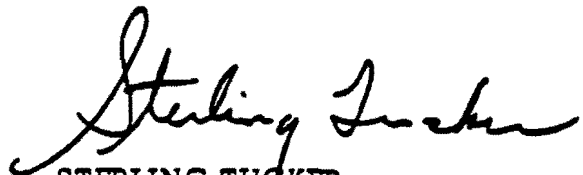


COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, PL 93-198 (the Act), the Council of the District of Columbia adopted Bill No. 1-135 on first and second readings August 5, 1975, and September 9, 1975, respectively. Following the Mayor's signature on October 9, 1975, this legislation was assigned Act No. 1-54, published in the October 20, 1975, edition of the D. C. Register, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D. C. Law No. 1-39, effective December 16, 1975.


STERLING TUCKER
Chairman of the Council

D.C. LAW

1-39

In the Council of the District of Columbia

December 16, 1975

To establish a program of community development in the District of Columbia, and for other purposes.

Be it enacted by the Council of the District of Columbia, That this act may be cited as the "District of Columbia Community Development Act of 1975".

Sec. 2. Findings and Purpose.

(a) The Council finds and declares that the District of Columbia faces critical social, economic, and environmental problems arising in significant measures from:

(1) the concentration of poverty in areas of the city;

(2) overcrowding and deterioration of housing, exacerbated by inadequate construction of new units for the growing number of households, and inadequate resources to provide for the rehabilitation of existing units for use by residents of the affected areas;

(3) inadequate and inappropriate public and private investment and reinvestment in housing and other physical facilities, and related public and social services, resulting in the growth and persistence of urban slums and blight and the marked deterioration of the quality of the urban environment; and

(4) lack of essential commercial facilities and services in many of the city's communities; and

(5) need to improve the overall quality of the urban environment for the people of the District of Columbia.

(b) The Council further finds and declares that the future welfare of the District of Columbia and the well-being of its citizens depend on the establishment and maintenance of the District of Columbia as a viable physical, social, economic, and political community, and require for the benefit of the communities being directly affected:

(1) systematic and sustained action to eliminate blight, to conserve and renew aging urban neighborhoods, to improve the living environment of low and moderate income families, and to develop new residential and economic activity centers throughout the District;

(2) substantial expansion of and greater continuity in the scope and level of Federal and local financial assistance together with increased private investment in support of community development activities; and

(3) continuing effort at all levels of government to develop programs to meet identified needs and to improve the functioning and departments and agencies

responsible for planning, implementing, and evaluating community development efforts.

(c) The primary objective of this act is the maintenance and development of the District of Columbia as a viable urban community, by providing decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. Consistent with this primary objective the act provides for the support of community development activities which are directed toward the following specific objectives:

(1) the elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community;

(2) the elimination of conditions which are detrimental to health, safety, and public welfare and the establishment of programs to protect and improve the quality of the urban environment;

(3) the conservation and expansion of the District's housing stock in order to provide a suitable living environment for all persons principally those of low and moderate income;

(4) the expansion and improvement of the quantity and quality of community services, particularly for persons of low and moderate income, which are essential

for sound community development and for the development of a viable urban community;

(5) a more rational utilization of land and the better arrangement of residential, commercial, industrial, recreational, and other needed activity centers;

(6) the reduction of the isolation of income groups within the community and the promotion of an increase in the diversity and vitality of neighborhoods through the expansion of housing opportunities for persons of low and moderate income, particularly those with large families;

(7) the restoration and preservation of properties of special value for historic, architectural, or esthetic reasons;

(8) the establishment of data-gathering, planning, policy, and program development which will insure effective monitoring of and programming responsive to the changing numbers, characteristics, and needs of the people of the District of Columbia; and

(9) the continuation of development activities in those areas previously covered by urban renewal or neighborhood development plans until completed.

Sec. 3. Community Development Program.

