia; and

3  
4 WHEREAS, the Council believes the public interest requires the establish-  
5 ment of standards for the sale of ground meat products in the District.

6  
7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

8  
9 Section 1. Title 6A, Department of Human Resources, Health Services  
10 Administration, of the Rules and Regulations of the District of Columbia, which  
11 incorporates by reference, Title 8, Health Regulations of the District of Columbia,  
12 Chapter 6, is hereby amended, by deleting Section 8-6:103(a), and substituting  
13 therefor the following:

14  
15 a. Importation, Sale or Use. No person shall convey into the District  
16 sell, offer for sale or use any food that is unfit for consumption, or any food  
17 which does not conform to the following criteria:

18  
19 (1) Products to be Labeled. All products governed under the  
20 regulations set forth below for "Chopped Beef," "Ground Beef," "Hamburger,"  
21 "Fabricated Steak," "Fresh Pork Sausage," "Breakfast Sausage," and "Sausage"  
22 shall at the time offered for retail sale, display by percentage the fat contents of  
23 such products, if such products are labeled, advertised or indicated to be lean,  
24 extra lean or of lesser fat content than the maximum fat content for that product  
as allowed by the U. S. D. A. Display of the fat content shall be on the package

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					MEYERS	X										
TUCKER	X					ROBINSON	X										
ANDERSON	X					VEAZEY	X										

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on August 1, 1972

Adopted on second and final reading August 15, 1972

Presented to the Mayor-Commissioner August 17, 1972  
Date

*Edward L. Holt*  
Secretary of the City Council

I HEREBY CERTIFY that Regulation No. 72-21 was presented to the Mayor of the District of Columbia on August 17, 1972, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

*Ira N. Kellogg, Jr.*  
Ira N. Kellogg, Jr.  
Acting Executive Secretary, D. C.

Secretary of the City Council

1 in which the product is sold, or shall be by a sign placed conspicuously nearby  
2 the product. Such display on the package or by sign shall be in letters no  
3 smaller than 1/8 of an inch in the case of packages and no smaller than 1/2  
4 of an inch in the case of signs.

5  
6 (2) Meats which are labeled "Chopped Beef" or "Ground Beef"  
7 shall consist of comminuted meats which are fresh or frozen beef, or both,  
8 with or without seasoning, and without the addition of beef fat, and shall  
9 not contain added water, binders, extenders, color additives or preservatives,  
10 and shall not contain more than thirty percent fat.

11  
12 (3) Meats which are labeled "Hamburger" shall consist of  
13 comminuted fresh or frozen beef, or both, with or without the addition of beef  
14 fat or seasoning, or both, shall not contain more than thirty percent fat, and  
15 shall not contain added water, binders, extenders, color additives or preservatives.

16  
17 (4) Fabricated Steak Fabricated beef steaks, fabricated veal steaks,  
18 fabricated beef and veal steaks, and similar products, shall be prepared by  
19 comminuting and forming the product from fresh or frozen meat, or both, with or  
20 without added fat, and without added water, binders, extenders, color additives,  
21 hydrolized plant protein, or preservatives.

22  
23 (5) Meats labeled "Fresh Pork Sausage" shall consist of comminuted  
24 fresh pork or frozen pork, or both, not including pork by-products, with or without  
25 seasoning added. To facilitate chopping or mixing, water or ice may be used in an  
26 amount not to exceed three percent of the total ingredients used. The product shall  
27 not contain color additives, preservatives, or more than fifty percent trimmable fat.

28  
29 (6) Meats labeled "Breakfast Sausage" shall consist of comminuted  
30 fresh or frozen meat, or both, or meat and meat by-products, with or without  
31 seasoning added. To facilitate chopping or mixing, water or ice may be used in  
32 an amount not to exceed three percent of the total ingredients used. Extenders  
33 or binders may be used to the extent of three and one-half percent of the finished  
34 sausage. The product shall not contain color additives, preservatives or more  
35 than fifty percent fat.

36  
37 (7a) Meats labeled "Sausage" raw or cooked, shall consist of one or  
38 more kinds of comminuted meat and meat by-products. The amounts of added water  
39 in raw sausage shall not exceed three percent of the total ingredients used. Raw  
40 sausage shall not contain color additives, preservatives, or more than fifty  
41 percent fat.

42  
43 b. In the case of cooked sausage, frankfurter, wiener, vienna,  
44 balogna, garlic balogna, knockwurst, the added water content shall not exceed  
45 ten percent. The product may be seasoned and may contain binders and extenders,  
46 e.g., cereal, vegetables, starch vegetable flour, soy flour, soy protein concentrate,  
47 non-fat dry milk, calcium reduced skim milk or dried milk, provided the finished  
48 product contains not more than three and one-half percent of these additives  
49 individually or collectively. The fat content shall not exceed thirty percent.  
50 The packages in which raw and cooked sausages are sold shall be labeled as to  
51 the meat and meat by-products composition of the product in letters no smaller  
52 than 1/8 of an inch. If such products are not sold in packages, signs bearing  
53 letters no smaller than 1/2 of an inch shall be conspicuously posted nearby.

54  
55 (8) Comminuted meats if offered for sale as being a specific cut shall  
56 be labeled as such; shall be made solely from such cut and shall not contain  
57 added fat.

58  
59 Section 2. Regulation 72-8 which established standards of identity for  
60 ground meat products is hereby repealed.

1        Section 3. Any person who violates any provision of this regulation shall  
2 be fined not more than \$300 or imprisoned not more than ten days, or both,  
3 for each and every offense.

4  
5        Section 4. This regulation shall take effect immediately following enactment  
6 except that Section 1a(1) shall take effect 180 days following enactment.  
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Regulation No. 72-22



September 28, 1972  
Enactment Date

# Regulation of the District of Columbia

TITLE MANUFACTURE AND TRANSPORTATION OF EXPLOSIVES

Reverend Carlton W. Veazey Presents the following regulation:

1 WHEREAS, paragraph 4, Section 402, Reorganization Plan No. 3 of 1967  
 2 transferred to the District of Columbia the authority to promulgate regulations for  
 3 the control of explosives.  
 4  
 5 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:  
 6  
 7 Section 1. Title 7, D.C.R.R., section 102.3 entitled General Requirements  
 8 is hereby amended to read as follows:  
 9  
 10 "Section 102.3 General Requirements  
 11  
 12 (a) Manufacture. No person shall manufacture any  
 13 explosives, including small arms ammunition, within the  
 14 District of Columbia except as provided in section 102.10  
 15 infra; Provided, that where the mixing of two nonexplosive  
 16 components by a qualified blaster at the blasting site  
 17 results in the making of an explosive material, such mix-  
 18 ing shall not be deemed as "manufacturing" within the meaning  
 19 of this section."  
 20  
 21 Section 2. This regulation shall take effect immediately upon enactment.  
 22  
 23  
 24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					MEYERS	X										
TUCKER	X					ROBINSON	X										
ANDERSON				X		VEAZEY				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on September 6, 1972  
 Adopted on second and final reading September 19, 1972  
 Presented to the Mayor-Commissioner September 20, 1972 Date Ed. N. Wally Secretary of the City Council  
 Approved Theter Washington Mayor-Commissioner SEP 28 1972 Date  
 Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_ Date  
 Disapproved and returned to the City Council \_\_\_\_\_ Mayor-Commissioner \_\_\_\_\_ Date  
 Readopted \_\_\_\_\_ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
Ed. N. Wally Secretary of the City Council

Regulation No. 72-23



September 29, 1972  
Enactment Date

# Regulation of the District of Columbia

TITLE REGULATION ON THE LOCKING OF FIRE DOORS

Rev. Carlton W. Veazey Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to adopt  
2 regulations for the health, safety, and welfare of the citizens in the District  
3 of Columbia; and

4  
5 WHEREAS, the District of Columbia Council, pursuant to paragraphs 118  
6 and 119, Section 402, Reorganization Plan No. 3 of 1967, is authorized to adopt  
7 regulations, for protection against fire, which require the beneficial owner of  
8 certain facilities to maintain suitable means of exit.

9  
10 NOW, THEREFORE, BE IT ENACTED by the District of Columbia City  
11 Council that:

12  
13 Section 1. Notwithstanding the provisions of Section 31.1 - 31.4 of  
14 Title 7, D. C. Rules and Regulations (Fire Prevention Code) and the provisions  
15 of Chapter 6, D. C. Building Code, there is hereby adopted an amendment to  
16 Article 17 of the Police Regulation as set out below. Reference to this regulation  
17 shall be made in the Fire Prevention Code.

18  
19 Section 2. Definitions -- (a) Person shall mean the individual, owner or  
20 operator entitled to or charged with the beneficial use, rental, or control of any  
21 building which is more than two stories in height or is a public building, other than  
22 a private residential dwelling when occupied by the owner, and is occupied by 10  
23 or more persons.  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					MEYERS	X										
TUCKER	X					ROBINSON	X										
ANDERSON				X		VEAZEY				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on September 6, 1972

Adopted on second and final reading September 19, 1972

Presented to the Mayor-Commissioner September 20, 1972

*Edward B. Wolf*  
Secretary of the City Council

Approved *Walter A. Jones*  
Mayor-Commissioner

SEP 29 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

\_\_\_\_\_ Date

Disapproved and returned to the City Council \_\_\_\_\_

\_\_\_\_\_ Mayor-Commissioner

\_\_\_\_\_ Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein

*Edward B. Wolf*  
Secretary of the City Council

(b) Public building shall mean any building used as a hospital, school, convalescent home, personal care home, restaurant, night club, theatre or place of amusement or any similar such building, except where such buildings are leased by or operated by an agency of the U. S. Government.

Section 3. It shall be unlawful for any person to have any exit door in any public building locked in such manner as would necessitate a key to unlock from the inside or requires more than thirty (30) seconds to unlock, while the area or floor served by such door is occupied.

Section 4. Exit lightsshall be kept on at all times that the building is occupied. Exit way markings shall be posted and maintained in good order.

Section 5. Penalty -- (a) This regulation serves as notice to any person who may fail to comply with the provisions contained herein, as required by §5-318, D. C. Code (1967); provided that the police officer or fire inspector further specifies the particular violation in writing to the owner and that the person so notified does not immediately take the action necessary to comply with the deficiency.

(b) Any person failing to comply with these provisions shall, upon conviction be subject to a fine of not less than \$10 nor more than \$100 for each day or part thereof in which he fails to comply with the notice.

Section 6. This regulation shall become effective immediately upon enactment.

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## THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

WALTER E. WASHINGTON  
Mayor-Commissioner

SEP 29 1972

Honorable John A. Nevius  
Chairman  
District of Columbia City Council  
14th and E Streets, N.W.  
Washington, D.C. 20004

Dear Chairman Nevius:

I am returning herewith the regulation 72-23 relating to the amendments to the Police Regulations of the District of Columbia to authorize the Metropolitan Police Department to enforce the penalty provisions of the Fire Prevention Code relating to the locking of exit doors.

In approving regulation 72-23, I would like to indicate that I strongly believe the responsibility for enforcement of the Fire Prevention Code should remain first with the occupant of the premises -- in the case of the D.C. Schools System I think the schools should be primarily responsible for enforcement -- and second, the inspection function should remain lodged in the Fire Department. However, in view of the fact that the Fire Department is convinced it lacks sufficient manpower to do an adequate job and the schools have experienced difficulty in enforcing the locking-of-exit-door provisions of the Fire Prevention Code, I have concluded that the Metropolitan Police Department should be available as a supplementary force to assist in the solution of the problem this regulation addresses. Accordingly, I have decided to approve Regulation 72-23.

Sincerely yours,

A handwritten signature in cursive script that reads "Walter E. Washington".

Walter E. Washington  
Mayor-Commissioner

Regulation No. 72-24



October 16, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE            AMENDMENTS TO ARTICLE 6 OF THE POLICE REGULATIONS OF THE DISTRICT OF COLUMBIA

Councilman Tedson J. Meyers Presents the following regulation:

1            WHEREAS, the growing level of noise is unhealthy and disturbing to citizens  
2 and residents of the District of Columbia; and

3  
4            WHEREAS, pursuant to paragraphs (1) and (4) of Section 402 of Reorganization  
5 Plan No. 3 of 1967, the District of Columbia Council is authorized to make and modify  
6 police regulations.

7  
8            NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

9  
10           Section 1. Sections 1, 2, 2a, and 3 of Article 6 of the Police Regulations of  
11 the District of Columbia are hereby repealed, by the addition of new Sections 1, 2,  
12 3, 4, 5, 6, and 7. Sections formerly numbered 1 through 7 shall be renumbered  
13 accordingly.

14  
15           Section 2. Sections 1, 2, 3, 4, 5, 6, and 7, of Article 6 of the Police  
16 Regulations shall read as follows:

17  
18           "Section 1. No sound amplifying equipment, musical instrument,  
19 or other sound-making or sound transmitting devices shall be used  
20 in public spaces between the hours of 10:00 p.m. and 9:00 a.m.  
21 The use, playing or operation of such equipment, instruments, or  
22 devices is prohibited on Sundays. No provision of this section shall  
23 apply to the use of bells or music to call individuals to worship.  
24 The foregoing time limitations may be suspended, but not narrowed,

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					MEYERS	X										
TUCKER	X					ROBINSON	X										
ANDERSON	X					VEAZEY				X							

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on September 19, 1972  
 Adopted on second and final reading October 3, 1972  
 Presented to the Mayor-Commissioner October 6, 1972 *Edward B. Wolf*

I HEREBY CERTIFY that Regulation No. 72-24 was presented to the Mayor of the District of Columbia on October 6, 1972, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

*Martin K. Schaller*  
 \_\_\_\_\_  
 Martin K. Schaller  
 Executive Secretary, D. C.

