

Regulation No. 69-19

Passed by the District of Columbia Council _____

April 9, 19 69

Attest: Stephen C. Swain Secretary, D. C. Council

Attest: [Signature] Chairman, D. C. Council

Presented by me to the Mayor of the District of Columbia _____

April 10, 19 69

RECEIVED

APR 10 1969

OFFICE OF THE COMMISSIONER

Stephen C. Swain Secretary, D. C. Council

Approved and signed by me April 19 19 69

[Signature] Mayor
2551

Regulation No. 69-21



May 23, 1969
Enactment Date

Regulation of the District of Columbia

TITLE TEMPORARY MOTOR VEHICLE REGISTRATION

Mr. Philip J. Daugherty Presents the following regulation:

1 Amendment to Traffic and Motor Vehicle Regulations permitting issuance
2 of temporary registration for period of twenty (20) days in lieu of ten (10) days in
3 certain cases.

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5 WHEREAS, it has been brought to the attention of the Department of Motor
6 Vehicles that automobile dealers in the District of Columbia have experienced
7 difficulty in processing papers necessary in the transfer of license tags from one
8 vehicle to another following a trade-in or other transaction during the ten (10) day
9 period now permitted by present regulations, especially in transactions involving
10 the State of Maryland's Department of Motor Vehicles when sales are made by
11 District dealers to Maryland residents; and

12
13 WHEREAS, a formal request for a change in the Regulations extending the
14 present ten (10) day period has been received from the Automotive Trade Association
15 National Capital Area; and

16
17 WHEREAS, it is believed that an extension of the ten (10) day period to one
18 of twenty (20) days is in the interest of better administration of the Traffic and Motor
19 Vehicle Regulations;

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

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23 Section 1. Sections 20(a) and 40(c), Part III, Traffic and Motor Vehicle
24 Regulations be amended as follows:

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					DAUGHERTY	X					SHACKLETON					X	
TUCKER				X		HAYWOOD	X					THOMPSON	X					
ANDERSON				X		MOORE				X		YELDELL	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 13, 1969

Adopted on second and final reading May 20, 1969

Presented to the Mayor-Commissioner May 21, 1969
Date

Approved Walter Washington Mayor-Commissioner
Stephen C. Swain Secretary of the City Council
Date 5-23-69

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.

Stephen C. Swain Secretary of the City Council

1 Strike the phrase "ten (10)" where the same appears in the two
2 subparagraphs and insert in lieu thereof "twenty (20)".

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4 Section II. This regulation shall become effective upon enactment.

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Regulation No. 69-22



Enactment Date June 26, 1969

Regulation of the District of Columbia

TITLE Regulation to revise policy concerning contributions from non legally responsible relatives living with recipients of public assistance.

Mrs. Polly Shackleton Presents the following regulation:

WHEREAS, Regulation No. 68-11, as amended by Regulation No. 69-3, provides for disregarding a certain amount of total family income per month earned by families receiving Aid to Families with Dependent Children; and

WHEREAS, the Department of Health, Education, and Welfare has ruled that amounts disregarded shall be deducted from total gross family income; and

WHEREAS, Regulation No. 69-3, Section 4, specifies that earnings that can legally be disregarded will be deducted from a child's net income; and

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

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

Section 1. Section 4 of Regulation No. 69-3 is amended by striking the word "net" and inserting in lieu thereof the word "gross."

Section 2. The amendment made by this regulation shall become effective on passage.

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					DAUGHERTY	X					SHACKLETON	X				
TUCKER	X					HAYWOOD	X					THOMPSON	X				
ANDERSON				X		MOORE				X		YELDELL	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 9, 1969

Adopted on second and final reading June 17, 1969

Presented to the Mayor-Commissioner June 18, 1969 Date Stephen C. Swain Secretary of the City Council

Approved Charles Washington Mayor-Commissioner June 26, 1969 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. Stephen C. Swain Secretary of the City Council

Regulation No. 69-23



June 26, 1969
Enactment Date

Regulation

of the
District of Columbia

TITLE Regulation to establish policy governing protective and vendor payments to public assistance recipients.

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, Sections 6(a), 1006, and 1405 of the Social Security Act (42 U. S. C.
2 306, 1206, and 1355) provide that payments in behalf of a person in need of public
3 assistance may be made to another individual when such needy person has, by reason
4 of his physical or mental condtion, such inability to manage funds that making payments
5 to him would be contrary to his welfare; and

6
7 WHEREAS, Section 406(b) (2) of such Act (42 U.S.C. 606), provides for making
8 payments to another individual who is interested in and concerned with the welfare of
9 a dependent child or relative (with whom the child is living), or to a supplier of goods
10 or services when making payments to the relative would be contrary to the welfare of the
11 child; and

12
13 WHEREAS, Section 9 of the District of Columbia Public Assistance Act of 1962
14 (D. C. Code, Sec. 3-208) provides for making payments to a responsible individual in
15 behalf of a recipient who has been found to be incapable of taking care of himself, his
16 property, or his money; and

17
18 WHEREAS, the Department of Health, Education and Welfare has issued State
19 plan requirements for providing protective and vendor payments for dependent children
20 and protective payments for the aged, blind, or disabled; and

21
22 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorganization
23 Plan #3 of 1967, the District of Columbia Council is authorized to establish rules and
24 regulations to carry out the provisions of the District of Columbia Public Assistance Act
of 1962, and to approve regulations under which shall be determined the amount of public
assistance which any person shall receive.

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					DAUGHERTY	X					SHACKLETON	X				
TUCKER	X					HAYWOOD	X					THOMPSON	X				
ANDERSON				X		MOORE				X		YELDELL	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 9, 1969

Adopted on second and final reading June 17, 1969

Presented to the Mayor-Commissioner June 18, 1969 Date Stephen C. Swain Secretary of the City Council

Approved Charles Washington Mayor-Commissioner June 26, 1969 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.
Stephen C. Swain Secretary of the City Council

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

Section 1. (a) The Department of Public Welfare may authorize protective or vendor payments in behalf of dependent children under the following conditions:

- (1) It has been clearly determined that the parent or relative persistently mismanages the assistance payment to the detriment of the child as evidenced by such factors as the improper clothing and feeding of the children, failure to pay rent resulting in repeated evictions, and other similar indications of money mismanagement;
- (2) The individual selected as payee for the family has demonstrated his interest and concern in the welfare of the family, has the ability to establish and maintain a positive relationship and help the family to make proper use of the assistance payment, and is a responsible and dependable person. Members of the staff of the Department or persons whose selection might create a conflict of interest, such as grocers or landlords, shall not be selected as payees.
- (3) A determination has been made as to what requirements, if any, will be met by vendor payments to persons providing goods and services with, to the extent possible, the participation and consent of the Aid to Families with Dependent Children relative.

(b) The Department, with the cooperation of the payee, will undertake and continue special efforts to develop greater ability on the part of the relative to manage funds in such manner as to protect the welfare of the family.

(c) The cases of AFDC children for whom protective or vendor payments are being made shall be reviewed at least every six months to determine whether there is a need to continue such payments or, if the relative is considered able to manage funds in the best interest of the children, whether assistance can be resumed as a direct money payment.

(d) Provision will be made for termination of protective payments, or payments to a person furnishing goods or services, as follows:

- (1) When relatives are considered able to manage funds in the best interest of the child, there will be a return to money payment status.
- (2) When it appears that need for protective payments or payments to a person furnishing goods or services will continue or is likely to continue beyond one year because all efforts have not resulted in sufficiently improved use of assistance in behalf of the child, judicial appointment of a guardian or other legal representative will be sought and such payments will terminate when the appointment has been made.