(a) The Mayor annually shall prepare and submit to the Council a proposed Community Development Program (as such program is defined or may hereafter be defined in Title I of the Housing and Community Development Act of 1974), which-

(1) sets forth a summary of a three-year community development plan which identifies community development needs, demonstrates a comprehensive strategy for meeting those needs, and specifies both short and long-term community development objectives which have been developed in accordance with area-wide development planning and national urban growth policies;

(2) describes a program which-

(A) includes the activities to be undertaken to meet the identified community development needs and objectives, together with the estimated costs and location of such activities;

(B) indicates the resources which are proposed to be made available toward meeting the identified needs and objectives; and

(C) indicates the environmental review status of proposed community development activities;

(3) describes a program designed to-

(A) eliminate or prevent slums, blight, and deterioration where such conditions or needs exist; and

(B) provide improved community facilities and public improvements, including the provision of supporting health, social, and similar services where necessary and appropriate;

(4) includes a housing assistance plan which-

(A) accurately surveys the condition of the housing stock in the community and defines the housing assistance needs of lower income persons, including elderly and handicapped persons, large families, persons living in overcrowded conditions, persons paying more than 25% of their income for rent, and persons displaced or to be displaced, residing in or expected to reside in the community during the implementation of the plan;

(B) specifies a realistic annual goal for the number of dwelling units or persons to be assisted, including (i) the proposed number of new, rehabilitated, and existing dwelling units, and (ii) the sizes and types of housing units and assistance proposed to meet the needs of lower-income persons in the community as defined in the plan; and

(C) indicates the general locations of proposed housing for lower-income persons, with the objective of (i) furthering the revitalization of the community, including the restoration and

rehabilitation of stable neighborhoods to the maximum extent possible, (ii) promoting greater choice of housing opportunities and avoiding concentrations of assisted persons in areas containing a high proportion of low income persons, and (iii) assuring the availability of public facilities and services adequate to serve proposed housing projects;

(5) includes such other materials, certifications, and assurances as may be required by law or regulation as conditions for financial assistance under the Housing and Community Development Act of 1974, and any other such requirements as may be specified by District of Columbia law.

(b) in preparing the proposed Community Development Program, the Mayor shall:

(1) provide citizens with all information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements;

(2) hold at least two public hearings to obtain the views of citizens on community development and housing needs; and

(3) provide citizens a full and meaningful opportunity to participate in the planning, development and evaluation of the annual Community Development Program and any amendments or modifications thereto.

(c) Prior to the exercise of any powers granted by this act, the Mayor shall have submitted the proposed Community Development Program to the Council, and the Council shall have approved the same by resolution following a public hearing thereon: Provided, That the Council may approve the program with conditions or amendments and the program as so modified shall be the approved Community Development Program: and Provided further, That an approved Community Development Program may be modified at any time in accordance with the procedures herein prescribed for its original approval. Notwithstanding the above, the Mayor shall have the authority to make minor modifications consistent with the intent of the approved Program, only after such modifications have been submitted to the Council and have not been disapproved within 30 days, except that the Council may approve such modifications before the 30-day period has expired.

Sec. 4. Community Development Program Activities

(a) An approved Community Development Program may include the following activities:

(1) the acquisition of real property (including air rights, water rights, and other interests therein) which is-

(A) blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth;

(B) appropriate for rehabilitation or conservation activities;

(C) appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources, and scenic areas, the provision of recreational opportunities, or the guidance of urban development;

(D) to be used for the provision of public works, facilities, and improvements; or

(E) to be used for other purposes;

(2) the acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements--including neighborhood facilities, senior centers, historic properties, utilities, streets, street lights, water and sewer facilities, foundations and platforms for air right sites, pedestrian malls and walkways, and parks, playgrounds, and recreation facilities, flood and drainage facilities, parking

facilities, solid waste disposal facilities, and fire protection services and facilities;

(3) code enforcement in deteriorated or deteriorating areas in which such enforcement, together with public improvements and services to be provided, may be expected to arrest the decline of the area;

(4) clearance, demolition, removal, and rehabilitation of buildings and improvements, including-

(A) interim assistance to alleviate harmful conditions in which immediate public action is needed;

(B) financing rehabilitation of privately owned properties through the use of direct loans, loan guarantees, grants, and other means when in support of Community Development Program objectives; and

(C) demolition and modernization of publicly owned low-rent housing when necessary to protect health, safety, and the public welfare;