1 by the Chief of Police of the Metropolitan Police Department for and during any public  
 2 activity requiring a permit from the Commissioner or his designated agent, or from  
 3 the Chief of the United States Park Police including, but not limited to, such  
 4 activities as block parties, election rallies, summer festivals, and parades. In  
 5 considering applications for time limitation extensions, the Chief of Police shall  
 6 weigh factors which shall include, but not be limited to:

- 7
- 8 (1) The proximity of the location of two or more separate time
- 9 limitation extension requests;
- 10
- 11 (2) order or receipt of request;
- 12
- 13 (3) filing deadlines;
- 14
- 15 (4) prior scheduling of a parade or activity which would tend to
- 16 conflict in a way that might endanger public safety.
- 17

18 Section 2. (a) Vehicle - mounted sound amplifying equipment, instruments,  
 19 and transmitting devices may be used, played, or operated in public thoroughfares  
 20 during periods specified in section 1, subject to the following conditions:

- 21
- 22 (1) such vehicles may not be operated in the central business
- 23 district during rush hour traffic - Monday through Friday,
- 24 between the hours of 4:00 p.m. to 6:30 p.m.;
- 25
- 26 (2) such vehicles are required, where traffic conditions permit,
- 27 to move at least five (5) miles per hour;
- 28
- 29 (3) when the vehicles are stopped for any cause, no sound may be
- 30 amplified or transmitted for more than one (1) minute, so long
- 31 as the vehicle remains stationary;
- 32
- 33 (4) operators of these vehicles are not permitted to hold sound
- 34 amplifying equipment, instruments, or transmitting devices
- 35 by hand while vehicles are in operation;
- 36
- 37 (5) such vehicles parked in legal off-street locations are not
- 38 subject to the conditions set forth above in paragraphs (1),
- 39 (2), (3), and (4).
- 40

41 (b) For purposes of this section, the following boundaries shall comprise  
 42 the central business district: beginning at 35th and "Q" Streets, N. W., then  
 43 east along "Q" Street to 23rd Street, N. W., then north along 23rd Street to  
 44 Sheridan Circle, then east along Massachusetts Avenue, N. W. to Florida  
 45 Avenue, N. W., then north along Florida Avenue to Connecticut Avenue, N. W.  
 46 then north along Connecticut Avenue to "T" Street, N. W., then east along  
 47 "T" Street to Florida Avenue, then along Florida Avenue to 17th Street, N. W.  
 48 then south along 17th Street, N. W., to Massachusetts Avenue, then east  
 49 along Massachusetts Avenue to Mount Vernon Square, then east along "K"  
 50 Street to 2nd Street, N. E., then south along 2nd Street to the Southeast  
 51 Freeway, then west along the Southeast Freeway to First Street, S. E., then  
 52 south along First Street to "M" Street, S.E. then west along "M" Street to  
 53 Maine Avenue, S. W., then north along Maine Avenue to 14th Street S. W.,  
 54 then north along 14th Street to Constitution Avenue to the eastern entrance of  
 55 the Theodore Roosevelt Bridge, then north and west along the shoreline to the  
 56 Francis Scott Key Bridge then north along Key Bridge to "M" Street, then west on  
 57 "M" Street to 37th Street, N. W., then north on 35th Street to the place of  
 58 beginning."  
 59  
 60

1 Section 3. At all hours of the night or day, the use, playing, or operation  
 2 of equipment, instruments or devices authorized in sections 1 and 2 shall  
 3 be so controlled that the volume will not be unreasonably loud, raucous,  
 4 jarring, or disturbing.

5  
 6 (1) A measurement of sound exceeding 78 decibels (dB(A)) at one meter  
 7 from the source or from the private premises from which the sound  
 8 emanates shall constitute prima facia proof of violation of this  
 9 section; Provided that nothing in this section shall be interpreted  
 10 as requiring proof by decibel measurement: Provided further that  
 11 this decibel limitation shall not apply to the use of sound  
 12 amplification devices used to address a stationary assembly  
 13 consisting of two hundred (200) persons or more.

14  
 15 (2) For purposes of this regulation, the acts described in section 6  
 16 of Article 6 of the Police Regulations are declared to be in  
 17 violation of this regulation, Provided that no provision of  
 18 section 6 shall be interpreted as prohibiting the use of sound  
 19 amplification devices within legal sound limits for purposes of  
 20 advertising wares or inviting patronage or attention.

21  
 22 Section 4. There is hereby established a quiet zone within a distance of  
 23 100 yards of all elementary and secondary schools and colleges and  
 24 universities while any class is in session, and within 100 yards of all  
 25 hospitals or other institutions for the treatment of sick persons. It shall  
 26 be unlawful for any person to make any unnecessary noise within such  
 27 zone or to use, operate, or cause to be operated any sound amplification  
 28 equipment, or mechanical device, machine, or apparatus for the  
 29 intensification of the human voice. The sounding of bells, horns, drums  
 30 or other noise-making instruments or devices is further prohibited within  
 31 such zone except where reasonably necessary for the safety of any vehicle  
 32 operator or passenger or pedestrian.

33  
 34 Section 5. The prohibitions herein contained shall not apply to authorized  
 35 emergency vehicles on emergency runs, to the use of sound generated for  
 36 alarms or emergency purposes, or to the authorized use of bull horn amplifiers  
 37 by District of Columbia or Federal Government officers acting in official  
 38 capacities.

39  
 40 Section 6. No provision of this article shall apply to the use, playing, or  
 41 operation of sound equipment, instruments, or devices which are used, played,  
 42 or operated on private or commercial premises where the sound is confined to  
 43 such premises.

44  
 45 Section 7. Any person violating any provision of this regulation shall be fined  
 46 not more than \$300, or imprisoned for not more than ten days, or both, for  
 47 each and every such violation. "

48  
 49 Section 3. This regulation shall take effect thirty (30) days following enactment.  
 50  
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 59  
 60

Regulation No. 72-25



November 18, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE PESTICIDE OPERATIONS REGULATION

Mr. Rockwood H. Foster \_\_\_\_\_ Presents the following regulation:

1 WHEREAS, the misuse and mislabeling of pesticides in the District  
2 of Columbia could cause untold damage to both animal and plant life; and  
3

4 WHEREAS, pursuant to paragraphs (391) and (394) of section 402 of  
5 Reorganization Plan No. 3 of 1967, the District of Columbia Council is  
6 authorized to make regulations requiring the licensing of businesses and  
7 callings and for the protection of lives, limbs, health, comfort, and quiet  
8 of the citizens of the District of Columbia.  
9

10 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
11 that:

12  
13 Section 1. Scope. (a) This regulation shall apply to the manufacture,  
14 distribution, sale, and application of pesticides in the District of Columbia,  
15 and its provisions are in addition to all other regulations which are applicable.  
16 Each person who conducts a pesticide operation shall comply with appropriate  
17 sections of this regulation. In the absence of requirements in this or other  
18 applicable regulations, the management and execution of any pesticide  
19 operation shall be in accordance with good professional and public health  
20 practices.  
21  
22  
23  
24

### RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON	X					MOORE	X					VEAZEY	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on October 17, 1972

Adopted on second and final reading November 7, 1972

Presented to the Mayor/Commissioner November 9, 1972 \_\_\_\_\_  
Date Secretary of the City Council

Approved \_\_\_\_\_  
Mayor-Commissioner Date NOV 18 1972

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
\_\_\_\_\_ Secretary of the City Council

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(b) This regulation shall not apply to:

(a) any person applying fertilizer materials not containing pesticides;

(b) any person applying pesticides on property he owns, except that such exemption shall not apply if such property is used for, or is subject to, public use, nor shall such exemption apply, in any case, to pesticidal agents prohibited by sections 11(b) and (c) of this regulation;

(c) any department or agency of the United States, or, in the event of a public health emergency, any agency of the District Government.

Section 2. Definitions. For purposes of this regulation the following terms, consistent with the definitions of such terms in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (61 Stat. 163; 7 U. S. C. S135-135K), shall have the meanings ascribed:

(1) Adulteration refers to a pesticide the strength or purity of which falls below the professed standard or quality as expressed in its labeling or under which it is sold, or the total or partial substitution of any substance for the pesticide, or the total or partial abstraction of any valuable constituent of the pesticide.

(2) Advertising means all representation disseminated in any manner for the purpose of inducing, or which is likely to induce, directly or indirectly, the application of pesticides for the control of pests.

(3) Agent means any person acting on behalf of commercial applicators, who solicits or obtains contracts for pesticide treatment.

(4) Applicator means any person applying pesticides for hire or his agent.

(5) Commissioner means the Commissioner of the District of Columbia, or his designated agent.

(6) District means the District of Columbia.

(7) Equipment means any device or apparatus used to apply pesticides.

(8) Label or Labeling means the written, printed, or graphic matter on, attached to, or accompanying the pesticide or device, or the immediate container thereof, and the outside container or wrapper of the retail package, if any, of the pesticide or device.

(9) Misbranded means:

(A) Labeling of any pesticide or device bearing any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(B) any pesticide if it is an imitation of, or is offered for sale under the name of another pesticide or if the labeling accompanying the pesticide does not contain instructions for use which are necessary, and if complied with, adequate for the protection of the public;

(10) Person means any individual, partnership, association, corporation, company, joint stock association, or any organized group of persons whether incorporated or not, and includes any trustee, receiver, or assignee.

(11) Pesticide includes preparations intended for use in insecticides, rodenticides, nematocides, fungicides, herbicides, plant regulators, plant defoliants, and plant desiccants. A product shall be deemed to be a pesticide regardless of whether intended for use as packaged or after dilution or mixture with other substances, such as carries or baits. Substances which have recognized commercial uses other than uses as pesticides shall not be deemed to be pesticides unless such substances are:

(A) specially prepared for use as pesticides;

(B) labeled, represented, or intended for use as pesticides; or

(C) marketed in channels of trade where they will presumably be purchased as pesticides.

(12) Pesticide Operation means the professional activities of pesticide applicators, manufacturers, wholesalers, distributors, and retailers.

Section 3. Requirement for licensing of all pesticide operations. After the effective date of this regulation, no pesticide operation shall take place unless the pesticide applicator, manufacturer, wholesaler, distributor, or retailer, as the case may be, has obtained a license from the Commissioner; except that departments and agencies of the District Government and persons employed by the District when engaged in official duties, shall not be required to obtain a license.

Section 4. Application for License. (a) Each pesticide applicator, manufacturer, wholesaler, distributor, or retailer shall make application for a license on a form provided by the Commissioner, and containing such information as may be prescribed by the Commissioner.

(b) In the case of a pesticide applicator, the application for license shall include a listing of all chemicals scheduled for use, to be revised as necessary, and identification of major power equipment items. If the pesticide applicator is other than an individual, he shall, as part of his license application, designate a qualified officer or technician of his organization to be responsible for the complete supervision of all pest control recommendations, soliciting, mixing, loading, and pesticide treatments. Such designee shall be approved by the Commissioner as a condition for the issuance of a license.

(c) Each application for a pesticide operation license or for renewal of such license, shall be accompanied by a fee to be determined by the Commissioner.

Section 5. Date and expiration of license; license renewal; prorating for late application. Each pesticide operation license shall be issued for a period of one year beginning on November 1 and expiring on October 31. Applications for renewal of a license shall be filed in advance of the next license year, accompanied by the required license fee. Licenses issued at any time after the beginning of the license year shall date from the first day of the month in which the license was issued and end on the thirty-first day of October following, and payment shall be made of the proportionate amount of the annual license fee.

Section 6. Liability Insurance. (a) Each applicant for a pesticide operation license, other than a retailer, shall, at the time of application, furnish evidence of liability insurance coverage in the minimum amount of \$25,000 per person, \$50,000 per accident for bodily injury, and \$5,000 property damage: Provided, that as an alternative to liability insurance, the applicant may furnish such other evidence to Commissioner.

(b) Insurers shall notify the Commissioner, in writing, at least ten

1 days prior to the effective date of cancellation, if a licensee's policy is to be  
2 cancelled. It shall be the licensee's responsibility to inform his insurer of this  
3 requirement.

4  
5 Section 7. Conditional Licenses. Whenever the Commissioner finds  
6 that an applicant for a pesticide operation license is not fully qualified, based  
7 on inadequacy of equipment, personnel, or facilities, to make use of the entire  
8 spectrum of allowable pesticides, a conditional license may be issued,  
9 limiting the applicant to the use of such specific types of pesticides or equipment  
10 which the Commissioner determines to be appropriate and safe for the contemplated  
11 pesticide operation.

12  
13 Section 8. Denial, Suspension or Revocation of License. (a) The Commissioner  
14 shall refuse to issue or to renew a license to an applicant or licensee who:

15  
16 (1) has had his pesticide operation license revoked for cause in any  
17 state;

18  
19 (2) has refused, when requested, to provide the Commissioner with  
20 reasonable, complete, and accurate information regarding methods or materials  
21 used or sold or work performed; or

22  
23 (3) has made any material misrepresentation of fact in his application for  
24 license.

25  
26 (b) The Commissioner shall suspend or revoke a pesticide operation license  
27 if he finds that the licensee:

28  
29 (1) has engaged in fraudulent, illegal, or hazardous practices in the  
30 handling, application, storing, or disposal of pesticides;

31  
32 (2) has failed to maintain his equipment, loading pumps, hoses, or  
33 metering devices in a safe manner, thus creating danger to the public health or  
34 to animals, fish, or wildlife from spillage, leakage, or vapors of pesticides;

35  
36 (3) has failed to maintain the required liability insurance;

37  
38 (4) has failed to provide or has falsified any information requested  
39 by the Commissioner;

40  
41 (5) has failed to provide each customer with all pertinent data relevant  
42 to each pesticide treatment; or

43  
44 (6) has utilized or sold pesticides which are adulterated or misbranded,  
45 or which are prohibited from use, either generally, or, in the case of a conditional  
46 licensee, individually.

47  
48 Section 9. Stop Orders. (a) The Commissioner is authorized, whenever he  
49 determines that a licensee is operating, or a pesticide operation is being  
50 conducted, in violation of this regulation in such a manner as to create an  
51 imminent danger to the public health, to issue a stop order in writing prohibiting  
52 further pesticide operation by such licensee.

53  
54 (b) The Commissioner shall rescind a stop order when the violations creating  
55 the imminent public health danger have been corrected.

56  
57 Section 10. Notice and Hearing. When the Commissioner determines that there  
58 are grounds for denial, suspension, or revocation of a pesticide operation license,  
59 or issuance of a conditional license, the Commissioner shall first serve upon the  
60

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1 applicant or licensee a written notice specifying with particularity the action  
2 proposed to be taken, and informing the applicant or licensee of the right to  
3 request, within ten (10) days from service of notice, a hearing before the  
4 Commissioner, at which time he may show cause why his application should  
5 not be denied, or his license suspended or revoked, or a conditional license  
6 should not be issued.

7  
8 Section 11. Restrictions on Materials and Methods of Application and  
9 Disposal. (a) The Commissioner is authorized to prescribe pesticides and  
10 equipment to be used, or prohibit the use of such materials to the extent  
11 necessary to protect the public health and safety, and to take such other action as  
12 he may deem necessary to prevent contamination or injury from the drifting, washing,  
13 or application of pesticides to plants or animals, on property other than that owned,  
14 leased, or controlled by the person for whom the pesticides are applied.

15  
16 (b) Use of the compound sodium fluoroacetate (compound 1080) and all other  
17 derivatives of fluoroacetic acid as a pesticide in the District is prohibited.

18  
19 (c) Only those compounds that are registered with the Pesticides Regulation  
20 Division of the Environmental Protection Agency shall be manufactured, sold,  
21 shipped, or applied in the District, and such compounds shall be used only in the  
22 manner or manners specified and approved by the Environmental Protection Agency.

