

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

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

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

(b) Application for Permit

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

(c) General Conditions

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

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

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

Sec. 3 - SURFACE USE

(a) Who May Apply

The owners of business property abutting public space in areas zoned other than R or SP in the Zoning Regulations of the District may, subject to the provisions of this Article, rent so much of the surface space on which their properties abut as the Committee determines is not needed for the use of the general public during specified times on specified days.

(b) Rental Periods

Permittee shall pay rent for the surface space rented to him at the rate established by the Council and set forth in the current schedule of rent, available from the Permit Branch. Such rent is payable annually in advance unless the space is rented for a lesser period, in which case it shall be payable in advance for the entire rental period: Provided that public space shall not be rented for less than one month.

(c) Refund of Rent

In the event the Director requires a permittee to relinquish part or all of the surface space rented by the permittee, said permittee may secure a refund commensurate with the space so relinquished and the portion of the rental period remaining, by applying in writing to the Director. Such refund shall be made only after verification by the Director that all provisions of the Act and these Regulations have been complied with. Refund shall be made to the nearest 1/12 of the annual rent.

(d) Limits of Rental Space

Space to be rented under this Section shall not extend beyond the following limits:

(1) Above a horizontal plane extending from the first floor ceiling of the adjoining building, or above twelve feet, whichever is the lesser.

(2) Below the surface of the ground, whether paved or unpaved, within the area so rented.

(3) Beyond the curb line fronting the property as such line is established in the records of the Department.

(4) On either side beyond a line extending at 90 degrees to the property line from the intersection of the lot line of the permittee with the property line, as such lines are recorded in the office of the Surveyor of the District of Columbia, or, if the property line be on a curve, beyond a radial extending from the same point.

(e) Application

Application for the use of surface space shall be made to the Permit Branch in duplicate, on the form prescribed for such purpose, and shall be accompanied by six copies of a plat or drawing indicating, to scale, the amount of surface space the applicant is seeking permission to use. Such application shall state with particularity the nature of the proposed use, the type of equipment to be used, and the days of the week and hours of each day the applicant desires to use such surface space. Such application shall also contain a statement by the applicant that he will, in consideration of being issued a permit for the use of surface space, agree to hold harmless the United States and the District, and the officers and employees of each of them, for any loss or damage arising out of such use, or the discontinuance of any use; that he understands that his use of surface space is to be temporary, on a day-to-day basis; that he shall not acquire any right, title, or interest in such space; that the Director may by written notice, require him at any time to vacate all or any part of the surface space he has been given permission to use; that upon demand to vacate such space he will promptly remove any personal property placed thereon by him, or reimburse the District for the cost of moving such property; and that he shall have no recourse against either the United States, the District, or the officers or agents of either for any loss or damage occasioned by his being required to vacate all or any part of the surface space which he had been granted permission to use.

(f) Approvals

Application for a permit to use surface space shall be subject to the approval of the Committee, on consideration of a recommendation by the Director, who shall report whether the surface space for the use of which application is being made is required for the use of the general public on the days and at the times covered by such application. The Director shall investigate and report as to those days, and as to those times during each such day when such space may not be wholly or partly required for the use of the general public, and, subject to such investigation, recommend to the Committee whether such should be approved by it, and any qualifications which should be attached to such approval.

(g) Clear Passageway to be Maintained

Each applicant for a permit to use surface space shall demonstrate to the satisfaction of the Committee that the use to be made of such space will include provisions for the maintenance of a clear, unobstructed passageway not less than ten feet in width at all points, entirely across the frontage of the property occupied by the applicant, parallel to the line of the street and generally in the line of pedestrian traffic: Provided, that if the Committee shall find that usually, or at certain periods during the day or evening, the flow of pedestrian traffic at such location is sufficiently light to permit a passageway narrower than ten feet, a passageway as narrow as six feet may be approved by the Committee, either at all times when such use of surface space is permitted, or for certain specified periods during the time when such use is permitted. The width of the passageway or passageways approved by the Committee shall be indicated on the permit issued for the use of the surface space, and the space itself shall be so marked as to define such passageways, such markings to be by one or more painted white lines, each not less than four inches in width, or other such markings as may be required, extending across

so much of such surface space as the permittee is authorized to use. Such marking shall be done by the permittee in accordance with the directions of the Director.

(h) Submission to Fine Arts Commission

Applications for permits to use surface space abutting real property subject to the provisions of the Act approved May 16, 1930 (46 Stat. 366) as amended (Section 5-410 and 5-411, D. C. Code, 1967 ed.), known as the "Shipstead-Luce Act", and the Act approved September 22, 1950 (64 Stat. 903; Section 5-801 through 5-805, D. C. Code, 1967 ed.), known as the "Old Georgetown Act", shall be submitted by the Director of Economic Development to the Commission of Fine Arts for its advice as to whether the proposed use of such surface space is in conformity with the intent and purposes of the applicable Act: Provided, that if the said Commission of Fine Arts fails to advise the Director of Economic Development of its determinations within thirty days, the said Director may assume that the proposed use is in conformity with the applicable Act. An applicant for permission to use surface space in an area subject to the provisions of either of the aforesaid Acts shall submit with his application a full description, including one or more sketches or renderings in color and perspective, of the use proposed to be made of such surface space, in order to permit the Commission of Fine Arts to determine whether such use will be in conformity with the applicable Act.