(e) An opportunity for a fair hearing will be given to the relative of the children with respect to the determination of whether a protective or vendor payment should be made or continued, the selection of the payee, or if foster care should be provided.

(f) Federal financial participation for individuals receiving protective or vendor payments in any month is limited to ten percent of all AFDC recipients, exclusive of persons for whom protective or vendor payments are made by reason of failure to participate in the Work Incentive Program.

Section 2. (a) The Department may authorize protective payments in behalf of adult recipients of public assistance under the following conditions:

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- (1) When there has been made a clear determination that a needy individual has, by reason of physical or mental impairment, such an inability to manage funds that making payments to him would be contrary to his welfare, as evidenced by his repeated failure to pay for rent and other essentials, exploitation of him in money matters by other persons, and medical or psychological reports indicating severe mental retardation, disorientation, or memory loss;
 - (2) When the individual selected as payee has shown an interest in and concern for the welfare of the recipient, is accessible to the recipient, has the ability to establish and maintain a positive friendly relationship with the recipient, and is dependable and able to use the assistance payment in the best interests of the recipient. Members of the staff of the Department or persons whose selection might create a conflict of interest, such as grocers or landlords, shall not be selected as payees.

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(b) The adult recipient shall be given the opportunity for a fair hearing with respect to any decision to make or continue protective payments or the selection of the payee.

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(c) The Department will undertake and continue special efforts to improve, to the extent possible, the recipient's capacity for self-care and his ability to manage funds.

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(d) Reconsideration of the need for protective payments shall be made as indicated by the recipient's circumstances and, in any event, at least every six months.

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(e) The Department shall initiate court proceedings for the judicial appointment of a guardian or other legal representative whenever it appears that such an appointment will best serve the interests of the recipient.

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(f) The Department shall authorize protective payments only when the Department can meet total need for all cases based on the current Standard for Requirements.

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(g) Federal financial participation shall be claimed for protective payments in behalf of recipients of Old Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled. No Federal financial participation may be claimed for recipients of General Public Assistance.

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Section 3. The effective date of this regulation shall be retroactive to July 1, 1968.

Regulation No. 69-24



June 27, 1969
Enactment Date

Regulation

of the
District of Columbia

TITLE Regulation to disregard certain payments made to public assistance recipients under the Economic Opportunity Act and the Manpower Development and Training Act, and to disregard income from any source to the extent permitted by the Social Security Act.

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, Section 701 (a) (1) and (2) of the Economic Opportunity Act (42 U.S.C.
2 2981) provides for disregarding a portion of income paid to public assistance recipients
3 under titles I and II of the Economic Opportunity Act (42 U.S.C. 2711); and

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5 WHEREAS, title I, Part B, of the Economic Opportunity Act (42 U.S.C. 2737)
6 was amended by Public Law 90-222 to include work and training for adults with special
7 provisions for unemployed persons fifty-five years and older (Section 126); and

8
9 WHEREAS, the Department of Health, Education, and Welfare in its requirements
10 for State plans, limits the training period under titles I and II of the Economic Opportunity
11 Act to 12 months and applies the payment exception to the first \$150 paid monthly to a
12 recipient; and

13
14 WHEREAS, the Manpower Development and Training Act, Section 203 (1) and (2)
15 (42 U.S.C. 2583) provides for paying a training incentive payment to a public assistance
16 recipient participating in a training program, which is to be disregarded in determining
17 his need for assistance (amended by Public Law 90-248 to exclude recipients under title
18 IV of the Social Security Act); and

19
20 WHEREAS, in determining the need for public assistance, the Social Security
21 Act, Sections 2(a) (10) (A), 1002 (a) (8) (C), and 1402 (a) (8) (A) (42 U.S.C. 302, 1202,
22 1352), provides for disregarding \$7.50 of income from any source of persons receiving
23 aid under such programs, and Section 402(a) (8) (B) (42 U.S.C. 602) provides for dis-
24 regarding \$5 of income from any source of recipients of Aid to Families with Dependent

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					DAUGHERTY	X					SHACKLETON	X					
TUCKER	X					HAYWOOD	X					THOMPSON	X					
ANDERSON				X		MOORE				X		YELDELL	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 9, 1969

Adopted on second and final reading June 17, 1969

Presented to the Mayor-Commissioner June 18, 1969
Date

Approved Charles Washington Secretary of the City Council
Date June 27, 1969

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.
Stephen C. Swain
Secretary of the City Council

1 Children; and

2
3 WHEREAS, there is no statutory provision for disregarding income of recipients
4 of General Public Assistance, but the District of Columbia Council believes that
5 recipients in all adult categories should be treated equally, and that \$7.50 of income
6 of recipients of General Public Assistance should be disregarded; and

7
8 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorganization
9 Plan #3 of 1967, the District of Columbia Council is authorized to establish rules and
10 regulations to carry out the provisions of the District of Columbia Public Assistance
11 Act of 1962, and to approve regulations under which shall be determined the amount
12 of public assistance which any person shall receive.

13
14 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

15
16 Section 1. The Department of Public Welfare, in determining the need for Old Age
17 Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and General
18 Public Assistance, shall disregard seven dollars and fifty cents per month of income
19 from any source of persons applying for or receiving such aid.

20
21 Section 2. The Department of Public Welfare, in determining need for Aid to
22 Families with Dependent Children shall disregard \$5.00 of income from any source of
23 persons applying for or receiving such aid.

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25 Section 3. The Department of Public Welfare, in determining the need for Old Age
26 Assistance, and Aid to the Permanently and Totally Disabled applicants or recipients
27 shall disregard \$85 and one-half of the excess over \$85 of the first \$150 paid to ben-
28 eficiaries under titles I and II of the Economic Opportunity Act for a period not to exceed
29 12 months. Any amount in excess of the disregarded amounts must be considered as a
30 resource to the assistance unit to the extent that it is actually available to the unit.
31 Any payment made to a spouse or parent is assumed to be available for family support.

32
33 Section 4. The Department of Public Welfare, in determining the ability of legally
34 responsible relatives to contribute to adult public assistance recipients, will apply the
35 policy in Section 3 in determining net income when the income is from payments or
36 allowances received from programs under titles I or II of the Economic Opportunity Act.

37
38 Section 5. In determining the need of adult recipients who have enrolled in a
39 training program under the Manpower Development and Training Act, the Department of
40 Public Welfare shall disregard the amount of the training incentive payment up to \$20
41 a week and an expense allowance up to \$10 a week.

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43 Section 6. This regulation as it relates to provisions of the Economic Opportunity
44 Act and the Manpower Development and Training Act shall be effective retroactive to
45 July 15, 1968; as it relates to disregarding other incomes shall be effective January 1,
46 1969.

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Regulation No. 69-25



July 3, 1969
Enactment Date

Regulation

of the
District of Columbia

TITLE RENTAL OF PUBLIC VAULT SPACE.

Mr. Philip Daugherty Presents the following regulation:

WHEREAS, Public Law 90-596 found that there is a need for permitting and regulating the use of public space for private gain, and

WHEREAS, Public Law 90-596 gives to the District of Columbia Council the power to make rules and regulations for the use of publicly owned space on and below the surface of the land,

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

Section 1. That language set forth as Appendix A of this regulation is hereby adopted as Section 9 of Article 43 of the Police Regulations of the District of Columbia. Wherein conflict with any other sections of this Article Section 9 is controlling.