23  
24 (d) Any pesticide used in violation of this regulation may, in the discretion  
25 of the Commissioner, be impounded and, if necessary for the protection of the  
26 public health, be destroyed. The cost of such destruction shall be borne by the  
27 owner of the pesticides found to be in violation.

28  
29 (e) The Commissioner shall, after notice and hearing, establish and publish  
30 standards for the safe disposal of empty pesticide containers and unused  
31 pesticides.

32  
33 Section 12. Inspection and Repairs. The Commissioner shall provide for the  
34 periodic inspection and analysis of pesticides, inspection of equipment used by  
35 licensees, and inspection of manufacturing, formulating, and storage areas. The  
36 Commissioner shall require proper maintenance, repairs, and alteration of equipment  
37 and facilities for the protection of public health.

38  
39 Section 13. Records and Reports.

40  
41 (a) Applicators.

42  
43 (1) Licensees who are pesticide applicators shall maintain  
44 detailed records with respect to each pesticide treatment. Such records shall  
45 include the name and address of the person for whom the pesticide was applied,  
46 the pest controlled, the pesticide used, the carrier and dilution rate, whether  
47 dust, granular, or liquid treatment, the area or location of the pesticide treatment,  
48 and the date such pesticide was applied.

49  
50 (2) Office records shall be maintained by the applicator for not less  
51 than two (2) years after application, and shall be subject to inspection by the  
52 Commissioner at any time during regular business hours.

53  
54 (3) Applicators shall submit reports providing information as to the  
55 pesticides used, the amounts of their respective active ingredients, the pests  
56 controlled and the types of area treated with each pesticide. These reports shall  
57 be due on August 15 and February 15 following the report period, such periods being  
58 January 1 through June 30, and July 1 through December 31 of each calendar year,  
59 and shall be submitted to the Commissioner on a prescribed form.

60

-6- of 6-

2 (4) If pesticide treatment is contemplated in an area of public  
3 use, the applicator shall obtain prior approval from the Commissioner for such  
4 treatment after submitting to him information on the pest to be controlled, the  
5 area to be treated, the pesticide and approximate amounts to be used, and the  
6 time and date when such pesticide treatment is contemplated.

7 (5) Pesticide injuries requiring medical care, or property damage  
8 caused directly or indirectly as a result of pesticide treatment shall be reported  
9 to the Commissioner not later than 48 hours after the injury or damage has  
10 occurred.

11 (6) Applicators shall provide each customer with the following data  
12 pertaining to each pesticide treatment:

13 (A) the pest controlled;

14 (B) the pesticide used;

15 (C) the area treated; and

16 (D) the date of treatment.

17 (b) Manufacturers, formulators, wholesalers, distributors and retailers.

18 (1) Manufacturers, formulators, wholesalers, distributors, and  
19 retailers who use or sell pesticides in the District or who ship pesticides into  
20 the District for use or sale therein, shall be required to submit an annual report  
21 to the Commissioner containing the following information:

22 (A) the pesticides used, sold, or shipped;

23 (B) the amount, expressed in pounds, of active pesticidal  
24 ingredients used, sold, stored, or shipped; and

25 (C) in the case of a shipper of pesticides into the District,  
26 the shipping dates and destination of shipment.

27 (2) Such reports shall cover the period January 1 through December 31  
28 of each calendar year, and shall be submitted to the Commissioner not later than  
29 February 15 of the year following the report period.

30 Section 14. Penalties. Any person violating any provision of this regulation  
31 shall upon conviction be fined not more than \$300 or imprisoned for not more than  
32 ninety (90) days.

33 Section 15. Separability of Provisions. If any provision of this regulation is  
34 adjudged unconstitutional, or the applicability thereof to any person or circumstance  
35 is held invalid, the validity of the remainder of the regulation and the applicability  
36 of such provision to other persons and circumstances shall not be affected thereby.

37 Section 16. This regulation shall become effective immediately upon  
38 enactment.

Regulation No. 72-26



November 30, 1972  
Enactment Date

# Regulation of the District of Columbia

TITLE 1972 AMENDMENTS TO SALES AND USE TAX REGULATIONS

JOHN A. NEVIUS Presents the following regulation:

1 WHEREAS, for the purpose of providing revenue for the salary increases  
2 provided by the District of Columbia Police and Firemen's Salary Act Amendments  
3 of 1972, Title III of the Act of August 29, 1972, Public Law 92-410, increased the  
4 rate of tax applicable under the District of Columbia Sales Tax Act and the District  
5 of Columbia Use Tax Act to certain sales of tangible personal property at retail  
6 and certain sales of services; and

8 WHEREAS, the District of Columbia Council, pursuant to paragraph 400  
9 of section 402, Reorganization Plan No. 3 of 1967, is authorized to adopt rules  
10 and regulations relating to the implementation of the District of Columbia Sales  
11 Tax and Use Tax Acts; and

13 WHEREAS, Title III of the Act of August 29, 1972, Public Law 92-410,  
14 became effective on October 1, 1972; and

16 WHEREAS, the regulations adopted pursuant to said tax acts should be  
17 conformed to the statutory amendments;

19 NOW THEREFORE, BE IT ENACTED by the District of Columbia Council that:

21 Section 1. The regulations promulgated pursuant to Section 143 of the  
22 District of Columbia Sales Tax Act (D.C. Code Sec. 47-2620) as amended, and  
23 section 223 of the District of Columbia Use Tax Act, (D.C. Code sec. 47-2713)  
24 as amended, are further amended as follows:

(a) Section 602 of said regulations (16 DCRR 205.2) is amended by

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON				X		MOORE	X					VEAZEY	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 7, 1972

Adopted on second and final reading November 21, 1972

Presented to the Mayor-Commissioner November 22, 1972

*Edward S. Wolf*  
Secretary of the City Council

Approved *Donald Washington*  
Mayor-Commissioner

NOV 30 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_

Mayor-Commissioner

Date

Readopted \_\_\_\_\_

Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward S. Wolf*  
Secretary of the City Council

deleting subsection (b) thereof, and by redesignating subsection (c) as subsection (b), and by adding new subsections (c) and (d) reading as follows:

"(c) For each sale or charge subject to the sales tax at 6%:

	<u>Range of Sale Price or Charge</u>	<u>Amount of Reimbursement</u>
(1)	1¢ to 12¢	Nothing
(2)	13¢ to 17¢	1¢
(3)	18¢ to 35¢	2¢
(4)	36¢ to 53¢	3¢
(5)	54¢ to 71¢	4¢
(6)	72¢ to 89¢	5¢
(7)	90¢ to \$1.12	6¢
(8)	more than \$1.12	6¢ on each dollar or any multiple thereof, and for any additional fraction of a dollar, the amount applicable thereto as shown in (1) through (7)"

"(d) Although no reimbursement is authorized as to sales or charges in amounts which fall in the first bracket for each table shown above, the gross receipts derived therefrom are nevertheless required to be included in the gross receipts subject to the tax."

(b) Section 1211 (a) of said regulations (16 DCRR 207.25 (a)) is amended by deleting "4%" and inserting in lieu thereof "5%".

Section 2. The amendments made by Section 1 of this regulation shall become effective immediately upon enactment.

Regulation No. 72-27



December 1, 1972  
Enactment Date

# Regulation

of the  
District of Columbia

TITLE AMENDMENT TO REGULATION 72-11 CONCERNING LOCAL COMPLIANCE WITH FEDERAL RENT REGULATIONS  
Vice-Chairman Sterling Tucker  
Mr. Tedson J. Meyers Presents the following regulation:

1 WHEREAS, the District of Columbia Council held hearings concerning  
2 problems of compliance by District of Columbia landlords and tenants with  
3 the Federal Price Commission Rent Regulations; and  
4

5 WHEREAS, the Council finds that many tenants are unable to exercise  
6 their rights and duties under the Rent Regulations because they do not have  
7 access to these Regulations or summaries thereof; that many tenants are  
8 unable to contact the appropriate agent of their landlord concerning questions  
9 about rent determinations because of lack of knowledge about the proper  
10 person to contact, and;  
11

12 WHEREAS, the Council further finds that many tenants or prospective  
13 tenants are unable to determine the base rent schedules adopted by landlords  
14 because such schedules are not publicly available; and  
15

16 WHEREAS, it is the duty of the Council to enact regulations which  
17 will assist in the effective implementation of the Federal Rent Regulations;  
18 and  
19

20 WHEREAS, the amendments to the District of Columbia Housing  
21 Regulations set forth below are deemed necessary for the protection of the  
22 health, welfare and safety of all persons and property in the District of  
23 Columbia and  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON				X		MOORE	X					VEAZEY	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 7, 1972

Adopted on second and final reading November 21, 1972

Presented to the Mayor-Commissioner November 22, 1972

*Edward S. Webb*  
Secretary of the City Council

Approved *Sterling Tucker*  
Mayor-Commissioner

DEC 1 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward S. Webb*  
Secretary of the City Council

-2- of -3-

1 WHEREAS, the Federal Rent Regulations were revised on July 4, 1972,  
2 to cause portions of Regulation 72-11 to be unnecessary.

3  
4 NOW, THEREFORE, BE IT ENACTED by the District of Columbia  
5 Council that:

6  
7 Section 1. Regulation 72-11 is hereby rescinded.

8  
9 Section 2. The Housing Regulations of the District of Columbia are  
10 hereby amended to provide an Article 295 as follows:

11 "Article 295 - Notice to Tenants of Federal Rent Regulations,  
12 Identity of Owner or Agent, and Notice of Base Rent Schedules".

13  
14  
15 Section 2950. Notice of Federal Rent Regulations

16  
17 (a) The owner, agent or licensee of each dwelling  
18 unit shall, during ordinary business hours, make available to  
19 tenants on request a copy of the Federal Price Commission  
20 Rent Regulations. As to tenants taking occupancy of dwelling  
21 units after the effective date of this regulation, owners, agents  
22 or licensees shall, in addition, provide such tenants with  
23 written notice of the place at which copies of the Federal Rent  
24 Regulations may be obtained or inspected.

25  
26 (b) Failure of an owner, agent, or licensee to comply  
27 with this section shall constitute grounds for suspension or  
28 cancellation of owner's, agent's, or licensee's housing license.

29  
30 Section 2951. Notice of Identity of Owner or Agent

31  
32 (a) If such information has not already been supplied to  
33 tenants, the owner, agent or licensee of each dwelling unit shall,  
34 within thirty (30) days of the effective date of these regulations,  
35 mail to each tenant written notice of the name, address and  
36 telephone number of the owner of the dwelling unit or his  
37 authorized agent, and the owner or agent authorized to respond  
38 to tenant inquiries, and authorized to approve or disapprove all  
39 expenditures for maintenance of rental property and shall thereafter  
40 mail to each tenant written notice of any change in such information  
41 within ten (10) days of such change. Following the effective date  
42 of this regulation, such notice shall be provided in writing to each  
43 new tenant at the time the lease or rental agreement is executed.

44  
45 (b) Failure of an owner, agent or licensee to comply with  
46 this section shall constitute grounds for suspension or cancellation  
47 of owner's, agent's, or licensee's housing license.

48  
49 Section 2952. Notice of Tenant Rent Schedules

50  
51 (a) The owner, agent or licensee of each dwelling unit shall  
52 make available to prospective tenants on request, and at reasonable  
53 hours, in the appropriate rental office maintained by such owner,  
54 agent or licensee, a complete schedule of base rents applicable to  
55 each category of unit available for occupancy, and shall amend such  
56 schedules promptly to reflect any changes in base rents.

57  
58 Section 3. Effective Date.

59  
60 This Regulation shall take effect immediately. Section 2950 shall

-----REGULATION 72-27-----

---3 of 3---

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terminate when the Rent Stabilization Regulations of the Federal Price Commission have no further force or effect.

Regulation No. 72-28



November 30, 1972  
Enactment Date

# Regulation

of the  
District of Columbia

TITLE Amendment to the Housing Regulation on Heat Maintenance

Vice-Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, maintaining a minimum level of heat, day and night, in habitable  
2 space when the heating facilities are not under the control of the occupant  
3 is a requirement of section 1451(e) of Title 42 of the United States Code  
4 (workable program requirements under urban renewal projects, demolition  
5 programs, and code enforcement programs) and the U.S. Department of Housing  
6 and Urban Development Policy Handbook-MPD 7100.1A (workable programs for  
7 community improvement); and

8  
9 WHEREAS, pursuant to paragraph 4, section 402, Reorganization Plan No. 3  
10 of 1967, the District of Columbia Council is authorized to adopt regulations  
11 for the protection of lives, limbs, health, comfort and quiet of all persons  
12 and the protection of all property within the District of Columbia.

13  
14 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

15  
16 Section 1. Section 2407 of the Housing Regulations of the District of  
17 Columbia is amended to read as follows:

18  
19 "Where the heating facilities of any habitation or bathroom  
20 are not under the control of an occupant thereof, it shall  
21 be the responsibility of the owner or licensee to supply  
22 sufficient heat to maintain a minimum temperature of 68  
23 degrees F between the hours of 6:30 a.m. and 11:00 p.m. and  
24 a minimum temperature of 65 degrees F between the hours of

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON				X		MOORE	X					VEAZEY	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 7, 1972

Adopted on second and final reading November 21, 1972

Presented to the Mayor-Commissioner November 22, 1972

Approved [Signature] Date \_\_\_\_\_  
Mayor-Commissioner

[Signature]  
Secretary of the City Council  
NOV 30 1972

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.  
[Signature]  
Secretary of the City Council

1 11:00 p.m. and 6:30 a.m. for all such occupied habitations  
2 and bathrooms. The temperatures referred to herein shall  
3 be measured with all usually closed outside openings closed  
4 in a normal manner."

5  
6 Section 2. This amendment shall take effect 30 days after enactment.  
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Regulation No. 72-29

December 13, 1972  
Enactment Date

# Regulation

of the  
District of Columbia

TITLE A REGULATION TO ESTABLISH STANDARDS FOR AMBULANCES AND MEDICAL PERSONNEL AND TO PROVIDE FOR THEIR CERTIFICATION

Councilman Stanley J. Anderson Presents the following regulation:

1 WHEREAS, pursuant to subsection (b) of Section 205 of Reorganization Plan No. 3  
2 of 1967, the District of Columbia Council is authorized, with the concurrence of the  
3 Commissioner, to delegate its functions to any officer of the Government of the District  
4 of Columbia; and

5  
6 WHEREAS, pursuant to paragraphs (133), (288), and (391) of Section 402 of such  
7 Plan, the Council is authorized to make health regulations, to prescribe regulations for  
8 the registration of motor vehicles, respectively, and to require a license of businesses  
9 or callings.

10  
11 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

12  
13 Section 1. Definitions.

14  
15 As used in this regulation, unless otherwise specified, the term:

16  
17 (a) "Ambulance" means any privately or publicly owned vehicle specially  
18 designed, constructed, modified or equipped for use as a means for transporting  
19 persons in an emergency; or any privately or publicly owned vehicle that is  
20 advertised, marked, or in any way held out as a vehicle for the transportation  
21 of persons in an emergency.

