

AN ACT
D.C. ACT 19-441

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 6, 2012

*Codification
District of
Columbia
Official Code*

2001 Edition

2012 Fall
Supp.

West Group
Publisher

To amend the Anacostia River Clean Up and Protection Act of 2009 to align fines with class 4 infractions under the Schedule of Fines, to permit funds from the Anacostia River Clean Up and Protection Fund to be used to purchase and install anti-littering signs, and to establish a pilot program to remove bottles and other trash from the Anacostia River.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Anacostia River Clean Up and Protection Amendment Act of 2012”.

Sec. 2. The Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.01 *et seq.*), is amended as follows:

(a) Section 5(b) (D.C. Official Code § 8-102.04(b)) is amended to read as follows:

Amend
§ 8-102.04

“(b)(1) If the Mayor determines that a violation has occurred, the retail establishment shall be liable for the fees under section 4(a) and the Mayor shall impose a penalty on the retail establishment. The penalty shall be a class 4 infraction under the Schedule of Fines in section 3201 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 3201), pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) (“Civil Infractions Act”). Adjudication of any infraction shall be pursuant to the Civil Infractions Act.

“(2) No more than one penalty shall be imposed upon a retail establishment within a 7-day period.”

(b) Section 6(b) (D.C. Official Code § 8-102.05(b)) is amended as follows:

Amend
§ 8-102.05

(1) A new paragraph (1A) is added to read as follows:

“(1A) The pilot program described in section 7a, and, at the discretion of the District Department of the Environment, the pilot program’s full implementation;”

(2) Paragraph (8) is amended to read as follows:

“(8) Purchasing and installing signs and equipment designed to minimize trash pollution, including anti-littering signs to be installed in areas where littering would impact the Anacostia River, recycling containers, and covered trash receptacles;”

(c) A new section 7a is added to read as follows:

“Sec. 7a. Establishment of Anacostia pilot program.

“(a) The District Department of the Environment shall:

“(1) Establish a pilot program that permits entities to adopt a section of the Anacostia River for the purpose of removing bottles and other trash; and

“(2) Select an entity to participate in the pilot program whose organizational mission is related to the restoration and preservation of District waterways.

“(b) The pilot program shall include financial incentives and continue for at least 6 months.

“(c) After completion of the pilot program, the District Department of the Environment may extend the program indefinitely and expand it to include other District waterways.”

Sec. 3. Fiscal impact statement.

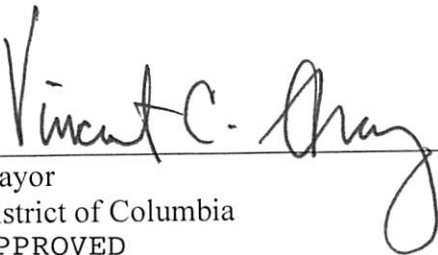
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
August 6, 2012



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

Docket No. **B19-515**

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 06-26-12

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT

BARRY

ROLL CALL VOTE - Result _____ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry				X	Evans	X								
Bowser	X				Graham	X								
Brown	X				McDuffie	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7.25.12

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 07-10-12

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result _____ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry	X				Evans	X								
Bowser	X				Graham	X								
Brown	X				McDuffie	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7.25.12

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE
 RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result _____ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson					Catania					Orange				
Alexander					Cheh					Wells				
Barry					Evans									
Bowser					Graham									
Brown					McDuffie									
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD



Secretary to the Council

Date