(5) special projects directed to the removal of material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons;

(6) payments to housing owners for losses of rental income incurred in holding for temporary periods housing units to be utilized for the relocation of individuals and families displaced by program activities under this act;

(7) disposition (through sale, lease, donation, or otherwise) of any real property acquired pursuant to title, provided that the proceeds of any such disposition shall be expended only for approved Community Development Program activities;

(8) provision of public services not otherwise available in areas where other activities authorized by this act are being carried out in a concentrated manner, if such services are determined to be necessary or appropriate to support such other activities, and if such services are directed toward-

(A) improving the community's public services and facilities, including those concerned with the employment, economic development, crime prevention, child care, health, drug abuse, education, welfare, or recreation needs of persons residing in such areas; and

(B) coordinating public and private development programs;

(9) payment of the non-Federal share required in connection with the Federal grant-in-aid program undertaken as part of the Community Development Program subject to appropriations restrictions if any;

(10) payment of the cost of completing a project funded under Title I of the Housing Act of 1949;

(11) relocation payments and assistance for individuals, families, businesses, organizations, and farm operations displaced by activities authorized by this act;

(12) activities necessary-

(A) to develop a comprehensive community development plan, and

(B) to develop a policy-planning-management capacity so that the District of Columbia may more rationally and effectively (i) determine its needs, (ii) set long-term goals and short-term objectives, (iii) devise programs and activities to meet these goals and (iv) evaluate the progress of such programs in accomplishing these goals and objectives, and (v) carry out management, coordination, and monitoring of activities necessary for effective planning implementation;

(13) payment of reasonable administrative costs and carrying charges related to the planning and

execution of community development and housing activities, including the provision of information and resources to residents of areas in which community development and housing activities are proposed; and

(14) any activity made eligible for financial assistance by the Housing and Community Development Act of 1974, or any amendment thereto.

Sec. 5. Application for Financial Assistance; Program Implementation.

(a) After the approval of a Community Development Program by the Council pursuant to section 3 of this act, the Mayor is authorized to submit to the Secretary of Housing and Urban Development an application, meeting the requirements of the Housing and Community Development Act of 1974 and regulations issued pursuant thereto or amendments thereof, for financial assistance to implement said program. In connection therewith, the Mayor is authorized to:

(1) consent to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969;

(2) consent, on behalf of the District Government and himself, to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official;

(3) give such other pledges, assurances, and certifications as may be required by the Housing and Community Development Act of 1974 and regulations issued pursuant thereto or amendments thereof; and

(4) accept grants, gifts, donations, bequests, and services from any source to assist in carrying out any of the purposes of this act.

(b) In implementing an approved Community Development Program the Mayor is authorized to perform or conduct any of the activities described in section 4 of this act and to do all other things necessary to carry out the intent of such program in accordance with any existing provisions of law not inconsistent herewith. Any power granted to the Mayor or any officer, employee, agency, or instrumentality of the District Government by any other law may, in addition to the purposes specified therein, be exercised in furtherance of the carrying out of an approved Community Development Program.

(c) Powers and functions vested in the Mayor by this act may be delegated by him to any officer, employee, agency, or instrumentality of the District Government by administrative order, and any officer, employee, agency, or instrumentality so designated is authorized to perform the same in accordance with the terms of the delegation.

(d) The Mayor is authorized to issue, amend, and revoke such rules and regulations as he deems necessary to carry out the purposes of this act.

Sec. 6. Acquisition and Disposition of Real Property.

(a) Real property acquired for the purposes of this act shall be acquired pursuant to subchapter II of chapter 13 of Title 16 of the District of Columbia Code. No such property shall be acquired unless its acquisition be authorized by the Council after notice of public hearing.

(b) Real property may also be acquired through gift, donation, bequest, assignment, or voluntary sale by the owner.

(c) For the purposes of this act, the Mayor may dispose of any real property owned by the District of Columbia by negotiation or public or private bid, on such terms and conditions as he deems necessary to accomplish the purposes of the act; Provided, That prior to any such disposition there shall be a public hearing on the proposed terms and conditions after at least thirty (30) days' public notice.