22  
23 (b) "Commissioner" means the Commissioner of the District of Columbia  
24 or his designated agent.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON				X	
ANDERSON	X					MOORE	X					VEAZEY	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 7, 1972

Adopted on second and final reading December 5, 1972

Presented to the Mayor-Commissioner December 8, 1972

Approved Walter Washington  
Mayor-Commissioner

Edward S. Wolff  
Secretary of the City Council  
DEC 13 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Edward S. Wolff  
Secretary of the City Council

1 (c) "Emergency Medical Technician" means a person who possesses a valid  
2 Emergency Medical Technician's Certificate issued pursuant to this regulation.

3  
4 (d) "Emergency Medical Technician/Driver" means a person licensed as an  
5 Emergency Medical Technician who is also licensed by the Public Service  
6 Commission pursuant to Chapter X of Title 32 of the Motor Vehicle Regulations for  
7 the District of Columbia to drive an ambulance; provided, however, that an  
8 Emergency Medical Technician, employed in that capacity by the Fire Department  
9 of the District of Columbia, shall be deemed to be an Emergency Medical  
10 Technician/Driver during the course of his employment if he is eligible to drive  
11 a Fire Department ambulance under the applicable regulations and procedures of  
12 the Fire Department.

13 (e) "Emergency" means the existence of circumstances in which the element  
14 of time in transporting a person or persons who are sick, injured, wounded or  
15 otherwise incapacitated or helpless to medical or surgical treatment is essential to  
16 the health or life of such person, and in which rescue operations or competent first  
17 aid or both may be essential to the health or life of such person.

18  
19 Section 2. Ambulance Operation.

20  
21 (a) No person, firm, corporation, association, or government agency, either  
22 as owner, agent, or otherwise, shall operate or hold itself out in any way as  
23 operating an ambulance in the District of Columbia without a currently valid license  
24 issued pursuant to this regulation by the Commissioner for such ambulance.

25  
26 (b) No ambulance shall be operated for ambulance purposes in the District of  
27 Columbia unless it shall be staffed by at least two persons, one of whom is an  
28 Emergency Medical Technician and one of whom is an Emergency Medical  
29 Technician/Driver.

30  
31 Section 3. Licensing Standards - Ambulances.

32  
33 (a) The Commissioner shall prescribe standards for ambulance licensing that  
34 will achieve safe and expeditious transportation of patients in a fashion consistent  
35 with the safety of the general public.

36  
37 (b) Before granting a license for an ambulance, the Commissioner shall  
38 require each applicant to supply:

39  
40 1. The name and address of the applicant and of the owner of the  
41 ambulance;

42  
43 2. The training and experience of the applicant in the transportation  
44 and care of patients;

45  
46 3. A description of the ambulance to be licensed, including the make,  
47 model number, year of manufacture, vehicle identification number, license  
48 number, the length of time the ambulance has been in use, the color scheme,  
49 insignia, name, monogram or other distinguishing characteristics to be used  
50 to designate the applicant's ambulance;

51  
52 4. The address of the place or places from which the ambulance will  
53 operate;

54  
55 5. Such other information as the Commissioner shall deem reasonably  
56 necessary to determine compliance with this regulation.

57  
58 (c) No license for an ambulance shall be issued unless the  
59 Commissioner finds that such ambulance is and will be, at all times when  
60

-3 of 8-

1 in use as such:

2  
3 1. Equipped with equipment conforming with standards  
4 set out by the Commissioner pursuant to Section 4;

5  
6 2. In compliance with all applicable laws and ordinances  
7 relating to health, sanitation and safety;

8  
9 3. Covered by insurance of a kind and in amounts conforming  
10 with standards set forth by the Commissioner pursuant to Section 5;  
11 provided, however, that this subsection 3(c)(3) shall not apply to  
12 ambulances owned and operated by an agency of the District of  
13 Columbia Government.

14  
15 (d) An applicant complying with the requirements established by this  
16 regulation and the Commissioner shall be issued a license and two decals  
17 which must be affixed in prominent places on the front and rear of the  
18 ambulance so licensed, denoting that it has been licensed by the  
19 Commissioner and the date on which the license expires.

20  
21 (e) No ambulance license may be sold, transferred, or assigned  
22 without the approval of the Commissioner. Such approval may be granted  
23 only upon a demonstration that the ambulance and its operation will conform  
24 with all licensing requirements as though it were the subject of an  
25 application for original license.

26  
27 (f) No license for an ambulance shall be issued unless the ambulance  
28 has been physically inspected by the Commissioner to determine its  
29 compliance with the licensing requirements.

30  
31 (g) Each licensed ambulance, its equipment and the premises designated  
32 in the application, shall be available for inspection by the Commissioner  
33 during the usual hours of operation. The Commissioner shall subject each  
34 ambulance licensed hereunder to at least two unscheduled inspections per  
35 year to determine compliance with the licensing standards.

36  
37 (h) No license issued pursuant to this regulation shall be valid for a  
38 period greater than one year.

39  
40 (i) Renewal of any ambulance license shall be granted upon application  
41 demonstrating compliance with all licensing requirements, as though the  
42 ambulance were the subject of an application for original license.

43  
44 (j) A fee of \$2.00 shall be charged for issuance of a license certifying  
45 an ambulance to be in compliance with the provisions of this Section.

46  
47 Section 4. Ambulance Equipment.

48  
49 (a) The Commissioner shall promulgate regulations specifying  
50 standards for the kind, quantity and quality of equipment required on each  
51 ambulance licensed hereunder. Such regulations shall be promulgated with  
52 the assistance of the District of Columbia Advisory Committee on Emergency  
53 Medical Services, and shall take into consideration the current list of  
54 minimal equipment for ambulances adopted by the American College of  
55 Surgeons or its duly authorized Committee on Trauma.

56  
57 (b) Such regulations shall require each ambulance to maintain, at a  
58 minimum, the following kinds of equipment or their functional equivalents:  
59  
60

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1                   1. Two-way radio mobile equipment capable of providing a  
2 reliable system operating range of at least a 20-mile radius from  
3 the base station antenna.

4                   2. Rescue equipment.

5                   3. Resuscitation equipment, including portable oxygen  
6 equipment, suction equipment and ventilation equipment.

7                   4. First aid and emergency supplies.

8                   5. Cardiac treatment equipment.

9                   6. Equipment for the treatment of fractures.

10                  7. Equipment for the treatment of wounds.

11                  8. Litters and stretchers.

12                  9. Emergency obstetrical equipment.

13                  Section 5. Liability Insurance.

14                  (a) The Commissioner shall promulgate regulations specifying  
15 insurance to be required on all ambulances licensed hereunder, except  
16 that the provisions of this Section shall not be applicable to ambulances  
17 owned and operated by agencies of the Government of the District of  
18 Columbia. No ambulance license shall be issued under this regulation  
19 unless there is at all times in force and effect insurance coverage for such  
20 ambulance issued by an insurance company or companies licensed to do  
21 business in the District of Columbia providing for the payment of damages:

22                   (i) For bodily injury to or death of individuals in accidents  
23 resulting from any cause for which the owner of said vehicle would  
24 be liable, regardless of whether the ambulance was being driven by  
25 the owner or his agent, and

26                   (ii) For the loss of or damage to the property of another,  
27 including personal property, under like circumstances.

28                  (b) Such regulations shall, at a minimum, require that the insurance  
29 coverage specified in Section 5(a)(i) shall provide for the payment of  
30 maximum damages in an amount of not less than \$100,000 per individual  
31 for bodily injuries or death, and that the insurance coverage specified in  
32 Section 5(a)(ii) shall provide for the payment of maximum damages in an  
33 amount of not less than \$100,000 per incident.

34                  (c) The Commissioner shall require the submission of applicable  
35 insurance policies prior to the issuance of each ambulance license.

36                  (d) The Commissioner shall require every insurance policy to contain  
37 a provision that the liability thereunder continues to the full amount thereof,  
38 notwithstanding any recovery thereon; that the liability of the insurer shall  
39 not be affected by the insolvency or the bankruptcy of the assured; and  
40 that the insurance company will not be relieved from liability on account of  
41 non-payment of premium unless and until the policy has been revoked. Such  
42 insurance coverage shall provide for the payment of any judgments, up to  
43 the limits of said policy, recovered against any person other than the owner,  
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1 his agent or employee, who may operate the ambulance with the consent  
2 or acquiescence of the owner.

3  
4 (e) The Commissioner shall require that every insurance policy shall  
5 extend for the period to be covered by the license applied for and that the  
6 insurer be obliged to give not less than 15 days written notice to the  
7 Commissioner and to the assured before any cancellation or termination  
8 thereof earlier than its expiration date. The cancellation or other termination  
9 of any such policy shall automatically revoke and terminate the licenses  
10 issued for the ambulances covered by such policy, unless another insurance  
11 policy complying with the provisions of this Section shall be provided and  
12 be in effect at the time of such cancellation or termination.

13  
14 Section 6. Ambulance Personnel.

15  
16 (a) The Commissioner shall, with the assistance of the District of  
17 Columbia Advisory Committee on Emergency Medical Services, establish  
18 licensing requirements for Emergency Medical Technicians designed to  
19 ensure that they possess the requisite character qualifications, skills,  
20 health and maturity to provide care for the persons they serve.

21  
22 (b) The Commissioner shall require each applicant for a license as  
23 an Emergency Medical Technician to provide evidence, in a form acceptable  
24 to the Commissioner, that the applicant is free from addiction to narcotics  
25 or alcoholic beverages and from physical or mental defects or diseases that  
26 would impair the applicant's ability to provide emergency care for persons  
27 transported by an ambulance.

28  
29 (c) The Commissioner shall require licensed Emergency Medical  
30 Technicians to obtain physical examinations at least annually and to report  
31 the results of such examinations in a form satisfactory to the Commissioner.

32  
33 (d) No person shall be licensed to serve as an Emergency Medical  
34 Technician who has not attained his eighteenth birthday.

35  
36 (e) The Commissioner shall require each applicant for a license as an  
37 Emergency Medical Technician to pass a written and practical examination  
38 demonstrating satisfactory completion of a course of study no less stringent  
39 than the "Basic Training Program for Emergency Medical Technicians-  
40 Ambulance," published by the National Highway Traffic Safety Administration  
41 of the United States Department of Transportation. Licensed Emergency  
42 Medical Technicians shall be required to complete a "refresher" training course  
43 no less than every eighteen months. Completion of such periodic course  
44 developed by the Commissioner as required by Section 7(a) herein shall  
45 satisfy this requirement.

46  
47 (f) No Emergency Medical Technician's license shall be granted for  
48 more than 3 years. Applicants for renewal shall demonstrate compliance  
49 with the licensing requirements specified herein and by the Commissioner,  
50 as though they were applicants for an original license.

51  
52 (g) No Emergency Medical Technician license may be assigned or  
53 transferred.

54  
55 (h) A fee of \$2.00 shall be charged for issuance of a license certifying  
56 a person to be properly qualified under the provisions of this Section.

57  
58 Section 7. Emergency Medical Technician Course.

59  
60 (a) The Commissioner shall develop and offer to the public a course

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1 of study and training designed to prepare interested persons to pass the  
2 written and practical examination specified in Section 6(e) as well as  
3 periodic courses designed to assist licensed Emergency Medical Technicians  
4 to improve their skills.

5  
6 Section 8. Temporary Permits.

7  
8 (a) The Commissioner is authorized to grant temporary permits of up  
9 to one year to applicants for Emergency Medical Technician license who  
10 do not meet the skill requirements specified in this regulation or in the  
11 Commissioner's regulations, if the Commissioner finds that the public  
12 interest would be served by such a grant.

13  
14 (b) No temporary permit issued pursuant to this Section may be  
15 renewed.

16  
17 (c) A fee of \$2.00 shall be charged for issuance of a temporary  
18 permit.

19  
20 Section 9. Revocation of Licenses.

21  
22 (a) The Commissioner, after giving notice to the licensee or  
23 applicant for a license and an opportunity for a hearing, may suspend or  
24 revoke any license issued hereunder, or may deny issuance of a license  
25 for failure to comply with or for a violation of these regulations. Any  
26 person desiring a hearing must make such request in writing within (5)  
27 five days after issuance of the notice. In each case the Commissioner  
28 shall maintain an official record, shall serve upon the licensee or the  
29 applicant a proposed decision including findings of fact and conclusions  
30 of law and shall render the final decision in writing accompanied by  
31 findings of fact and conclusions of law. Each case shall be determined  
32 in accordance with the provisions of the District of Columbia Administrative  
33 Procedures Act as set forth in Sections 1-1509 and 1-1510 of the District of  
34 Columbia Code.

35  
36 (b) The Commissioner may take emergency action pursuant to  
37 Section 1-1505(c) of the District of Columbia Administrative Procedures Act  
38 with regard to any suspension, revocation or denial provided for in  
39 Section 9(a) of this regulation.

40  
41 (c) Upon suspension, revocation or termination of an ambulance  
42 license hereunder, the licensee shall surrender the decals issued by the  
43 Commissioner. Such ambulance shall cease operations as such and no  
44 person shall permit such ambulance to continue operations as such. Upon  
45 suspension, revocation or termination of the license of an Emergency  
46 Medical Technician, such person shall cease to perform the duties of an  
47 Emergency Medical Technician and no person shall employ or permit such  
48 individual to act in that capacity.

49  
50 Section 10. Special Studies.

51  
52 (a) The Commissioner shall, on or before the effective date of this  
53 regulation, institute a study of the adequacy of the existing emergency  
54 medical facilities in the District of Columbia, including ambulance facilities,  
55 emergency hospital and clinic facilities and the like. Such study shall  
56 specifically include, but need not be limited to, such questions as the equal  
57 availability of such facilities to all residents of the District of Columbia,  
58 regardless of their ability to pay, and the adequacy of the existing  
59 allocation of such facilities throughout the city. The Commissioner shall  
60 report the findings of this study, together with recommendations for

1 improvement, to the Council within one year of the effective date hereof.

2  
3 (b) The Commissioner shall, in conjunction with the District of Columbia  
4 Advisory Council on Emergency Medical Service, study the feasibility of  
5 establishing standards for equipment uniformity among all ambulances licensed  
6 in the District of Columbia, and for the design, construction and maintenance  
7 of ambulances and vehicles operated solely for the transportation of  
8 non-ambulatory or handicapped patients to and from hospitals and other  
9 treatment facilities, licensed in the District of Columbia. Such study shall be  
10 submitted to the Council within one year of the effective date of this regulation  
11 for review and adoption of regulations regarding standards for design, equipment,  
12 and personnel of vehicles operated solely for the transportation of non-ambulatory  
13 or handicapped patients to and from hospitals and other treatment facilities.