Section 2. The Police Regulations of the District of Columbia are amended as follows:

"Article 3, Section 4 by substituting a colon for the period after the last word and adding the following:

"PROVIDED, that personal property placed on public space under a permit in accordance with the provisions of ARTICLE 43 of these regulations, and maintained as required by ARTICLE 43, shall be exempt from the provisions of this Section."

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					DAUGHERTY	X					SHACKLETON					X
TUCKER				X		HAYWOOD				X		THOMPSON					X
ANDERSON	X					MOORE	X					YELDELL	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 17, 1969
June 24, 1969

Adopted on second and final reading

Presented to the Mayor-Commissioner June 25, 1969
Date

Stephen C. Swain
Secretary of the City Council

Approved Charles Washington
Mayor-Commissioner

July 3, 1969
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 A. Rogers
Acting Secretary of the City Council

Article 3, Section 13(a) by adding in line 3 after the words...in ARTICLE 4...the following:

"and ARTICLE 43"

Article 4, Section 12 by substituting a colon for the period after the last word and adding the following:

"PROVIDED, that nothing in this Section shall be construed to prohibit installation of any readily movable fixture authorized under a permit issued in conformity with the provisions of ARTICLE 43 of these regulations."

"Article 4, Section 20 by substituting a colon for the period after the first sentence and adding the following:

"PROVIDED, that nothing shall be construed to prohibit such activity when authorized under a permit issued in conformity with the provisions of ARTICLE 43 of these regulations."

Article 28, Section 2(a) by substituting a comma for the period after the last word and adding the following:

"except as provided in ARTICLE 43 of these regulations."

Section 3. The Building Code Regulations of the District of Columbia are hereby amended as follows:

Section 3-151 by substituting the following in lieu thereof:

"Before issuance of a permit for the use or construction of a vault, the owner of the abutting private property shall execute an agreement, in the form prescribed by the District, acknowledging for himself, his heirs and assigns, (1) that no right, title, or interest of the public is thereby acquired, waived, or abridged; (2) that the Commissioner may inspect such vault during regular business hours; (3) that the Commissioner may introduce or authorize the introduction into or through such vault with, right of entry for inspection, maintenance, and repair, of any water pipe, gas pipe, sewer, conduit, other pipe, or other public utility underground construction, which the Commissioner deems necessary in the public interest to place in or through such vault; (4) that such vault will be changed by the owner, or by the District at the expense of such owner, to conform with any change made in the street, roadway, or sidewalk width or grade;

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69-25



July 3, 1969
Enactment Date

Regulation

of the
District of Columbia

TITLE RENTAL OF PUBLIC VAULT SPACE.

Mr. Philip Daugherty Presents the following regulation:

WHEREAS, Public Law 90-596 found that there is a need for permitting and regulating the use of public space for private gain, and

WHEREAS, Public Law 90-596 gives to the District of Columbia Council the power to make rules and regulations for the use of publicly owned space on and below the surface of the land,

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

Section 1. That language set forth as Appendix A of this regulation is hereby adopted as Section 9 of Article 43 of the Police Regulations of the District of Columbia. Wherein conflict with any other sections of this Article Section 9 is controlling.

Section 2. The Police Regulations of the District of Columbia are amended as follows:

"Article 3, Section 4 by substituting a colon for the period after the last word and adding the following:

"PROVIDED, that personal property placed on public space under a permit in accordance with the provisions of ARTICLE 43 of these regulations, and maintained as required by ARTICLE 43, shall be exempt from the provisions of this Section."

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					DAUGHERTY	X					SHACKLETON					X
TUCKER				X		HAYWOOD				X		THOMPSON					X
ANDERSON	X					MOORE	X					YELDELL	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 17, 1969
June 24, 1969

Adopted on second and final reading
Presented to the Mayor-Commissioner June 25, 1969
Date
Secretary of the City Council

Approved _____ July 3, 1969
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.
Acting Secretary of the City Council

Article 3, Section 13(a) by adding in line 3 after the words...in ARTICLE 4...the following:

"and ARTICLE 43"

Article 4, Section 12 by substituting a colon for the period after the last word and adding the following:

"PROVIDED, that nothing in this Section shall be construed to prohibit installation of any readily movable fixture authorized under a permit issued in conformity with the provisions of ARTICLE 43 of these regulations."

"Article 4, Section 20 by substituting a colon for the period after the first sentence and adding the following:

"PROVIDED, that nothing shall be construed to prohibit such activity when authorized under a permit issued in conformity with the provisions of ARTICLE 43 of these regulations."

Article 28, Section 2(a) by substituting a comma for the period after the last word and adding the following:

"except as provided in ARTICLE 43 of these regulations."

Section 3. The Building Code Regulations of the District of Columbia are hereby amended as follows:

Section 3-151 by substituting the following in lieu thereof:

"Before issuance of a permit for the use or construction of a vault, the owner of the abutting private property shall execute an agreement, in the form prescribed by the District, acknowledging for himself, his heirs and assigns, (1) that no right, title, or interest of the public is thereby acquired, waived, or abridged; (2) that the Commissioner may inspect such vault during regular business hours; (3) that the Commissioner may introduce or authorize the introduction into or through such vault with, right of entry for inspection, maintenance, and repair, of any water pipe, gas pipe, sewer, conduit, other pipe, or other public utility underground construction, which the Commissioner deems necessary in the public interest to place in or through such vault; (4) that such vault will be changed by the owner, or by the District at the expense of such owner, to conform with any change made in the street, roadway, or sidewalk width or grade;

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1 and (5) that rental for such vault will be paid to the
2 District as required by Public Law 596, of the 90th
3 Congress. A copy of such agreement shall be recorded
4 in the office of the Recorder of Deeds by and at the
5 expense of such owner."
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7 Section 3-202 by substituting the following definition
8 for 'Vault' as follows:
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10 "Vaults means a structure or an enclosure of space beneath
11 the surface of the public space, including but not limited
12 to tanks for petroleum products, except that the term 'vault'
13 shall not include public utility structures, pipelines, or
14 tunnels constructed under the authority of subsection (d)
15 of the Act approved December 20, 1944, as amended (D.C.
16 Code, Sec. 1-244(d)), or structures or facilities of the United
17 States or the District of Columbia, or of any governmental entity
18 or foreign government, or any structure or facility included in any
19 lease agreement entered into by the Commissioner. If such
20 structure or enclosure of space be divided approximately
21 horizontally into two or more levels, the term 'vault' as
22 used in Public Law 596 shall be considered as applying
23 to one such level only, and each such level shall be
24 considered a separate vault within the meaning of that
25 law."
26

27 Article 3-362 (b) (1) (bb) by substituting the following in lieu
28 thereof:
29

30 "The application for a vault permit shall be accompanied by
31 a certified copy showing the recordation with the Recorder
32 of Deeds, District of Columbia of a written agreement upon the
33 official form for the purpose signed by the owner of the abutting
34 property, contracting to release and relinquish the vault space,
35 and to remove, free of expense to the District of Columbia all
36 structural parts of the vault when so ordered by the Commissioner,
37 as required by Article 43, Section 4 of the Police Regulations."
38

39 Section 3-362 (b) (3) (aa) by substituting the following in lieu
40 thereof:
41

42 "In business districts, vaults shall not be used for public entrance
43 to basements, nor for the housing of boilers, plumbing fixtures,
44 or other mechanical appliances or equipment, but may be used
45 for the storage of readily movable personal property, as sales or
46 office space, for the storage of fuel or for the parking of motor
47 vehicles. Filling pipes for fuel oil shall be extended to within
48 eighteen (18) inches of the curb line when physically possible.
49 Such pipes shall terminate in filling boxes of approved pattern.
50 A separate permit will be required for filling pipes and boxes.
51 Other uses not specifically forbidden by law, code or regulation
52 may be approved as provided in Article 43 of the Police Regulations."
53

54 Section 3-362 (b) (5) (aa) by deleting in entirety and substituting
55 the following in lieu thereof:
56

57 "Vaults shall be construed so as not to interfere with sewers,
58 water mains, gas mains, electric or telephone conduits, signal
59 conduits, manholes, lamp posts, trees, or any other public or
60

public utility works or improvements."