Sec. 7. Rehabilitation of Privately-owned Property.

(a) The Mayor is hereby authorized to establish a Rehabilitation Loan and Grant Fund and to make or contract to make publicly-financed low-interest loans and grants to owners of property for the rehabilitation and improvement of

such property in accordance with a Community Development Program approved pursuant to section 3 of this act.

(b) The Mayor is further authorized to establish a Rehabilitation Loan Insurance Fund and to insure or contract to insure privately-financed loans to owners of property for the rehabilitation and improvement of such property in accordance with a Community Development Program approved pursuant to section 3 of this act.

(c) Any and all publicly-financed rehabilitation loans and grants made by the Mayor, and any and all insurance commitments made by the Mayor in connection with privately-financed rehabilitation loans, and any and all money used or expended by the Mayor in connection with said loans or insurance commitments pursuant to the hereinabove described authority, and any and all acts performed by the Mayor in connection with any powers granted pursuant to this section, are hereby declared to be needed, contracted for, expended, or exercised for a public use.

Sec. 8. Effect Upon Existing Statutes; Severability.

(a) To the extent that any provisions of this act are inconsistent with the provisions of any other laws within the jurisdiction of the Council, the provisions of this act shall prevail and shall be deemed to supersede the provisions of such laws.

(b) If any provisions of this act be held invalid, the remainder of the act shall not be impaired thereby, but shall continue in full force and effect.

Sec. 9. Effective Date.

This act shall become effective pursuant to operation of the provisions of section 602(c) of the "District of Columbia Self-Government and Governmental Reorganization Act" (Public Law 93-198: 87 Stat. 814).

Considered in Council August 5, 1975

First vote August 5, 1975

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P. R.	A. B.	R. A.	COUNCIL MEMBER	YES	NO	P. R.	A. B.	R. A.	COUNCIL MEMBER	YES	NO	P. R.	A. B.	R. A.	
TUCKER	X					DIXON	X					SPAULDING	X					
MOORE, D.	X					HARDY	X					WILSON	X					
BARRY	X					HOBSON				X		WINTER	X					
CLARKE				X		MOORE, L.	X											
GOATES	X					SHACKLETON	X											

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

Robert A. Williams

(Secretary of the Council)

Final vote in Council September 9, 1975

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P. R.	A. B.	R. A.	COUNCIL MEMBER	YES	NO	P. R.	A. B.	R. A.	COUNCIL MEMBER	YES	NO	P. R.	A. B.	R. A.	
TUCKER	X					DIXON	X					SPAULDING	X					
MOORE, D.				X		HARDY	X					WILSON	X					
BARRY				X		HOBSON	X					WINTER	X					
CLARKE	X					MOORE, L.	X											
GOATES	X					SHACKLETON	X											

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

Robert A. Williams

(Secretary of the Council)

Presented to the Mayor 9/26/75

Robert A. Williams

(Secretary of the Council)

Mayor's action
 approve: ✓ 9 OCT 1975
 disapprove: _____

Michael J. ...

(Mayor's Signature)

9 OCT 1975

Enacted without Mayor's signature _____

 (Secretary of the Council)

Reconsidered by Council _____ Vote _____

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P. H.	A. D.	R. A.	COUNCIL MEMBER	YES	NO	P. H.	A. D.	R. A.	COUNCIL MEMBER	YES	NO	P. H.	A. D.	R. A.	
TUCKER						DIXON						SPAULDING						
MOORE, D.						HARDY						WILSON						
BARRY						HOBSON						WINTER						
CLARKE						MOORE, J.												
COATES						SHACKLETON												

X—Indicates Vote P. H.—Present A. D.—Absent R. A.—Readopted

(Secretary of the Council)

Presented to the President _____

(Secretary of the Council)

Sustain Mayor's veto _____

Not Sustain Mayor's veto _____

(President of the U.S.)

Submitted to the Congress ^{OCT 17 1875} _____

Robert Williams

(Secretary of the Council)

Senate action _____
resolution number _____

House action _____
resolution number _____

(Secretary of the Senate)

(Clerk of the House)

Enacted without Congressional action _____

(Secretary of the Council)