14 Section 11. Exemptions.

15  
16 (a) The following are exempted from the provisions of this Act:

17  
18 1. The unexpected use of a privately owned vehicle, not ordinarily  
19 used in the business of transporting persons who are sick, injured,  
20 wounded or otherwise incapacitated or helpless in the performance of a  
21 lifesaving act;

22  
23 2. A vehicle rendering services as an ambulance in the case of a  
24 major catastrophe, disaster, or in an emergency when licensed ambulances  
25 are or may be insufficient to render the services required, and the  
26 Commissioner has requested that the vehicle be so used;

27  
28 3. A vehicle, such as a Red Cross vehicle, stationed and available  
29 at a public event where an emergency is not anticipated by the organizer  
30 of the event or by District of Columbia officials, which vehicle may be  
31 used to transport persons away from the event, provided an emergency,  
32 as defined in Section 1 (e) hereof, does not exist.

33  
34 4. Ambulances based outside the District of Columbia which do not  
35 constitute public vehicles for hire; provided that the Commissioner shall  
36 establish regulations to ensure that ambulances and ambulance personnel  
37 based outside of the District of Columbia, but receiving patients within  
38 the District of Columbia for transport to a location within the District of  
39 Columbia, shall meet the substantive standards of Sections 4, 5, and 6  
40 of this regulation;

41  
42 5. Ambulances owned and operated by the United States Government;

43  
44 6. Vehicles operated solely for the transportation of non-ambulatory  
45 and handicapped patients to and from treatment facilities as out-patients;  
46 provided, however, that this exemption shall not apply to any vehicle  
47 which is in any way held out as an ambulance. For the purposes of this  
48 Section, the following acts shall be deemed to be conclusive proof that a  
49 vehicle is held out as an ambulance;

50  
51 (a) The use of the word "ambulance" on the vehicle, or in  
52 any advertising for the vehicle or the company that operates it,  
53 or in the company name.

54  
55 (b) The marking of a vehicle, as with dome lights, sirens  
56 or the like, in a fashion reasonably likely to create the  
57 impression that the vehicle is available for emergency  
58 transportation.  
59  
60

1 (c) The advertising of the vehicle or the company which  
 2 owns it in the "Ambulance" section of the "Yellow Pages," or  
 3 in any place where ambulance or emergency services are  
 4 advertised.

5 (d) Any advertising of the vehicle or the company which  
 6 is designed to inform the public of the availability of the  
 7 transportation service for non-ambulatory or handicapped  
 8 patients which does not state in clear, express terms that the  
 9 vehicle is not equipped to supply emergency service as an  
 10 ambulance.

11 (e) Such other acts as the Commissioner shall designate;  
 12 provided further, that this exemption shall expire two years  
 13 from the effective date of this regulation, unless, by that date,  
 14 the Council has promulgated regulations establishing minimum  
 15 standards for the equipment and personnel employed in such  
 16 transportation that ensure the safety and adequacy of the  
 17 equipment and the training and ability of the personnel to  
 18 handle unexpected health emergencies arising from such  
 19 transportation.  
 20

21  
 22 Section 12. Penalties.  
 23

24 (a) Any individual or any member, officer, director, agent, or employee of  
 25 any firm, voluntary association, joint-stock company, incorporated society, or  
 26 corporation who shall violate or participate in the violation of any of the  
 27 provisions of this regulation shall be punished by a fine of not more than \$300  
 28 or by imprisonment for not more than 90 days, or both.  
 29

30  
 31 Section 13. Other Laws.  
 32

33 Nothing contained herein shall be construed as repealing or affecting any  
 34 other law or regulation of the District of Columbia.  
 35

36 Section 14. Separability.  
 37

38 If any section, provision, or requirement of this regulation is held invalid  
 39 for any reason, such holding shall not affect the validity or operation of any  
 40 other section, provision, or requirement of this regulation.  
 41

42 Section 15. Effective Date.  
 43

44 This regulation shall take effect 180 days after its enactment.  
 45  
 46  
 47  
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Regulation No. 72-30



December 29, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

**TITLE** REGULATION TO AMEND REGULATION 72-3 ESTABLISHING ADMINISTRATIVE RULES FOR OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS  
Councilman Tedson J. Meyers Presents the following regulation:

1 WHEREAS, the Board of Psychologist Examiners has been established  
2 pursuant to Public Law 91-657; and  
3

4 WHEREAS, Regulation 72-3 established standard rules to be followed by  
5 all licensing boards in issuing, denying, suspending and revoking licenses.  
6

7 NOW, THEREFORE BE IT ENACTED by the District of Columbia Council  
8 that:  
9

10 Section 1. Section 1.1(b) of regulation 72-3 is hereby amended by  
11 inserting the word "twenty-one" in place of "twenty" in line 9 and by  
12 inserting the words "Board of Psychologist Examiners" after the word  
13 "Engineers" and before the word "Real" on line 15.  
14

15 Section 2. This regulation shall take effect immediately.  
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RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON	X					MOORE	X					VEAZEY	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 5, 1972

Adopted on second and final reading December 19, 1972

Presented to the Mayor-Commissioner December 20, 1972

*Edward B. Kelly*  
Secretary of the City Council

Approved *Tedson J. Meyers*  
Mayor-Commissioner

DEC 29 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_

Mayor-Commissioner

Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward B. Kelly*  
Secretary of the City Council

Regulation No. 72-31



December 21, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE

REGULATION TO AMEND THE ALCOHOLIC BEVERAGE CONTROL REGULATIONS TO PROVIDE NEW HOURS FOR THE SERVING OF ALCOHOLIC BEVERAGES AND FOR THE SALE OF BEER AND LIGHT WINES IN THE DISTRICT

Councilman Tedson J. Meyers Presents the following regulation:

1 WHEREAS, the Council seeks to permit District class B retail establishments  
2 to better serve District residents and become more competitive with surrounding  
3 jurisdictions; and

4  
5 WHEREAS, Section 403 of the District of Columbia Revenue Act of 1968  
6 (Public Law 90-450), amends the first sentence of the second paragraph of Section 7  
7 of the District Alcoholic Beverage Control Act (D. C. Code, Section 25-107) so as to  
8 vest in the District of Columbia Council authority to prescribe the hours during which  
9 alcoholic beverages may be sold, and to prohibit the sale of any and all alcoholic  
10 beverages on such days as the Council determines necessary in the public interest.

11  
12 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

13  
14 Section 1. TITLE 3, Subsection (b) of Section 3.4 of the Alcoholic Beverage  
15 Control Regulations is amended to read as follows:

16  
17 "(b) No licensee holding a retailer's class C, class D or class F,  
18 or a license issued under Section 11 (1) of the Act, shall sell or  
19 serve any beverages between the hours of 2:00 a.m. and 8:00 a.m.  
20 on each Monday through Friday and between the hours of 3:00 a.m.  
21 and 8:00 a.m. on each Saturday and between the hours of 3:00 a.m.  
22 and 10:00 a.m. on each Sunday, except that on each January 1st  
23 service shall be lawful until 4:00 a.m."  
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON	X					MOORE		X				VEAZEY	X				

X—Indicates Vote    A. B.—Absent    N. V.—Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on \_\_\_\_\_

Adopted on second and final reading December 19, 1972

Presented to the Mayor-Commissioner December 20, 1972

*Edward S. Webb, Jr.*  
Secretary of the City Council

Approved *Tedson J. Meyers*  
Mayor-Commissioner

DEC 21 1972

Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_

Date

Disapproved and returned to the City Council \_\_\_\_\_

Mayor-Commissioner

Date

Readopted \_\_\_\_\_

Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward S. Webb, Jr.*  
Secretary of the City Council

REGULATION 72-31

2 of 2

1            Section 2. TITLE 3, Subsection (c) of Section 3.4 of the Alcoholic Beverage  
2 Control Regulations of the District of Columbia is amended to read as follows:

3  
4            "(c) No licensee holding a retailer's license class A shall sell  
5 any beverage on Sunday. A licensee holding a retailer's license  
6 class B may sell beer and light wines daily between the hours  
7 of 8:00 a.m. and 12:00 midnight."

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9            Section 3. This regulation shall take effect upon enactment.

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Regulation No. 72-32



December 29, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

TITLE REGULATION TO REQUIRE LICENSING OF PRIVATE DINING FACILITIES

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to make all  
2 reasonable and usual regulations for the protection of the health of the citizens  
3 of the District of Columbia; and  
4

5 WHEREAS, the District of Columbia Council is authorized, pursuant to  
6 paragraph (391) of section 402 of Reorganization Plan No. 3 of 1967, to require  
7 a license of businesses or callings which, in its judgment, require inspection,  
8 supervision, or regulation.  
9

10 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council  
11 that:

12 Section 1. Purpose and Scope.

13 (a) Purpose. The purpose of this regulation is to license food establishments,  
14 and thus promote the health of the people of the District of Columbia.  
15

16 (b) Scope. This regulation shall apply to all food establishments within  
17 the District that are not otherwise required to obtain a license by the Government  
18 of the District of Columbia for the preparation, sale, and service of food for  
19 consumption on the premises.  
20  
21

22 Section 2. Definitions.

23 Commissioner: The Commissioner of the District of Columbia, or his  
24 designated agent.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON	X					MOORE	X					VEAZEY	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 21, 1972

Adopted on second and final reading December 19, 1972

Presented to the Mayor-Commissioner December 20, 1972

*Edward B. Galt*  
Secretary of the City Council

Approved *Thatcher*  
Mayor-Commissioner

DEC 29 1972  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: \_\_\_\_\_  
Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

*Edward B. Galt*  
Secretary of the City Council

2 of 4

Food Establishment: Any facility where food is prepared, sold, and served to members, clients, employees, students, residents or other similar non-transient persons to be consumed on the premises. Such facilities shall include private clubs, employer-sponsored cafeterias or restaurants, schools, churches, residential treatment facilities and such similar facilities. This section shall not apply to the United States Senate and House of Representatives restaurants.

Pot-luck Dinner: A meal where participants contribute food and services.

### Section 3. Licensing.

(a) License Required. No person shall operate a food establishment in the District without first having obtained a food establishment license.

(b) Exceptions. Subsection (a) shall not apply to any person operating a food establishment in the following places:

(1) Private homes;

(2) Clubs, churches, schools, or similar non-public facilities which serve occasional meals not more than twenty-four (24) times during a twelve-month period; and

(3) Clubs, churches, schools, or similar non-public facilities which solely provide pot-luck dinners for charity.

(c) Application for License. Applications for licenses shall be made to the Commissioner on a form provided by him.

(d) Contents of License. Every license shall specify:

(1) The person to whom the license shall be issued;

(2) The address and telephone of the location at which the food establishment is to be carried on; and

(3) Any additional information which the Commissioner shall find reasonably necessary in order to make a fair determination as to whether or not a license shall be issued.

(e) Transfer of License Prohibited. No license granted under the terms of this regulation may be assigned or transferred.

(f) Fees.

(1) Licensing fees for food establishments shall be determined by the Commissioner.

(2) The fee for a food establishment license shall be submitted with the application to the Commissioner.

(3) Licenses shall date from the first day of November in each year and expire on the thirty-first day of the following October, but fees for licenses issued after the first day of November may be prorated.

(f) Notification to Commissioner. During the license period, the licensee shall notify the Commissioner of any change in the information shown on his application within ten (10) days of such change.

### Section 4. Compliance with Laws and Regulations Required.

1 (a) No food establishment license shall be granted to any person unless  
2 such person has complied with all applicable laws and regulations made and  
3 promulgated for the public health and safety, including the following portions  
4 of the Health Regulations of the District of Columbia: Title 8, Chapter 6,  
5 Part 1, Part 2, Part 3, Part 6, Part 7, and Chapter F-3.

6  
7 (b) Any person receiving a food establishment license pursuant to this  
8 regulation shall comply with all laws and regulations made and promulgated  
9 for the public health and safety, including the regulations enumerated in  
10 subsection (a).

11 Section 5. Display of License.

12  
13 All licenses granted under this regulation shall be posted conspicuously  
14 on the premises of the licensee, and such license shall be accessible at all  
15 reasonable times for inspection by the police or other inspectors designated to  
16 make such inspections.  
17

18 Section 6. Inspection.

19  
20 The Commissioner is authorized to make such inspections of food  
21 establishments as may be necessary to determine that the intent and purpose  
22 of this regulation are being met.  
23

24 Section 7. Revocation of License.

25  
26 (a) Refusal to Allow Inspection. Refusal to allow the inspection required  
27 by this regulation shall be grounds for revocation or denial of a food establishment  
28 license.  
29

30  
31 (b) Violation of Regulation. Violation of, or failure to comply with, this  
32 regulation shall be grounds for suspension or revocation of a food establishment  
33 license.  
34

35 Section 8. Hearings.

36  
37 (a) Right to Hearing. Any person aggrieved by an adverse action of the  
38 Commissioner may have review thereof by the Commissioner in accordance with  
39 the District of Columbia Administrative Procedure Act.  
40

41 (b) Request for Hearing. A request for a hearing to review adverse action  
42 proposed by the Commissioner shall be made in writing within 15 days following  
43 notification to the aggrieved person of the contemplated action and of his right  
44 to a hearing with respect to such action.  
45

46 (c) Failure to Request Hearing or Appear at Hearing. Upon failure by an  
47 aggrieved person to request a timely hearing, or failure of such party to appear at a  
48 scheduled hearing for which no continuance has been or is granted, the Commissioner  
49 may, without a hearing, take the action contemplated in the notice.  
50

51 Section 9. Penalty.

52  
53 Any person who fails to comply with this regulation shall be punished by a  
54 fine not to exceed \$300 or imprisonment not to exceed ninety (90) days. In the  
55 event of any violation of, or failure to comply with, this regulation, each and every  
56 day of such violation shall constitute a separate offense, and the penalties assessed  
57 herein shall be applicable to each such separate offense.  
58

59 Section 10. Independence of Sections.

Each section and every part of each section of this regulation is hereby declared independent of every other section or part thereof, and the finding or holding of any section or part thereof to be void or ineffective for cause shall not be deemed to affect any other section or part thereof.

Section 11. Effective Date.

This regulation shall become effective ninety (90) days after enactment.