Section 3-362 (b) (5) (bb) by deleting in entirety and substituting the following in lieu thereof:

"If construction or alteration of a vault requires the removal or relocation of utilities, and if by agreement a public utility or District utility arranges to alter its facilities, the owner of abutting property shall notify the appropriate company or office concerned as to when he has been issued a permit and is ready to start construction or alteration work."

Section 3-1327(b) by deleting all reference to sixty (60) days wherever it appears and substituting six (6) months.

Section 4. The Traffic and Motor Vehicle Regulations of the District of Columbia are hereby amended as follows:

Part I, Article XIII, Section 79(b) 12 by deleting the period after the number '171' and adding the following:

"and at locations authorized by permit and upon payment of rent as provided in ARTICLE 43, Section 3 of the Police Regulations, except in areas zoned R or SP as designated by the Zoning Regulations."

"Part I, ARTICLE XIII, Section 79(c)1 by deleting the period after the number '171' and adding the following:

"and at locations authorized by permit and upon payment of rent as provided in ARTICLE 43, Section 3 of the Police Regulations, except in areas zoned R or SP as designated by the Zoning Regulations."

"Part I, ARTICLE XIII, Section 79(c) 6 by deleting the period after the word alley and adding the following:

"except parking shall be permitted in a public alley and at locations authorized by permit and upon payment of rent as provided in ARTICLE 43, Section 3 of the Police Regulations, except in areas zoned R or SP as designated by the Zoning Regulations."

Section 5. This regulation shall take effect immediately upon enactment.

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APPENDIX A

ARTICLE 43
POLICE REGULATIONS
PUBLIC SPACE RENTALSec. 1 - DEFINITIONS

The words and phrases used in this Article shall have the meanings respectively ascribed to them by Section 103 of the Act approved October 17, 1968 (Public Law 90-596; 82 Stat. 1156) and in addition to the said words and phrases the following words and phrases shall have the meanings respectively ascribed to them in this section. Such meanings shall obtain except in those instances where the context clearly indicates a different meaning.

"Act" means the District of Columbia Public Space Rental Act, approved October 17, 1968 (Public Law 90-596, 82 Stat. 1156).

"Committee" means the Public Space Committee of the District of Columbia as constituted by Commissioners' Order No. 346646, dated October 8, 1935.

"Council" means the District of Columbia Council.

"Department" means the Department of Highways and Traffic.

"Director" means the Director, Department of Highways and Traffic or his designated agent.

"Director of Finance and Revenue" means the Director of the Department of Finance and Revenue, or his designated agent.

"Director of Economic Development" means the Director of the Department of Economic Development, or his designated agent.

"District" means the District of Columbia.

"Permit Branch" means the Permit Branch of the Bureau of Licenses and Inspections, Department of Economic Development.

"Surface Space" means all that space between the building line and the curb regardless of whether such space is paved or unpaved.

"Treasurer" means the District of Columbia Treasurer.

Sec. 2 - GENERAL

(a) Administration and Enforcement of Act

In connection with the administration and enforcement of the Act and this Article, the following officials shall perform the duties respectively assigned to them in this section.

(1) When a property owner requests the use of public space the Director shall investigate the public need for said space, consider the proposed use of the space, and recommend to the Committee approval or disapproval of such use. The Director shall inspect such space, when he deems it necessary, to determine compliance with the Act, these regulations, and the terms of the permit. He shall refer to the Director of Economic Development violations of the Act, these regulations, or the permit, or conditions requiring remedial action. If, as a result of the private use of surface space, an imminently dangerous condition is discovered and public safety requires, the Director shall take such steps as are necessary to immediately remedy the situation.

(2) The Committee shall, on recommendation from the Director, determine the public need for public space, what private use may be made of it, and what may be erected or installed therein. The Committee shall approve or disapprove all applications for the use of public space referred to it by the Director, and no permit for such use shall be issued without Committee approval.

(3) The Director of Economic Development shall receive all applications for permits to occupy or use public space, referring them to the proper departments for review and approval or disapproval. In the case of vaults he shall determine the structural adequacy of proposed construction, investigate all questions of structural defects in existing vaults, and inspect them when he deems necessary to determine their physical condition. If a vault or related construction is found to be an imminently dangerous condition and public safety requires, the Director of Economic Development shall take such steps as are necessary to immediately remedy the situation. Through the Permit Branch he shall issue all approved public space permits. He shall

1 investigate violations of the Act, these regulations or the terms of the permit, and take
2 necessary action to remedy the situation.

3 (4) The Director of Finance and Revenue shall render all bills and collect all
4 rents and other charges for public space occupancy and use, as provided by law and
5 regulation.

6 (5) The Corporation Counsel, District of Columbia, or his designated assistant,
7 shall institute and prosecute any action determined by him to be necessary by reason
8 of any violation of the Act and these regulations.

9 (b) Application for Permit

10 Application for permit for the occupancy and use of public space shall be
11 signed by the owner and filed in the Permit Branch on the form provided by the District,
12 in the number of copies required, with such attachments as may be necessary.

13 (c) General Conditions

14 (1) Any personal property placed on public space by the permittee shall be
15 readily movable, maintained in a good clean condition, and shall not be allowed to
16 deteriorate, become unsightly or dangerous to the public.

17 (2) Any property owner who wishes to sub-let public space, either surface
18 or below the surface, shall file with the Director a notarized copy of the rental agree-
19 ment covering the space to be sub-let prior to the issuance of an occupancy permit.

20 (3) The current schedule of rent, provided for in the Act, and established by
21 the Council, shall be available from the Permit Branch.

22
23 Sec. 3 - VAULTS

24 (a) Permits

25 No excavation or structural work of any kind, including abandonment,
26 shall be done on a vault without a permit, nor shall any fault remain in public space
27 unless authorized by a valid permit issued to the owner.

28 (b) If Constructed Prior to July 1, 1969

29 Under the conditions of the Act, all permits issued for vaults constructed
30 prior to July 1, 1969, expire on that date, and the owner may elect to do one of the
31 following:

32 (1) Abandon the vault. Specifications for abandonment may be secured from the
33 Underground Locations Section, Department of Highways and Traffic. No rent will
34 be charged for any existing vault abandoned by December 31, 1969.