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Regulation No. 72-33



December 29, 1972  
Enactment Date

# Regulation

of the

## District of Columbia

SPECIAL REGULATIONS FOR THE PRESERVATION OF PUBLIC ORDER AND THE PROTECTION OF LIFE AND PROPERTY IN CONNECTION WITH THE 1973 PRESIDENTIAL INAUGURAL CEREMONIES

TITLE

Councilman Tedson J. Meyers Presents the following regulation:

1 WHEREAS, pursuant to Section 2 of the Presidential Inaugural Ceremonies  
2 Act approved August 6, 1956 (70 Stat. 1049; D. C. Code, sec. 1-1202) and Section  
3 402 (33) of Reorganization Plan No. 3 of 1967, the District of Columbia Council is  
4 authorized and directed to make all reasonable regulations necessary for each  
5 Inaugural period, as defined in such Act, to secure the preservation of public order  
6 and protection of life, health, and property; to make special regulations respecting  
7 the standing, movement, and operation of vehicles of whatever character or kind;  
8 and to grant, under such conditions as the Council may impose, special licenses to  
9 peddlers and vendors for the privilege of selling goods, wares, and merchandise in  
10 such places in the District of Columbia, and to charge such fees for such privilege,  
11 as the Council may deem proper; and

12  
13 WHEREAS, President Richard M. Nixon and Vice President Spiro T. Agnew  
14 will be inaugurated as President and Vice President of the United States, respectively,  
15 on January 20, 1973;

16  
17 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

18  
19 Section 1. The attached special regulations, with the exception of Sections 12  
20 and 13 thereof, for the preservation of public order and the protection of life and  
21 property in connection with the 1973 Presidential Inaugural Ceremonies and consisting  
22 of 45 pages are hereby adopted.

23  
24 Section 2. These regulations shall be effective from January 15 to 24, 1973,  
both dates inclusive.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
NEVIUS	X					FOSTER	X					PARKER	X				
TUCKER	X					MEYERS	X					ROBINSON	X				
ANDERSON	X					MOORE	X					VEAZEY	X				

X—Indicates Vote    A. B.—Absent    N. V. Not Voting    R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 5, 1972

Adopted on second and final reading December 19, 1972

Presented to the Mayor-Commissioner December 20, 1972

Approved [Signature]  
Mayor-Commissioner

[Signature]  
Secretary of the City Council

**DEC 29 1972**  
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council \_\_\_\_\_  
Mayor-Commissioner

Date

Readopted \_\_\_\_\_  
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

[Signature]  
Secretary of the City Council

SPECIAL REGULATIONS  
INAUGURAL PERIOD 1973

WHEREAS, the District of Columbia Council is authorized, pursuant to section 2(a) of the Presidential Inaugural Ceremonies Act (70 Stat. 1049) as amended (D. C. Code, sec. 1-1202(a)), to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property, and for other purposes for each inaugural period.

NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that the following special regulations for use in connection with the 1973 Presidential inaugural ceremonies are hereby adopted:

GENERAL

Section 1. These regulations shall be in full force and effect from January 15, 1973 to January 24, 1973, both dates inclusive: Provided, That the Commissioner of the District of Columbia may, in his discretion, suspend the enforcement of any such regulation or part thereof during the effective period whenever in his judgment such action may be in the interest of the public.

Section 2. As used in these regulations, the terms "Inaugural Committee," and "inaugural period" shall have the meanings respectively ascribed to them by the first section of the Presidential Inaugural Ceremonies Act approved August 6, 1956 (70 Stat. 1049, title 1, chap. 12, D.C. Code), the term "Commissioner" shall have the meaning ascribed to it by section 301 of Reorganization Plan No. 3 of 1967, and, in addition, unless the context clearly indicates otherwise, the following terms shall have the meanings respectively ascribed to them by this section:

1. "Chief of Police" means the Chief of Police of the Metropolitan Police Department of the District of Columbia, or his designated agent.

2. "Concessions Committee" means the Concessions Committee of the Inaugural Committee, or its designated agent.

3. "D.C." means the District of Columbia.

4. "Director of Economic Development" means the Director of the Department of Economic Development of the District of Columbia, or his designated agent.

5. "Director of Environmental Services" means the Director of the Department of Environmental Services of the District of Columbia, or his designated agent.

6. "Director of Finance and Revenue" means the Director of the Department of Finance and Revenue of the District of Columbia, or his designated agent.

7. "Director of Highways and Traffic" means the Director of the Department of Highways and Traffic of the District of Columbia, or his designated agent.

8. "Fire Chief" means the Fire Chief of the Fire Department of the District of Columbia, or his designated agent.

Section 3. No person not a member of a duly organized committee regularly appointed for service in connection with the inaugural ceremonies shall wear the badge or insignia of any such committee or falsely represent himself to be a member of any such committee. No person shall use, display, or duplicate any press, photographer's, radio, television, vehicle, or any other pass issued by the Chief of Police or under authority of these regulations, unless specifically authorized by the Chief of Police in writing so to do.

Section 4. The Chief of Police is hereby authorized to close, temporarily, the streets and avenues included in the route of any parade, and the streets used for ceremony or unusual gathering of people in connection with any official inaugural activity, and such intersecting streets, avenues, alleyways, and abutting reservations as may be designated by said Chief of Police, such closing of streets to be at and for such period of time as the said Chief of Police may deem necessary in the interest of the public; and said Chief of Police is hereby further authorized to suspend the movement of all ordinary traffic, including, with the approval of the Washington Metropolitan Area Transit Commission, the operation of buses, on any street, avenue, or highway in the District of Columbia, or to divert such traffic in such manner and in such direction as he may deem advisable in the interest of the public.

Section 5. No person shall without proper authority pass through, over, or under, or break down, cut, remove, injure, or destroy any rope or other barricade erected or placed by lawful authority; nor shall any person remove, injure, or in any manner tamper with any light placed upon any such rope or barricade.

Section 6. No person shall intrude with any vehicle, stand, box, or obstruction of any kind into any area designated and properly marked by lawful authority contiguous to the route of any parade or ceremony or unusual gathering of people, except as authorized by the Chief of Police.

Section 7. No person shall give, sell, or offer for sale any program or guidebook containing information relating to the ceremony of the Inauguration of the President or other functions occurring during the inaugural period and connected with the Inauguration, nor shall any person give, sell, or offer for sale any souvenir medal, unless such program, guidebook, or medal has been officially approved by and bears an indication of the approval of the Inaugural Committee: Provided, that nothing contained in this section shall be applicable to the Joint Congressional Committee on Inaugural Ceremonies or its functions or to information contained in newspapers of general circulation or to teachers in private and public schools and colleges within the District of Columbia.

Section 8. No person shall falsely represent, either directly or indirectly, that any program, medal, guidebook, or picture is the official souvenir

program, medal, guidebook, or picture approved as such by the Inaugural Committee.

Section 9. (a) No person shall occupy, sit or stand on, or otherwise use any table, box, ladder, crate or similar object in any area along the inaugural parade route except a chair may be used for sitting purposes along the parade route provided that the use of such chair (including folding and wheel chair) does not obstruct the view of persons seated in the reviewing stands. No person shall cause any such chair brought to the area along the inaugural route to remain in such area after the conclusion of the parade.

(b) No box, barrel, table, ladder, chair or other obstruction shall be offered for sale or for rental or for hire or for distribution along the street, roadway, or sidewalk, or on any statue, parking or public reservation on or adjacent to any part of the inaugural parade route or on any private property on or adjacent to any part of the inaugural parade route, with the exception of the Inaugural Committee.

Section 10. The posting of handbills, circulars, cards, posters, or advertising matter of any kind on any reviewing stand or on any tree, lamp post, electric-light pole, trash receptacle, stanchion, or barricade in or on any street, avenue, alley, or reservation is hereby prohibited, unless

specifically authorized in writing by the Commissioner:  
Provided, That nothing contained in this section shall be applicable to any part of the United States Capitol Grounds.

Section 11. The Director of Economic Development is authorized to issue temporary permits for the use of public space and the use and occupancy of other spaces by spectators as hereinafter provided. No owner or lessee of any building on the line of any parade, or on any intersecting street, avenue, alley, or reservation abutting the line of said parade, shall permit the use or occupation by spectators of any floor, roof, porch, or balcony above the ground floor without first having secured a permit therefor from the Director of Economic Development: Provided, That the foregoing requirement shall not be applicable to any building owned by the United States or by the Government of the District of Columbia. Each such permit shall be subject to the approval of the Chief of Police.

~~Section 12. No person shall, on any street, avenue, alley, or reservation, engage in the sale, distribution, or use of confetti or kindred substance or device designed to annoy any person.~~

~~Section 13. No person shall sell, offer for sale, or distribute any article in such manner as to cause inconvenience, annoyance, or discomfort to nearby persons; nor shall any person by loud or unnecessary outcry advertise any article for sale or distribution.~~

Section 14. No person shall give, sell, or offer for sale, nor shall any person carry or display, any imitation pistol, toy revolver, long gun, or other imitation weapon.

Section 15. No person shall in any manner convey, transport, drive, or in any manner carry or exhibit upon any street, avenue, alley, or reservation within the Inaugural Area any sign, advertising device, or other object which in any way obstructs the free passage of pedestrian or vehicular traffic. No sign shall be mounted on any rigid material other than wood, and such mounting handle or device shall not exceed 3/4" x 3/4" x 3'.

Section 16. No person shall, without proper permit, erect any support or stretch any conductor to illuminate any street, avenue, or alley, or otherwise than in accordance with the terms and conditions of such permit as may be issued.

Section 17. No person shall hang or suspend advertising signs on the front of any building, unless duly authorized so to do under existing sign and building regulations.

Section 18. The proprietors or lessees of any premises or building used for temporary housing or quarters shall maintain the same in a sanitary condition and shall permit inspections by authorized members of the Metropolitan Police Department, the D. C. Fire Department, and the Housing Division, Department of Economic Development.

Section 19. No stove, torch, or open flame device for cooking, illuminating, or heating shall be used upon any street, alley, sidewalk, or reservation in the Inaugural Area, except in accordance with the provisions of section 23 of these regulations.

#### INAUGURAL AREA

Section 20. For the purpose of these regulations, the area delimited below shall be known as the "Inaugural Area":

Beginning at the southeast corner of 7th Street

and South Carolina Avenue, S.E., north along the east curb of 7th Street, S.E., and N.E., to the northeast curb of Massachusetts Avenue, N.E., northwest along the northeast curb of Massachusetts Avenue, N.E., to the east curb of 2nd Street, N.E. north along the east curb of 2nd Street, N.E., to the north curb of F Street, N.E., west along the north curb of F Street, N.E., to the east side of Union Station, south along the east side of Union Station to the north side of Union Station Plaza, west along the north side of Union Station Plaza to the northeast curb of Massachusetts Avenue, N.E., northwest along the northeast curb of Massachusetts Avenue, N.E., to the west curb of North Capitol Street, south along the west curb of North Capitol Street to the north curb of E Street, N.W., west along the north curb of E Street, N.W., to the east curb of 5th Street, N.W., north along the east curb of 5th Street, N.W., to the north curb of H Street, N.W., west along the north curb of H Street, N.W. to the east curb of 10th Street, N.W., north along the east curb of 10th Street, N.W., to the northwest curb of Massachusetts Avenue, N.W., northwest along the northeast curb of Massachusetts Avenue, N.W.,

to the north curb of M Street, N.W., west along the north curb of M Street, N.W., to the west curb of 23rd Street, N.W., south along the west curb of 23rd Street, N.W. to the north curb of K Street, N.W.; west along the north curb of K Street to the west boundary of Rock Creek Parkway; South along the west boundary of Rock Creek Parkway to the Potomac River, then south along the east bank of the Potomac River to a point due west of the south intersection of Independence Avenue, S.W. and Ohio Drive, S.W.; east along the south curb of Independence Avenue, S.W. east along the south curb of Independence Avenue, S.W., to the southwest curb of Canal Street, S.W., southeast along the southwest curb of Canal Street, S.W., to the south curb of E Street, S.E., east along the south curb of E Street, S.E., to the southwest curb of New Jersey Avenue, S.E., southeast along the southwest curb of New Jersey Avenue, S.E., to the south curb of F Street, S.E., east along the south curb of F Street, S.E., to the southeast curb of South Carolina Avenue, S.E., northeast along the southeast curb of South Carolina Avenue, S.E., to the point of beginning.

#### MERCHANDISE VENDORS

Section (a)(1) No person shall, in or on any street or avenue (including the roadway, treespace, sidewalk and parking), alley, park, or reservation in

the Inaugural Area, sell, offer for sale, or distribute any goods, wares, or merchandise without first having obtained a special license from the Director of Economic Development to exercise such privilege. The privilege thus granted by special license shall not extend to those lands administered by National Capital Parks, National Park Service, Department of the Interior, unless a vending permit is obtained from the Secretary of the Interior or his designated representative, in accordance with National Capital Parks regulations. Such special license shall be issued only after investigation and approval by the Concessions Committee of both the applicant for license and the goods, wares, or merchandise to be offered for sale under the license applied for, and after investigation and approval of the applicant by the Director of Economic Development. Investigation may include the taking of sets of fingerprints and their referral to the Federal Bureau of Investigation and to such other authorities as may be deemed advisable for comparison and record. After such investigations and upon securing the required approvals by the said Concessions Committee and the Director of Economic Development, payment to the said Concessions Committee of the fee fixed by said Concessions Committee for its

investigation and approval, and presentation to the Director of Economic Development of a certificate of approval signed by the designated representative of the said Concessions Committee, such special license may be issued by the Director of Economic Development upon payment to the D.C. Treasurer of a license fee of \$1 for each such special license, and the posting with the said D.C. Treasurer of a deposit in the form of a certified check or U. S. Postal Money Order, made payable to the D.C. Treasurer, in such amount as may be prescribed by the Director of Finance and Revenue, such deposit later to be applied in whole or in part to the licensee's payment to the District of Columbia of the D.C. Sales and Use Tax applicable to the sales made by him. As a prerequisite to the issuance of such license, the applicant therefor shall first obtain a Certificate of Registration in accordance with the provisions of the Sales and Use Tax Acts, authorizing him to sell tangible personal property at retail and to collect reimbursement of the tax specified by such Acts. The licensee shall make

such Certificate of Registration available for examination by an officer or member of the Metropolitan Police Department, an investigator of the Department of Economic Development, and by the Director of Finance and Revenue, whenever a request therefor is made. Except as provided in (2) below, such special license shall authorize the licensee, during the effective period of these regulations, to ply his trade and to use in connection therewith a display board not to exceed 3 feet by 5 feet in size, exclusive of legs, from or upon any street, avenue, alley, or public reservation in the District of Columbia, including the Inaugural Area. Such license is not applicable to the United States Capitol Grounds.

(2) No person to whom has been issued the special license authorized by this section shall:

- (1) sell any item of merchandise other than such item or items as he may be specifically authorized to sell by the Concessions Committee, as evidenced in writing on any pass issued to him, or in other written authorization furnished him by the Concessions Committee;
- (2) ply his trade between the hours

of 10 p.m. and 7 a.m.; (3) sell or offer to sell food, drinks, or tobacco; (4) sell or offer to sell any confetti or kindred substance, or any substance or device designed to annoy any person; (5) on January 20 sell or offer to sell goods, wares, or merchandise in any of the inaugural stands, or in the roadway along the route of the inaugural parade, between sunrise and sunset or until the parade has passed, whichever is later; (6) remain in any one place upon any of the highways or public spaces for a period longer than necessary to make a sale after having been approached or stopped for that purpose, except when specifically authorized to remain in one location by the Concessions Committee and the Chief of Police; (7) interfere with traffic or cause annoyance to residents or passersby; or (8) ply his trade upon arterial or boulevard highways or upon any of the highways in front of or around any public or private school during such times as the same are in session, or in violation of the traffic regulations, or upon any highway around the following circles and grounds: Dupont, Scott, Thomas, Logan, Sheridan, and Washington Circles, and the grounds of the United States Capitol and the Library of Congress, or on any

street intersecting with said highways for a distance of 100 feet from the outer edge of said highways, or on Pennsylvania Avenue between First and Sixth Streets, N.W.,; and on the south side of Pennsylvania Avenue between East Executive and West Executive Avenues, N.W. or on South Executive Avenue, N.W. or within the area bounded by 14th Street, N.W. and S.W. on the east, Constitution Avenue, N.W. on the north, and the Potomac River on the west and south or on State Place or Alexander Hamilton Place.

(b) Application for the issuance of a special license to exercise the privilege of selling, or offering for sale, or distributing goods, wares, or merchandise in or on any street, avenue, alley, or reservation in the Inaugural Area during the effective period of these regulations, shall be submitted to the Director of Economic Development, Room 101, North Potomac Building, 614 H Street, N.W. Washington, D.C. 20001, on a form provided by the Director for such purpose, and such application shall be accompanied by: (1) three full-face photographs measuring 2 inches by 2 inches taken after the date of the publication of these regulations; and (2) a sample of each article of merchandise to be sold by such

applicant. Each such application shall be subject to the approval of the Concessions Committee, which may investigate both the applicant for such license and the goods, wares, and merchandise to be offered for sale under the license applied for, and may charge the applicant for such investigation such reasonable fee as the said Concessions Committee may fix. Such application shall also be subject to the approval of the Director of Economic Development for the issuance of a license and, where practicable, a pass. The pass shall bear the name of the person to whom it is issued, shall specify thereon the articles to be sold by the licensee, and shall be conspicuously worn by the licensee while vending any of the goods, wares, or merchandise for the sale of which he has been issued a license. No vehicle of any description shall be used in connection with the sale or distribution of any article of merchandise for which a license is issued hereunder, unless the Concessions Committee finds that the sale or distribution of any article of merchandise can be accomplished only from a fixed location, in which case such article or articles of merchandise may be sold from a stand

or vehicle stationed at a fixed location, if the location be approved by the Concessions Committee, the Chief of Police, and the Director of Economic Development. There shall be displayed on such stand or vehicle, whenever it is being used for the sale or distribution of merchandise as aforesaid, the pass or placard issued for such stand or vehicle by the Director of Economic Development: Provided, That such use of a vehicle shall be limited to the period between 6 a.m. and 7 p.m. on the day of the Presidential Inauguration and the inaugural parade, unless further limited by the Concessions Committee.

(c) It shall be a condition precedent to the issuance of any such license under the provisions of this section that such pass or badge may be immediately revoked and taken up by any member of the Metropolitan Police Department or other duly qualified law enforcement personnel, including members of the United States Park Police, upon demand, where the licensee is found violating any provision of law, or these regulations, or of the Police Regulations of the District of Columbia or of the National Capital Park Regulations, or is found to have furnished any false or misleading information in connection with

his application for his special license.

(d) Notwithstanding the foregoing provisions of this section, persons holding a valid license issued under the provisions of paragraph 36 of the License Act (sec. 47-2336, D. C. Code), may, during the effective period of these regulations, operate on the licensed vendor stands and in the manner and subject to the limitations established by Article 2 of the Police Regulations of the District of Columbia, and nothing in this section shall be construed as requiring such persons, providing they observe strictly the limitations set forth in said Article 2, to secure the special license regulating sales of goods, wares, and merchandise in the Inaugural Area during the effective period of these regulations.

(e) The provisions of this section shall not be construed as applying to any authorized person, properly identified by a card issued by the Inaugural Committee, engaged in the sale of said Inaugural Committee's official souvenir, medals, programs, and guidebooks, but nothing contained in this subsection shall be construed to permit a vendor selling such official souvenir, medals, programs, and guidebooks to sell any other item of merchandise without

first having complied with the provisions of this section.

#### FOOD VENDORS

Section 22. (a) The sale of fruit, food, lunches, candy, tobacco, drinks, and similar items in any of the reviewing stands or in or on any street, avenue, alley, or reservation in the Inaugural Area, between 6 a.m. and 7 p.m. on the day of the Inauguration and the inaugural parade, shall be under the direct supervision of the Concessions Committee and shall be subject to such conditions and agreements as the said Committee may require of persons selling or offering to sell such items during such period. Only such items as may be approved by the Concessions Committee and the Director of Environmental Services shall be sold, offered for sale, or distributed: Provided, That no milk products or frozen desserts may be sold, offered for sale, or distributed unless they have been produced and distributed under permits issued by the Director of Environmental Services. Fruit, food, lunches, drinks, and similar items may be sold, offered for sale, or distributed only from a stand or booth properly equipped with the

sanitation and safety facilities and devices required by section 23 and operated in accordance with the provisions of said section 23.

(b) No person shall sell or offer to sell any fruit, food, lunches, candy, tobacco, drinks, or similar items in any reviewing stand or in or on any street, avenue, alley, or reservation in the Inaugural Area between 6 a.m. and 7 p.m. on the day of the Inauguration and inaugural parade, without first having obtained from the District of Columbia a special license to exercise such privilege. The privilege thus granted by special license shall not extend to those lands administered by National Capital Parks, National Park Service, Department of the Interior, unless a vending permit is obtained from the Secretary of the Interior or his designated representative, in accordance with National Capital Parks regulations. Such special license shall be issued only with the approval of the Concessions Committee and the Committee may, in its discretion, require one or more of the following: (1) a fee for any investigation or inspection which it may make; (2) an agreement with any applicant respecting the items to be sold, the

prices to be charged, and any other conditions the Committee deems proper; and (3) such conditions as the Committee may attach to its approval of each such application. Investigation may include the taking of sets of fingerprints and their referral to the Federal Bureau of Investigation and to such other authorities as may be deemed advisable for comparison and record. After the application for such special license has been approved by the Concessions Committee, and in the case of food, lunches, candy, drinks or similar consumable items, by the Director of Environmental Services, such special license may be issued by the Director of Economic Development upon payment to the D. C. Treasurer of a license fee of \$1 for each such special license, and the posting with the D. C. Treasurer of a deposit in the form of a certified check or U. S. Postal Money Order, made payable to the D. C. Treasurer, in such amount as may be prescribed by the Director of Finance and Revenue, such deposit later to be applied in whole or in part to the licensee's payment to the District of Columbia of the D.C. Sales and Use Tax applicable to the sales made by him. As a prerequisite to the issuance of such license, the applicant therefor shall

first obtain a Certificate of Registration in accordance with the provisions of the Sales and Use Tax Acts, authorizing him to sell tangible personal property at retail and collect reimbursement of the tax specified by such Acts. The licensee shall make such Certificates of Registration available for examination by an officer or member of the Metropolitan Police Department, by an investigator of the Department of Economic Development, and by the Director of Finance and Revenue, whenever a request therefor is made.

(c) Application for the issuance of a special license to exercise the privilege of selling, or offering for sale, fruit, food, lunches, candy, tobacco, drinks, or similar items in any reviewing stand or in the Inaugural parade, shall be submitted to the Director of Economic Development, Room 101, North Potomac Building, 614 H Street, N.W., Washington, D.C. 20001 on a form provided by the Director for such purpose. Such application shall be accompanied by three full face photographs measuring 2 inches by 2 inches taken after the date of the publication of these regulations. Each such application shall be subject to the approval of the Concessions Committee, and said Committee, after approving an

application for the said special license, shall forward it, together with the photograph, to the Director of Economic Development.

(d) Persons issued the special license authorized by this section may employ such number of assistants or helpers as the Concessions Committee and the Director of Economic Development in their discretion may authorize. Each such assistant or helper shall comply with these regulations and with applicable health regulations. The Director of Economic Development may furnish each such assistant or helper a pass or badge bearing his name, authorizing him to sell the items for which the licensee has been licensed: Provided, That any person to whom such a pass or badge is issued shall sell only the items authorized to be sold by him in the vicinity of the stand or booth operated by the licensee by whom he is employed. Such pass or badge shall be conspicuously displayed on the outer coat lapel or garment of each assistant or helper to whom a pass or badge may be issued. The issuance of passes or badges to the assistants or helpers of a licensee shall be subject to such conditions as the Concessions Committee and the Director of Economic Development may impose. Any licensee requesting one or more passes or badges for assistants or

helpers employed by him shall, in connection with such request, furnish the Director of Economic Development with the name and address of each assistant or helper.

(e) Any license authorized by this section shall continue valid only so long as the licensee continues to have the approval of the Concessions Committee. Such license shall be subject to summary revocation by the Director of Economic Development whenever he receives written notice from the said Concessions Committee, that said Committee has withdrawn its approval of the licensee. The acceptance of such license by the licensee shall constitute a waiver of any and all claims by the licensee against the District of Columbia and its officers, agents, and employees for loss, damage, or injury by reason of revocation of such license.

## CONCESSION STANDS

Section 23. (a) No person shall set up any stand or booth for the sale, offering for sale, or distribution of fruit, food, lunches, candy, tobacco, drinks, or similar items on any street, avenue, alley, or public reservation at any point between the established building lines, without first having the operation and location of such stand or booth approved by the Concessions Committee, the Chief of Police, the Director of Environmental Services, and the Director of Highways and Traffic. The approval of the Secretary of Interior, or his designated representative, shall be required in the case of sites on Federal reservations or grounds under his jurisdiction. Approval by the Concessions Committee shall be conditioned upon the agreement of the licensee to comply with the requirements for the construction, operation, and sanitation of food concession stands as are required by these and other regulations of the District of Columbia, and any other conditions the Concessions Committee may require. After such stand or booth has been approved as aforesaid, there shall be attached to such stand or booth a card or placard to be issued by the

Director of Economic Development, indicating that the location and operation of such stand or booth have been approved in the manner and for the purposes aforesaid.

(b) Permits to erect concession stands on public space within the jurisdiction of the Commissioner, shall be obtained from the Director of Economic Development, Permit Branch, Room 105, North Potomac Building, 614 H Street, N.W., Washington, D. C. 20001. Applications for such permits shall be accompanied by at least two blueprints or linen tracings showing structural details (including all wiring and piping) and the location of the stands. Applications shall be filed not later than five days prior to Inauguration Day. No fee will be charged for stands on public space.

(c) Permits for electrical wiring or appliances shall be obtained from the Director of Economic Development, Permit Branch, subject to the requirements of the Electrical Section of the Building Division, Department of Economic Development. Applications for electrical permits shall be filed not later than January 16, 1973. No fee shall be charged for such permits.

(d) All food stands shall be covered with wood, metal, flame resistant canvas, or similar material approved by the Fire Chief.

(e) Food stands and mobile units shall be constructed and be ready for inspection by the District of Columbia at least one day prior to Inauguration Day, unless a later time is authorized by the Concessions Committee.

(f) Concession stands equipped with heating or cooking facilities shall be not less than fifteen feet from any reviewing stand.

(g) Heating and cooking appliances in concession stands shall be either electrical or liquefied petroleum gas consuming appliances.

(h) Each cooking appliance shall be installed on a substantial support in such manner that the burners of such cooking appliance shall be at least thirty inches above the floor or ground on which the support for such appliance may rest. If the top of such support is of wood or other combustible material, it shall be protected directly under the cooking appliance with at least one-half inch of sheet rock or similar fire resistive material.

(i) Cylinders containing liquefied petroleum gas shall be located at least six feet from cooking

and heating appliances and shall be of a type acceptable under current Interstate Commerce Commission shipping specifications. Each stove in which such gas is used shall be designed for such use, and the connection between the stove and any such cylinder shall be subject to the approval of the Fire Chief.

(j) All lighting appliances shall be of a type approved by the Director of Economic Development and the Fire Chief.

(k) One two and one-half gallon fire extinguisher, suitable for Class A fires, bearing an Underwriters Laboratory label, and approved by the Fire Chief, shall be available at each stand. In the event of freezing weather, precautions shall be taken to prevent the contents of the extinguisher from freezing.

(l) Each stand shall be equipped with at least one metal trash container with tight-fitting metal cover, of a size adequate, as determined by the Fire Chief and the Director of Environmental Services, to accommodate the trash resulting from the operations conducted or to be conducted in such stand.

(m) Work surfaces for food preparation shall be at least thirty inches from any service counter

and shall be so arranged, located, and protected that food thereon is not unreasonably subjected to contamination by dirt, dust, insects, droplets, or other extraneous material. All work surfaces used in food preparation shall be smooth, readily cleanable, and kept clean.

(n) All food shall be from inspected and approved sources, shall be handled in a sanitary manner, and shall be protected from contamination by dirt, dust, insects, droplets, or other extraneous material. All food that is not pre-packaged or prewrapped in individual servings so as to protect it from contamination by dirt, dust, insects, droplets, or other extraneous material shall be dispensed in single service containers or wrappers. All condiments shall be dispensed only by means of preportioned single service packages. All milk products and any other product for addition to beverages shall be dispensed to the consumer in original unopened containers. No beverage shall be dispensed or sold to the public in individual glass containers or bottles. All such beverages shall be dispensed or sold in paper or plastic cups. All potentially hazardous foods

and beverages which consist in whole or in part of milk or milk products, eggs, meat, fish, shellfish, or poultry, shall be maintained at a temperature of 45°F or lower, or 140°F or above, except when actually being prepared or served.

(o) Food handlers shall be required to and shall cleanse their hands before beginning work, and again after each interruption thereof. Hands shall be kept clean at all times when persons are engaged in handling food, utensils, or equipment. In lieu of running hot and cold water, each food stand shall be provided with suitable cleansing devices or liquids containing a detergent-sanitizer of a kind and strength approved by the Director of Environmental Services and in such quantity as he may approve. Paper towels shall be provided at each stand to dry hands.

(p) All food handlers shall wear clean garments and caps or hairnets, and shall present a clean appearance at all times. No food handler shall be permitted to smoke, or use tobacco, while preparing, handling, or serving food.

(q) Whenever the Director of Environmental Services has reason to believe that any food vendor, or the operation of any food stand or

and beverages which consist in whole or in part of milk or milk products, eggs, meat, fish, shellfish, or poultry, shall be maintained at a temperature of 45°F or lower, or 140°F or above, except when actually being prepared or served.