35 (2) Retain and use the vault. Issuance of a permit for this purpose shall be
36 continued on the prior execution and recordation by the owner with the Recorder of
37 Deeds, D. C., of an agreement, on the form provided by the Department and
38 obtainable from the Permit Branch. A certified copy of the recorded agreement shall
39 be furnished to the Department prior to issuance of a permit. Insurance, or other
40 security, as specified in section 5 of this Article, shall be secured and be in effect at
41 the time of issuance of the permit.

42 (3) Maintain only a portion of the vault, abandoning the remainder. Application
43 shall be made for permit to abandon as provided in subsection (b) (1) of this section.
44 The provisions of subsection (b) (2) of this section will apply to the portion
45 maintained.

46 (c) If Constructed on or After July 1, 1969

47 Vaults constructed on or after the first day of July 1969 are subject to the
48 provisions of the Act shall be subject to all applicable portions of all Codes and
49 Regulations of the District.

50 (1) Application for a permit shall be made as provided in section 2 (b) above,
51 and in subsections (a) and (b) (2) of this section.

52 (2) When an owner notifies the Commissioner in writing of the abandonment of
53 a vault, rent shall be charged until the Director has verified the abandonment.

54 (d) Alteration, Repair or Replacement

55 (1) A vault may be altered, repaired, or replaced only under permit
56 obtained and issued in accordance with applicable provisions of this Article.

57 (2) Where a new building is to be erected on property adjoining an
58 existing vault and the vault space is to be used immediately or shortly for the
59 construction of a new vault the existing vault may be sealed by construction of a
60 solid masonry wall separating it from the private property. In such case the vault

7 of 8

1 agreement and insurance shall remain in effect and full responsibility shall rest on
2 the owner, but no rent will be charged for the space until the new vault is constructed:
3 Provided, that if construction on the new building shall not have been started within
4 six months following the construction of the sealing wall rent will again be charged
5 for the space occupied by the sealed vault at the previous rate until construction is
6 started: And Provided Further, that if construction is suspended after starting, and
7 remains suspended for six consecutive months, rent will be charged as above during
8 the remainder of the period of suspended construction.

9 (e) Abandonment

10 (1) When an owner wishes to abandon a vault constructed after July 1, 1969,
11 the provisions of subsection (b) of this section regarding abandonment of vaults
12 constructed before that date shall apply.

13 (2) When abandonment is in connection with subway construction the
14 execution of an agreement between the owner and the Washington Metropolitan Area
15 Transit Authority transferring full responsibility to the latter agency will relieve the
16 owner of all responsibility, including rent, providing the owner notifies the
17 Director in writing, and furnishes an executed copy of the agreement.

18 (f) Dangerous Conditions

19 When, in accordance with Section 306 of the Act, the Director of Economic
20 Development serves a notice upon an owner informing him that the vault is unsafe,
21 said owner shall immediately, upon proper permit, make repairs or abandonment in accor-
22 dance with Department of Economic Development specifications, and shall complete the
23 work within the time stated in said notice.

24 (g) Tax Sales

25 Delinquent rent and charges shall be collected in the same manner as
26 delinquent real estate taxes. If any such tax remains unpaid after two years from the
27 date that such tax was levied, the Director of Finance and Revenue will send to the
28 property owner a notice of intent to advertise the property for tax sale. This notice
29 shall state, as a minimum, the date of the tax sale, the square and lot number of the
30 property to be sold, the amount of tax due, and the last date on which the tax may be
31 paid before the property will be advertised for sale.

32 (h) Installation of Utilities and Surface Changes

33 (1) When the Director considers it in the public interest to construct or
34 authorize construction of any utility in, through, under, over or in place of any vault
35 the Director will request the Director of Economic Development to serve a notice on
36 the owner stating the need for the vault space, what portion is required, and the date
37 by which it must be available. Within the time specified in the notice the owner
38 shall do such work as is necessary to clear the required space.

39 (2) The Director is authorized to accept an arrangement between the owner
40 and the utility under which the utility will do all or part of the required work on the
41 vault in conjunction with the utility installation. Such arrangement shall not relieve the
42 owner of any responsibility under the vault permit and the recorded agreement. All
43 abandonment or alteration effected by the utility shall be under permit, and to
44 Department specification.

45 (3) When any change proposed to be made in the roadway, sidewalk, or
46 other surface adjoining a vault, will affect the vault, the owner will be notified as
47 provided above in subsection (1) of this section and he shall make all necessary
48 modifications to the vault within the specified time.

49 (i) Uses of Vaults

50 Vaults may not be used for any purpose prohibited by Section 3-362 (b)
51 (3) (aa) of the Building Code. They may be used for storage of readily movable personal
52 property, as sales or office space, for the storage of fuel, or for the parking of motor
53 vehicles. Other uses not specifically forbidden by law, code or regulation may be
54 approved by the Director if he finds it in the public interest to do so:
55

56 Sec. 5 - INSURANCE OR OTHER SECURITY, PENALTY

57 (a) Insurance

58 The minimum limits of liability insurance required shall be \$100,000.00
59 for one person in any one accident, \$500,000.00 for the aggregate of all persons in
60 any one accident and \$10,000.00 property damage in any one accident. The
insurer must be acceptable to the Director.

(b) Other Security

In lieu of the insurance specified above the Director may accept any of the following as security, in the amounts specified in subsection (a) of the section.

- (1) United States currency.
- (2) Certified check or cashier's check made payable to the D. C.

Treasurer .

- (3) Negotiable U. S. Treasury Bonds.

(c) Penalty for Violation

Any person who shall violate any provision of this Article shall be punished by a fine not exceeding \$300.00 or imprisonment for not more than ten days for each and every day the violation continues.

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Regulation No. 69-26



Enactment Date July 25, 1969

Regulation of the District of Columbia

TITLE Regulation to Establish a Standard for Promptness in Disposing of
An Application for Public Assistance

...Mrs. Polly Shackleton... Presents the following regulation:

1 WHEREAS, Sections 3-206 and 3-207 of the District of Columbia
2 Code require that a prompt investigation and record of the circumstances of
3 an applicant be made and assistance be furnished with reasonable promptness
4 to eligible persons; and

5
6 WHEREAS, Sections 2 (a) (8), 402 (a) (10), 1002 (a) (11), and
7 1402 (a) (10), of the Social Security Act (42 U.S.C. 302, 602, 1202 and 1352)
8 provide that all individuals wishing to make application for assistance shall
9 have the opportunity to do so and that assistance shall be furnished with
10 reasonable promptness to all eligible individuals; and

11
12 WHEREAS, the Department of Health, Education and Welfare has
13 defined reasonable promptness as a period not in excess of thirty days; and

14
15 WHEREAS, pursuant to paragraph 83 and 85 of Section 402 of
16 Reorganization Plan No. 3, the District of Columbia Council is authorized to
17 establish rules and regulations to carry out the provisions of the District of
18 Columbia Public Assistance Act of 1962, and to prescribe the manner and form
19 in which applications for public assistance shall be made.