(o) Food handlers shall be required to and shall cleanse their hands before beginning work, and again after each interruption thereof. Hands shall be kept clean at all times when persons are engaged in handling food, utensils, or equipment. In lieu of running hot and cold water, each food stand shall be provided with suitable cleansing devices or liquids containing a detergent-sanitizer of a kind and strength approved by the Director of Environmental Services and in such quantity as he may approve. Paper towels shall be provided at each stand to dry hands.

(p) All food handlers shall wear clean garments and caps or hairnets, and shall present a clean appearance at all times. No food handler shall be permitted to smoke, or use tobacco, while preparing, handling, or serving food.

(q) Whenever the Director of Environmental Services has reason to believe that any food vendor, or the operation of any food stand or

mobile food dispensing unit, creates an imminent danger to public health, the Director of Environmental Services is authorized to require said food vendor, or the operator of said food stand or mobile food dispensing unit, to cease operating until the condition creating the imminent danger to public health is corrected to the satisfaction of the Director of Environmental Services.

(r) Concession stands shall be removed not later than forty-eight hours after Inauguration Day. All other stands, booths, and temporary structures shall be removed by the date set by Inaugural Committee or Concessions Committee contracts. In the event the person responsible for the erection of any stand, booth, or temporary structure has failed to remove the same within the time specified by this subsection, the cost of such removal, whether such removal be by or under the authority of the Inaugural Committee or the District of Columbia, shall be at the expense of such person.

#### REVIEWING STANDS AND TEMPORARY STRUCTURES

Section 24. (a) The approval of the Inaugural Committee shall be required for all reviewing stands and other temporary structures to

be constructed on public grounds and, depending on the location of such stand or structure, the approval also of the Secretary of the Interior or the Commissioner.

(b) Permits shall be required for the erection of all reviewing stands and other temporary structures, whether on public or private property. Applications, together with three copies of structural plans and seating arrangements, shall be submitted to the Permit Branch, Department of Economic Development, Room 105, North Potomac Building, 614 H Street, N.W., Washington, D. C. 20001, one week prior to the scheduled date of stand or structure erection.

(c) Reviewing stands and other temporary structures shall be constructed in accordance with the applicable requirements of the 1972 D. C. Building Code.

(d) Reviewing stands, whether constructed on public or private property, shall be ready for inspection by the District of Columbia Government not later than 10 a.m. of the second day preceding Inauguration Day.

(e) Other temporary structures erected for use in connection with Inauguration Day activities

shall be ready for inspection by the authorized agency of the District of Columbia Government not later than 3 p.m. of the second day preceding Inauguration Day, unless a later time is authorized by the Concessions Committee.

(f) Unless such reviewing stands or other temporary structures are approved by the District of Columbia Government, their use is prohibited.

#### NEWS AND MEDIA SPACE PERMITS

Section 25. (a) Permits shall be required for the erection of all temporary stands and platforms, for the temporary storage of equipment, and for the parking of motor vehicles, including but not limited to vans, trucks, station-wagons, and cherry-pickers, on public space in connection with news and media coverage of events and ceremonies during the inaugural period by photographers, the press, magazines, radio and television stations, and other news services.

(b) Application for a permit for such temporary use of public space shall be submitted to the D. C. Public Space Committee, Room 508, 415 Twelfth Street, N.W., Washington, D. C. 20004, on a form provided by the Committee for such purpose. Each application shall be accompanied by a detailed site plan, including structural plans and an electrical wiring plan for the temporary structure, if applicable, and shall

be subject to the concurring approval of the Inaugural Committee and the United States Secret Service.

(c) A fee consistent with the Permit and Certificate Fee Schedule of the District of Columbia shall be charged for each such permit.

#### SPECIAL HEALTH REGULATIONS

Section 26. Notwithstanding the provisions of Section 24 of Article 17 of the Police Regulations, the National Railroad Passenger Corporation may establish for the effective period of these regulations temporary places of abode in sleeping cars located in established railroad yards and sidings within the District of Columbia if the Director of Environmental Services finds that:

(1) such railroad yards and sidings have adequate and sufficient water supplies and sewage disposal facilities; (2) adequate receptacles for refuse have been furnished; (3) adequate and proper scavenger and refuse services are available; (4) sufficient lawful garbage receptacles have been provided for all dining cars and temporary feeding facilities to store accumulated garbage between periods of collection to be established by the Director of Environmental Services; and (5) all water and ice supplies are so protected as to

prevent contamination of these commodities. The area or areas so used are to be maintained in a clean and sanitary condition at all times. The Director of Environmental Services is hereby authorized and directed to make such inspections and take such steps as may be necessary to obtain compliance with the foregoing. A license issued by the Director of Economic Development shall be required for each sleeping car so used as temporary place of abode. The fee for each license shall be five dollars per car for each calendar day or part of a day each car is so used, payable to the D.C. Treasurer.

Section 27. Notwithstanding the provisions of Section 24 of Article 17 of the Police Regulations, automobile house trailers may be parked on private property for a period not to exceed a maximum of five days during the effective period of these regulations, provided a permit so to do is obtained from the Director of Environmental Services. Such permit shall be issued only upon a finding by the said Director of Environmental Services that there will be available to the occupants of said trailers adequate and sufficient water supplies and facilities for disposal of sewage and refuse. The Director of Environmental Services is hereby

authorized and directed to make such inspections and take such steps as may be necessary to obtain compliance with the foregoing. No fee will be required for such permit.

Section 28. No chemical toilets shall be used unless they are provided with an adequate amount of deodorizing and sanitizing chemical approved by the Director of Environmental Services, and are serviced as their use requires.

Section 29. From 12:01 p.m. on January 19, 1973 to 12:00 noon on January 21, 1973, non-resident medically indigent patients receiving care as emergency patients at D.C. General Hospital, Glenn Dale Hospital, or at the private hospitals under contract to the District of Columbia, shall be considered as patients eligible for care at the expense of the District of Columbia.

#### SPECIAL TRAFFIC REGULATIONS

Section 30. The Inaugural Area is hereby declared a congested area and no parking shall be permitted therein from 12:01 a.m. to 11:59 p.m. on January 20, 1973, or until such time as the signs prohibiting parking may be removed: Provided, That this section shall not be applicable to the United States Capitol Grounds, its streets and roadways, except as specifically agreed to by the Joint Congressional Committee on Inaugural Ceremonies.

Section 31. On the following highways, or on any other highways on which the Director of Highways and Traffic may deem it necessary to prohibit parking, no vehicle shall park between 12:01 a.m. and 11:59 p.m. on January 20, 1973, while official signs are posted on such highways prohibiting such parking:

Both sides of Bladensburg Road, N. E., from H Street to New York Avenue;

Both sides of Florida Avenue, N. W., from Massachusetts Avenue to Connecticut Avenue;

Both sides of Eye Street, S. W. and S. E., from Maine Avenue, S. W. to New Jersey Avenue, S. E.;

Both sides of M Street, N. W., from Pennsylvania Avenue to 36th Street;

Both sides of M Street, S. W. and S.E., from Maine Avenue, S.W. to 11th Street, S.E.;

Both sides of Maine Avenue, S.W., from 12th Street to M Street;

Both sides of Maryland Avenue, N.E., from Massachusetts Avenue to 15th Street;

Both sides of New Jersey Avenue, S.E., from F Street to M Street;

Both sides of New York Avenue, N.W., from 3rd Street to 10th Street;

Both sides of Pennsylvania Avenue, N.W., from 23rd Street to M Street;

Both sides of Rhode Island Avenue, N.W., from M Street to Scott Circle;

Both sides of 3rd Street, N.W., from E Street to New York Avenue;

Both sides of 3rd Street, S.W., from Independence Avenue to Virginia Avenue;

Both sides of 4th Street, S.W., from Independence Avenue to M Street;

Both sides of 6th Street, N.W., from H Street to Rhode Island Avenue;

Both sides of 7th Street, S.W., from Independence Avenue to Maine Avenue;

Both sides of 18th Street, N.W., from M Street to Connecticut Avenue;

Both sides of 19th Street, N.W., from M Street to Massachusetts Avenue;

Both sides of 20th Street, N.W., from M Street to Massachusetts Avenue;

Both sides of 21st Street, N.W., from M Street to Massachusetts Avenue;

Both sides of 22nd Street, N.W., from M Street to Massachusetts Avenue.

Section 32. On the following highways, or any other highway on which the Director of Highways and Traffic may deem it necessary to prohibit parking, no vehicle shall park after 5 p.m. on January 18, 1973, and until such time as the signs prohibiting parking are removed: Provided, That such highways shall be designated by official signs indicating the prohibition of such parking:

All curbs in the Armory Plaza;

Both sides of C Street, N.E., from 4th Street to North Carolina Avenue;

Both sides of Massachusetts Avenue, N.E. and S.E., from 4th Street, N.E., to Independence Avenue, S.E.;

Both sides of Constitution Avenue, N.E., from Maryland Avenue to 19th Street;

Both sides of East Capitol Street from 1st Street to 19th Street;

Both sides of Independence Avenue, S.E., from Pennsylvania Avenue to 19th Street;

Both sides of 19th Street, N.E. and S.E., from Potomac Avenue, S.E., to G Street, N.E.;

Both sides of 17th Street, N.E. and S.E., from G Street, N.E., to Potomac Avenue, S.E.;

Both sides of Potomac Avenue, S.E., from Pennsylvania Avenue to 19th Street;

Both sides of Oklahoma Avenue, N.E., from C Street to Benning Road.

Section 33. Within the Inaugural Area and on the highways designated in sections 31 and 32 of these regulations, no vehicle shall be parked or left standing except when actually taking on or discharging passengers, or, in the case of commercial vehicles, while actually loading or unloading merchandise; and such vehicles when so engaged shall stop or stand in a position parallel with the curb: Provided, That this section shall not apply to taxicabs or sight-seeing vehicles, which may occupy the stands established as of the effective date of these regulations, or such special stands as may hereafter be established within this zone, except where the occupying of such stands will interfere with the formation or passage of any scheduled parade or ceremony, or the free movement of traffic.

## ADDITIONAL SNOW EMERGENCY ROUTES

Section 34. In the event that it becomes necessary for the Director of Highways and Traffic to declare no parking on the designated Snow Emergency Routes in compliance with section 116.6 of Part I and section 171(h) of Part II of the Traffic Regulations for the District of Columbia during the period from January 18, 1973 through January 20, 1973, both dates inclusive, such parking shall be prohibited on the following streets:

Both sides of C Street, S.E., from New Jersey Avenue to 3rd Street;

Both sides of E Street, S.E., from South Capitol Street to 3rd Street;

Both sides of F Street, S.E., from New Jersey Avenue to 3rd Street;

Both sides of F Street, N.W., from 21st Street to 23rd Street;

Both sides of G Street, N.W., from 21st Street to 23rd Street;

Both sides of H Street, N.W., from 21st Street to 23rd Street;

Both sides of 20th Street, N.W., from Constitution Avenue to Massachusetts Avenue.

## FLOATS

Section 35. (a) All decorations used on floats shall be of flame resistant material approved by the Fire Chief. Heating devices or smoke effects used on floats shall not be installed unless the written

permission of the Fire Chief has been obtained in advance. All electrical wiring used in floats, including that in the propelling equipment of floats, shall be installed in a safe manner and shall be clean and free from defects. Fire extinguishers of such number, type, and size as may be required by the Fire Chief shall be carried on each float.

(b) Floats shall be completed and made available for inspection by the Fire Chief at least eight (8) hours prior to the inaugural parade. Floats which do not meet the requirements of subsection (a) will not be permitted to participate in the inaugural parade.

Section 36. (a) All vehicles and floats exceeding the following size and weight limitations, specified in section 153 of Part I of the Traffic Regulations for the District of Columbia, as amended, shall require special hauling permits prior to being moved within the District of Columbia, in accordance with the provisions of section 155 of such regulations.

	Combined Vehicles	Single Unit Vehicles
Gross Weight	25 Tons	25 Tons
Total Height	12'-6"	12'-6"
Total Length	55'-0" (including tractor)	40'-0"
Total Width	8'-0"	8'-0"

Special hauling permits will be issued without charge upon application to the Department of Economic Development, Permit Branch, Room 105, North Potomac Building, 614 H Street, N. W., Washington, D.C. 20001.

(b) The engines and all other mechanical equipment of floats shall be in good working order and shall be free of excess grease. The mechanical condition of any motor vehicle used for the transportation or propulsion of a float shall be subject to the approval of the Director of Motor Vehicles, and no such vehicle shall be operated in the inaugural parade until it has been approved by said Director.

#### STABLING OF ANIMALS

Section 37. Notwithstanding the provisions of sections 3 and 18 of an Ordinance to Revise, Consolidate, and Amend the Ordinances of the Board of Health, temporary places for stabling animals may be established for the effective period of these regulations within the District of Columbia if the Director of Environmental Services finds that: (1) such places have adequate and sufficient water supplies; (2) adequate receptacles for manure have been furnished; (3) adequate services for the removal of manure are available; and (4) no animals are to be quartered within 50 feet of any dwelling unit, railroad sleeping car,

or other place used for habitation. The stabling area shall be maintained in a sanitary condition at all times. The Director of Environmental Services is hereby authorized and directed to make such inspections and take such steps as may be necessary to obtain compliance with the foregoing. A license issued by the Director of Economic Development shall be required for each area where animals are stabled. The fee for such license shall be twenty-five dollars for each area, payable to the D. C. Treasurer.

Section 38. (a) Each building, structure, tent, shelter, or premises in which animals may be stabled shall be subject to the approval of the Fire Chief and the Director of Environmental Services, and shall comply with the requirements of section 37. Non-fire-resistant buildings and structures may be used for the stabling of animals only if specifically approved for such use by the Fire Chief and the Director of Economic Development.

(b) Canvas and other fabrics used in the construction of tents or shelters shall be flame resistant as directed by the Fire Chief.

(c) Where canvas or other fabric has been used in the construction of a tent or shelter, such tent or shelter shall not be erected within 50 feet of

any building. No internal combustion engine shall be permitted or used within 25 feet of any such tent or shelter.

(d) No person shall smoke in any building or premises in which hay, straw, wood shavings, dried grass, or similar combustible material is stored or used. "No Smoking" signs shall be conspicuously displayed in any such building or premises at frequent intervals.

(e) No internal combustion engine shall be permitted or used in any area in which animals may be stabled.

(f) No open fire, flame appliance, or flame device shall be permitted or used in any area in which animals may be stabled.

(g) All trash, refuse, manure, discarded bedding for animals, and other waste shall be removed daily, or more often if so ordered by either the Fire Chief or the Director of Environmental Services.

(h) Firefighting appliances of such type and in such number as the Fire Chief in his discretion may require shall be provided by the person using any building or premises for the stabling of animals.

#### PENALTY

Section 39. Any person violating any of the foregoing regulations shall be punished by a fine of not more than \$100 or be imprisoned for not more than thirty days.