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

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					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD	X					THOMPSON					X
ANDERSON	X					MOORE	X					YELDELL	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 17, 1969

Adopted on second and final reading July 15, 1969

Presented to the Mayor-Commissioner July 16, 1969
Date Robert A. Rogers
Acting Secretary of the City Council

Approved Walter Washington
Mayor-Commissioner July 25, 1969
Date

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

Disapproved and returned to the City Council Walter Washington
Mayor-Commissioner _____
Date

Readopted _____
Date

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

-2 of 2-

1 Section 1. The Department of Public Welfare shall approve or
2 disapprove applications received for public assistance with reasonable
3 promptness. Such action shall not exceed thirty days from the date the
4 Department received the application to the date the applicant receives
5 his first assistance check or his notice of ineligibility, unless delay is
6 caused by circumstances beyond the Department's control. Such circum-
7 stances include those unusual circumstances which are:

- 8
9 (a) wholly within the applicant's control;
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11 (b) beyond his control, such as hospitalization or
12 imprisonment; or
13
14 (c) an administrative or other emergency that could
15 not be reasonably controlled by the agency.
16

17 Section 2. The Department shall not terminate its consideration
18 of an application for assistance solely because it has been unable to
19 establish the eligibility of the applicant within the thirty day period.
20

21 Section 3. Each applicant shall be informed of the Department's
22 standard of promptness and of his right to a hearing if action is not taken
23 within the specified period to grant assistance or to notify him of his
24 ineligibility.
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26 Section 4. This regulation shall become effective upon passage.
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Regulation No. 69-27



July 25, 1969
Enactment Date

Regulation

of the

District of Columbia

TITLE Regulation to Establish Policy Governing Payment for Repairs to a Home owned By an Individual Who is Receiving Public Assistance

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, the Social Security Amendments of 1967 added Section 1119
2 to the Social Security Act (42 U. S. C. 1319) to authorize Federal participation
3 in payments for repairs to a home owned by a recipient receiving aid or assistance
4 under a State plan approved under Titles I, X, XIV, or Part A of Title IV of such
5 Act; and

6
7 WHEREAS, the Department of Health, Education, and Welfare has issued
8 State plan requirements specifying conditions under which Federal participation may
9 be claimed for expenditures to the home of a recipient receiving assistance under
10 one of the program titles cited above; and

11
12 WHEREAS, Section 18 (b) of the District of Columbia Public Assistance
13 Act of 1962 (D. C. Code, Section 3-217 (b)), authorizes the District of Columbia
14 to assert a lien against the real property of recipients of Old Age Assistance and
15 Aid to the Permanently and Totally Disabled, thereby making expenditures for
16 repairs to such property an advantageous investment for the District; and

17
18 WHEREAS, Section 24 of the District of Columbia Public Assistance
19 Act of 1962 repealed all prior Acts authorizing public assistance for certain needy
20 persons in the District of Columbia, but provided that "notwithstanding such repeal,
21 all claims of the District of Columbia for recovery of amounts expended for aid or
22 assistance granted under such repealed Acts which it now has, or which would have
23 accrued had such Acts not been repealed, shall be recoverable in the same manner
24 and to the same extent as such amounts would be recoverable had such aid or
assistance been granted under the provisions of this Act"; and

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					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD	X					THOMPSON				X	
ANDERSON	X					MOORE	X					YELDELL	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 17, 1969

Adopted on second and final reading July 15, 1969

Presented to the Mayor-Commissioner July 16, 1969
Date

Approved [Signature] July 25, 1969
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

--2 of 2--

1 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of
2 Reorganization Plan No. 3 of 1967, the District of Columbia Council is
3 authorized to establish rules and regulations to carry out the provisions of
4 the District of Columbia Public Assistance Act of 1962, and to approve
5 regulations under which shall be determined the amount of public assistance
6 which any person shall receive.
7

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

10
11 Section 1. The Department of Public Welfare may authorize an
12 expenditure for repairs to a home which a recipient of Aid to Families with
13 Dependent Children, General Public Assistance, and Aid to the Blind owns or
14 is buying, when there has been no assignment or transfer to the District of such
15 property, if:
16

17 (1) a determination has been made that (A) the home is so defective
18 that continued occupancy is not warranted, (B) unless repairs are made the
19 recipient would have to move to rental quarters, and (C) the rental cost of
20 quarters for the recipient and his family over a period of two years would exceed
21 the cost of repairs needed to make the home habitable together with other costs
22 attributable to continued occupancy of the home; and
23

24 (2) there has been no expenditure for repairs prior to the determination
25 described in paragraph (1).
26

27 Section 2. The Department may authorize an expenditure for repairs to
28 a home which a recipient of Old Age Assistance, Aid to the Permanently and Totally
29 Disabled, and Aid to the Blind owns or is buying, when there is a lien in favor of the
30 District, or there has been an assignment or transfer of such property to the District
31 prior to 1962, asserted to protect the interests of the District of Columbia.
32

33 Section 3. When the cost of repairs to the home of a recipient of Old
34 Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and
35 Aid to Families with Dependent Children exceeds \$500, Federal financial partici-
36 pation of 50 per centum shall be claimed only on that portion of the expenditure
37 which does not exceed \$500. Federal financial participation shall not be claimed
38 for expenditures for repairs to the home of a recipient of General Public Assistance.
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40 Section 4. This regulation shall become effective upon passage.
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Regulation No. 69-28



Enactment Date _____

Regulation of the District of Columbia

TITLE LICENSING REQUIREMENTS FOR CLASS "A" TOUR GUIDES

Mr. Philip Daugherty

----- Presents the following regulation:

1 WHEREAS, the City Council finds that the present requirements to be
2 a Class A Guide in the District of Columbia unduly restricts persons who are capable
3 of being employed in such work, and

4
5 WHEREAS, Reorganization Plan No. 3 of 1967, Section 402, (387) transferred
6 to the District of Columbia Council the function of making rules and regulations for guides,

7
8 NOW, THEREFORE, BE IT ENACTED BY THE District of Columbia
9 Council that:

10
11 Section 1. Section 4(a) of Article 2 of the Police ~~Department~~ Regulations
12 of the District of Columbia is amended to read as follows:

13
14 "No license to act as a guide in the District of Columbia Section
15 under the provisions of Article 47-2338 of the District of
16 Columbia Code shall be issued unless application has
17 been made to the Mayor-Commissioner."

18
19 Section 2. Section 4(b) of Article 2 of the Police ~~Department~~ Regulations
20 is amended by striking the last sentence and substituting the following in lieu thereof:

21
22 "For the purpose of this article, the term 'District of Columbia
23 Metropolitan Area' means the Standard Metropolitan Statistical
24 Area for Washington, D. C."

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					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD	X					THOMPSON					X
ANDERSON	X					MOORE	X					YELDELL	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 17, 1969

Adopted on second and final reading July 15, 1969

Presented to the Mayor-Commissioner July 16, 1969
Date *Robert A. Rowe* Acting Secretary of the City Council

Approved _____
Mayor-Commissioner Date

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

Disapproved and returned to the City Council *Robert A. Rowe* _____
Mayor-Commissioner Date July 25, 1969

Readopted _____
Date

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

Acting Secretary of the City Council

3 Section 3. Section 5 of Article 2 of the Police Regulations is repealed
 4 and the following is substituted therefor: "Each person making application to be a
 5 Class A sightseeing guide shall meet the following requirements:

- 6 (1) Be not less than ²¹~~18~~ years of age and a resident of the
 7 District of Columbia Metropolitan Area.
 8 (2) Be able to read, write, and speak the English language.
 9 (3) Not be covered by diplomatic immunity.
 10 (4) Be determined trustworthy by the Mayor-Commissioner.
 11 (5) Be of sound physique as determined by standards set forth
 12 by the Mayor-Commissioner.
 13 (6) Each person making application for a Class A Guide License
 14 shall submit to the Mayor-Commissioner such fingerprints or
 15 other identifying documents as he may require.
 16 (7) a. Each applicant shall be required to pass an examination
 17 under the supervision of the Mayor-Commissioner.
 18 b. The Mayor-Commissioner shall prepare a test requiring a
 19 knowledge of the public buildings and points of historical
 20 and general interest in the District of Columbia. Such
 21 test shall also require a fundamental knowledge of the
 22 workings of the Government of the United States, and the
 23 Government of the District of Columbia, and such other
 24 knowledge as is deemed appropriate for this occupation.
 25 c. The Mayor-Commissioner may within his discretion establish
 26 additional standards for guides who may deal with non-English
 27 speaking persons, provided that none of the standards of this
 28 article may be waived or abolished in issuing such standards.
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37 Section 4. Section 7 of said Article is repealed and substitute therefore
 38 the following:

39 "Section 7"

41 "Each person making application for a Class B license as a sightseeing
 42 guide shall meet the following requirements:

- 43 (1) Be not less than ²¹~~18~~ years of age.
 44 (2) Meet the requirements of subsections 2-7 inclusive of Section 5
 45 of this Article.
 46
 47
 48

49 Section 5. Article ~~43~~² of the Police Department Regulations is hereby
 50 amended striking the words "Chief of Police" wherever they may appear and sub-
 51 stituting in lieu thereof the words "Mayor-Commissioner."
 52

53 Section 6. Article ~~43~~² of the Police Department Regulations is hereby
 54 amended adding a new section as follows:
 55

56 "Section 10. For the purposes of this Article the term "Mayor-
 57 Commissioner" shall also mean any agent or agency of his designation."
 58

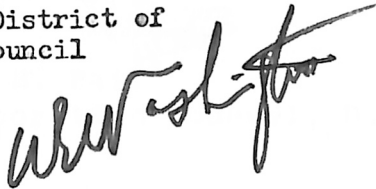
59 Section 7. This regulation shall take effect immediately upon enactment.
 60

Memorandum ● Government of the District of Columbia

TO: The Chairman, District of
Columbia Council

Department, Executive Office
Agency, Office:

FROM: The Mayor



Date: July 25, 1969

SUBJECT: Regulation No. 69-28, licensing requirements for Class A sightseeing guides.

I am returning to the Council, without my approval, Regulation No. 69-28, establishing licensing requirements for sightseeing guides.

I note that one of the principal purposes of the regulation is to increase job opportunities for young people, by lowering to 18 years the age at which application for licensing as a sightseeing guide may be made. I strongly support any action which increases job opportunities for our youth. In doing this, however, the regulation creates certain problems discussed in greater detail in the attached memorandum of the Corporation Counsel.

Accordingly, in the belief that the Council may wish to reconsider the regulation in the light of the comments of the Corporation Counsel, and revise it so as to avoid the problems it may create in its present form, I am disapproving it.

Memorandum • **Government of the District of Columbia**

TO: Mr. Martin K. Schaller
Executive Secretary

Department, Corporation Counsel, D.C.
Agency, Office: L&O:RFK:paf

FROM: Mr. Hubert B. Pair ^{HBP}
Acting Corporation Counsel, D.C.

Date: July 25, 1969

SUBJECT: Regulation No. 69-28.

You have forwarded to this office, for its review and advice as to whether the Mayor should sign it, Regulation No. 69-28, the principal purpose of which is to amend Article 2 of the Police Regulations of the District of Columbia so as to reduce to 18 the age limit for persons making application to be licensed by the District of Columbia as sightseeing guides.

While the regulation purports, by its lowering of the age limits for sightseeing guides, to increase job opportunities for young people, the regulation actually has a more sweeping effect. In addition to lowering the age limit for both Class A guides and Class B guides (i.e., persons residing outside the Washington Metropolitan Area, who come into Washington on trips originating outside the area), the regulation eliminates the present tests to determine whether an applicant for a guide license is of good character, substituting therefor the vague and indefinite standard of "trustworthy". This term, among other things, presumably is intended to mean, according to a memorandum from Mr. Daugherty to the Councilmen, "that for a person under (sic) 18, the term trustworthy will require someone 21 or older, being responsible for the youth's contracts." Despite the language in Mr. Daugherty's memo, I take it that what he means is that with respect to persons under 21 who are making application for a sightseeing guide license, the term "trustworthy" is to be taken as meaning that someone 21 years or older will be contractually responsible for the activities of the person who is under 21.

I have some difficulty with respect to this approach to the contractual responsibility of minors. It would appear, first, that each application submitted by a person under the age of 21 who is seeking a sightseeing guide license would have to be accompanied by the undertaking of someone 21 years of age or older, who agrees to be responsible for any debts or other obligations which the applicant might incur in the performance of his duties as a sightseeing guide. Further, the issuance of a sightseeing guide license to any such person would probably have to be conditioned upon his presenting to those with whom he would be dealing a notice to the effect that someone 21 years of age or older is assuming responsibility for such dealings as he may have. Again, I question whether any such arrangement as this is either desirable or enforceable.

I note that while Regulation No. 69-28 principally amends Article 2 of the Police Regulations, sections 5 and 6 amend in two respects Article 43 of the Police Regulations--an article providing for the denomination of business streets and the use of sidewalk space thereupon. The first of these amendments substitutes "Mayor-Commissioner" for the term "Chief of Police" wherever such term appears in Article 43. The Article does not, however, appear to make reference in any of its provisions to the "Chief of Police". The second amendment adds a section 10 to Article 43, the last section of which is numbered "8".

The regulation also requires minor editing changes. In the first section, reference is made to "Article 47-2338 of the District of Columbia Code", meaning "section 47-2338". Closing quotation marks are omitted at the end of section 3 and section 4. Throughout the regulation reference is made to "Police Department Regulations", instead of "Police Regulations of the District of Columbia".

Generally, the matter dealt with in this proposed regulation is one of policy--that is, whether to provide for the licensing, as sightseeing guides, of persons 18 years of age or older, regardless of whether they reside in the Washington Metropolitan Area. While I am in accord with the idea of increasing job opportunities for young persons, I question

whether the proposed regulation provides protection to the public, both from the standpoint of complying with the obligations of a contract on the part of those guides who are under 21 years of age, and eliminating the present standards for determining whether any applicant for a sightseeing guide license, regardless of his age, is of good character. In view of this, I recommend that the Mayor not approve the proposed amendments of the Police Regulations, pending some clarification by the Council with respect to the two principal points I have mentioned.

District of Columbia City Council
Memorandum

City Hall, 14th and E Streets, N.W. Room 507 638-2223 or Government Code 137-3806

To MEMBERS OF THE CITY COUNCIL
From Phillip J. Daugherty
Date July 15, 1969
Subject Class A Guides

After a public hearing my committee suggested several changes in the current Guide licensing requirements. Among these was a lowering of the age to be a guide from 21 to 18. This was in keeping with Councilman Anderson's Youth Affairs Committee's and the Council's work to increase jobs for young people.

My committee has been contacted by the Deputy Mayor on this point. While the Mayor's side shared our concern for creating youth opportunities there was concern that a guide under 21 could not be held liable for any contracts he might enter into. Since many tourists are from other countries and most are here for only a short time, the Mayor's side was concerned that any legal difficulties might be detrimental to the city's reputation as a tourist attraction.

My committee has held discussions with the Mayor's side concerning this problem. We have reached a solution.

As drafted the regulation provides that a person must be deemed trustworthy. It is understood that for a person under 18, the term trustworthy will require someone 21 or older, being responsible for the youth's contracts. This is the Committee's legislative intent. The regulation should stand as read the first time.

I wanted to put this discussion in the record as an assurance of our intent and the Mayor's understanding. A memo acknowledging this is being sent from the Deputy Mayor's office.

aal

Regulation No. 69-29



Enactment Date August 8, 1969

Regulation of the District of Columbia

TITLE Regulation to Prohibit a Durational Residence Requirement as a Condition for Receiving Public Assistance

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, the decision of the United States Supreme Court in
2 the case of Shapiro vs. Thompson, April 21, 1969, judged that denial of
3 public assistance to poor persons solely on the basis of a durational
4 residence requirement is invalid; and

5
6 WHEREAS, the Department of Health, Education, and Welfare
7 published in the Federal Register June 3, 1969, Social and Rehabilitation
8 Service Program Regulation 10-6, which prohibits State plans for Old Age
9 Assistance, Aid to Families with Dependent Children, Aid to the Blind,
10 Aid to the Permanently and Totally Disabled or Aid to the Aged, Blind and
11 Disabled from imposing, as a condition of eligibility for such aid or
12 assistance, any residence requirement which excludes any individual who
13 resides in the State; and

14
15 WHEREAS, the U. S. District Court for the District of Columbia
16 on November 28, 1967 enjoined the District Government from requiring a
17 durational residence requirement in the General Public Assistance category
18 and in AFDC, AB and APTD.

19
20 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of
21 Reorganization Plan No. 3 of 1967, the District of Columbia Council is
22 authorized to establish rules and regulations to carry out the provisions of
23 the District of Columbia Public Assistance Act of 1962, and to approve
24 regulations under which shall be determined the amount of public assistance
which any person shall receive.

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					DAUGHERTY	X					SHACKLETON	X				
TUCKER				X		HAYWOOD	X					THOMPSON					X
ANDERSON	X					MOORE	X					YELDELL	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 15, 1969

Adopted on second and final reading July 30, 1969

Presented to the Mayor-Commissioner July 31, 1969

Approved Robert A. Rogers
Mayor-Commissioner

Robert A. Rogers
Acting Secretary of the City Council

August 8, 1969
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.

Stephen C. Swain
Secretary of the City Council

2 of 2

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

3
4 Section 1. The Department of Public Welfare, in determining
5 eligibility for a person to receive Old Age Assistance, Aid to the Blind, Aid
6 to the Permanently and Totally Disabled, Aid to Families with Dependent
7 Children or General Public Assistance, which includes Temporary Assistance
8 for Families of Unemployed Parents, Emergency Family Shelter Service, and
9 Emergency Assistance Service, shall not, as a condition of eligibility, impose
10 any residence requirement which excludes any individual who resides in the
11 District of Columbia.

12
13 Section 2. (a) A resident of the District of Columbia is one who
14 is living in the District of Columbia voluntarily and not for a temporary
15 purpose, that is, with no intention of presently removing therefrom. A child
16 is "residing in the District" if he is making his home in the District.

17
18 Temporary absence from the District, with subsequent returns to
19 the District, or intent to return when the purposes of the absence have been
20 accomplished, shall not interrupt continuity of residence.

21
22 (b) Residence as defined for eligibility purposes shall not depend
23 upon the reason for which the individual entered the District except insofar as
24 it may bear on whether he is there for a "temporary purpose".

25
26 Section 3. Recipients of assistance from the District of Columbia
27 who move to another jurisdiction with intent to remain in that State shall be
28 asked to make application for assistance in that State immediately. Such
29 recipients may continue to receive assistance from the District for a period
30 of time not to exceed two months, to provide time for the State to process
31 the application.

32
33 Section 4. This regulation rescinds the following actions of the
34 former Board of Public Welfare:

- 35
36 (a) Public Assistance Plan for the District of Columbia,
37 Part III, B, 1, a, (3), approved September 30, 1940;
38
39 (b) Administrative Order 2.47/10a approved April 29, 1949;
40
41 (c) Administrative Order 2.47/17, approved June 17, 1952.

42
43 Section 5. This regulation shall become effective on passage. ✓
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Regulation No. 69-30



August 8, 1969
Enactment Date

Regulation
of the
District of Columbia

TITLE Regulation to Authorize the Department of Public Welfare to Use the Principle of Family Budgeting in Determining the Amount of Total Assistance to Families Receiving More Than One Assistance Payment
Mrs. Polly Shackleton Presents the following regulation:

- 1 WHEREAS, the Department of Public Welfare, as the agency
- 2 designated to administer public assistance programs under the provision of
- 3 Titles I, IV, X and XIV of the Social Security Act, is responsible for developing
- 4 State plans for the efficient administration of such programs; and
- 5
- 6 WHEREAS, efficient administration encompasses developing methods
- 7 of operation that will assure equal treatment to families in similar circum-
- 8 stances and also assure maximum Federal financial participation; and
- 9
- 10 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of
- 11 Reorganization Plan No. 3 of 1967, the District of Columbia Council is
- 12 authorized to establish rules and regulations to carry out the provisions of the
- 13 District of Columbia Public Assistance Act of 1962, and to approve regulations
- 14 under which shall be determined the amount of public assistance which any
- 15 person shall receive.
- 16
- 17 NOW, THEREFORE, BE IT ENACTED by the District of Columbia
- 18 Council that:
- 19
- 20 Section 1. When more than one person in a family is eligible in
- 21 his own right for assistance from a Social Security program, the Department of
- 22 Public Welfare shall authorize a separate payment to meet his requirements.
- 23
- 24 (a) The amount of the payment shall be based on the Standard
- for Requirements for the size family of which he is a member.

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					DAUGHERTY	X					SHACKLETON	X				
TUCKER				X		HAYWOOD	X					THOMPSON				X	
ANDERSON	X					MOORE	X					YELDELL	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 15, 1969

Adopted on second and final reading July 30, 1969

Presented to the Mayor-Commissioner July 31, 1969
Date

Robert A. Rogers
Acting Secretary of the City Council

Approved Peter Washington
Mayor-Commissioner

August 8, 1969
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.

Stephen C. Swamin
Secretary of the City Council

- 1 (b) The total amount of assistance the family will receive shall
2 not exceed the amount it would have received if only one
3 payment had been authorized.
4

5 Section 2. When a family is receiving more than one assistance
6 payment and members of a family have income, the Department of Public
7 Welfare shall apply income that must be considered in determining need as
8 follows:
9

- 10 (a) When a husband and wife are each receiving assistance,
11 income shall be divided equally between them.
12
13 (b) When the parent of minor children has income and is
14 receiving assistance in his own right, his income shall
15 be prorated between his payment and the payment for his
16 dependents.
17
18 (c) When an adult child has income, is receiving assistance
19 and is living with his family which is receiving assistance,
20 his income shall be applied only to his own requirements.
21
22 (d) When a minor child, living with a relative and other
23 children, has income paid in his behalf, he shall continue
24 to receive Aid to Families with Dependent Children as a
25 needy dependent child unless his income is such that he
26 would not have been eligible had the relative applied for
27 assistance for him alone.
28

29 Section 3. A family is defined as a husband or wife or a couple
30 living as husband and wife; parents or other relative and children, including
31 adult children eligible for assistance; other persons related by blood or
32 marriage who are sharing a home together.
33

34 Section 4. This regulation shall become effective on passage.
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