(i) Public Utilities to Review Application

Each public utility company which, according to the records of the District, operates or maintains any equipment or service in the area beneath the surface space for the use of which application is made shall be given an opportunity by the Director to inform him concerning its objections, if any, to the proposed use to be made of such space: Provided, that if any such company fails, within fifteen days after request for its recommendation, to notify the Director of

any objection it may have to such use, the Director may assume that it has no objection to the proposed use.

(j) Permit Conditions

Each permit to use surface space under the authority of these regulations shall be issued subject to the following conditions:

(1) That public space shall be rented only to the owner of the abutting private property: Provided, that the owner may sub-let said space to his tenant upon filing a copy of the rental agreement for said public space with the Director as set forth in section 2(c)(2) of this Article.

(2) That such space will only be used for the activity or activities specified on the permit, in accordance with the requirements of these and any other applicable regulations.

(3) That such use is temporary, and that the user acquires no right, title, or interest in the space he is permitted to use.

(4) That the United States and the District, and the officers and employees of each of them, will be held harmless for any loss or damage arising out of such use, or the discontinuance of such use, whether such loss or damage be suffered by the permittee, the United States, the District, or by some third person.

(5) That the Director may require such space to be vacated upon demand and its use discontinued, with no recourse against either the United States or the District for any loss or damage occasioned by any such requirement.

(6) That if any such space be not vacated and such use be not discontinued by the time specified by the Director, the said Director may remove from such space any property left thereon, at the risk and expense of the owner.

(7) That any awning, umbrella, or other covering extending over or used

on such surface space shall be flame-proofed, and the arrangement of any furniture or other property placed thereon shall be in accordance with a plan proposed by the applicant, recommended by the Director and approved by the Committee.

(8) That the permittee will promptly remove any litter deposited on or in the vicinity of the surface space used by him, resulting from the activity or activities conducted by him on or adjoining such space.

(9) That the permittee will at all times conduct such activity or activities in an orderly fashion.

(10) That the permittee will, under permit duly issued by the District, provide lighting facilities adequate to light the activity or activities conducted by him on such surface space during the evening or night.

(11) That such space will be used for business purposes only during the hours specified on the permit authorizing such use, and neither before nor after such hours.

(12) That no entertainment or music shall be provided or permitted for the enjoyment of the patrons of the establishment operated by the permittee other than such music as may be furnished by not to exceed three musicians playing such stringed instruments as the violin, the viola, the cello, the double-base, and the guitar, and not more than one accordion or concertina: Provided, that such music shall not disturb the peace or quiet of the neighborhood, or the comfort or repose of any inhabitant thereof: Provided, further, that no music shall be played:

(aa) In violation of section 2 (a) of Article 6 of these Regulations.

(bb) Before or after the hours within which such music may be played as specified on the face of the permit issued for the use of such space.

(cc) Later than 12:00 midnight.

And provided further, that there shall be no amplification or production of music by any electronic or mechanical means, nor shall there be any electronic or mechanical reproduction of music and its dissemination by means of loudspeakers, whether by coin-operated or non-coin operated phonographs or music boxes, by background music service, or by any radio or television set.

(13) That the government of the District and the several public utility companies operating in the District will be permitted to have immediate access to manholes located in such space; that no objects or structures shall be placed on ventilation gratings over transformer manholes; that the said utility companies shall have the right, under permit, to have access to such space for the purpose of repairing or reinforcing existing facilities and to build new facilities, and the government of the District shall have like right; and that the government of the District and the said utility companies, their officers and employees, shall be held harmless for any loss or damage arising out of their use of said space or any part thereof, or for the interruption of or discontinuance of use resulting from the performance of work under, on, or above such space by the government of the District or by any of the said utility companies.

(14) That the permittee will post the permit issued him for the use of surface space in a conspicuous location on the front of the premises occupied by the permittee, either on the exterior of such premises, or in a location where it may be seen from the exterior of the premises, and so located and lighted as to be readily legible to a person on the public space in front of such premises.

(k) Vehicle Parking or Sales

If the surface space is to be used for the parking of

vehicles, either at a sales lot, a parking lot, a garage, a gasoline filling station, or other business property, in addition to the requirements of subsection (j) of this section the following shall apply.

- (1) Any such area shall be paved to Department specifications.
- (2) Limits of the surface space to be used shall be delineated in accordance with Department specifications and requirements.
- (3) Vehicles shall not encroach beyond the marked limits in any manner, including the car or other overhang.
- (4) When the operator of such a facility does not wish to rent surface space adjoining his establishment, no vehicle, or other object shall encroach beyond the property line in any manner, including car or other overhang, and provisions to prevent such encroachment shall be made as provided in Article 28, section 2(e) of these Regulations.

(1) Suspension or Revocation of Permit

Permits for the use of surface space shall be subject to suspension or revocation for failure of the permittee to comply with these regulations, or for failure of the permittee for a period of more than twelve consecutive months to make use of said surface space as specified on the permit and in accordance with the plan required by subsection (e) of this section.

(m) Supersedes other Provisions

The provisions of this Article relating to the extent to which surface space may be occupied by the operators of businesses abutting such space shall supersede such other provisions of these regulations as may control the extent to which such space may be occupied.

Sec. 4 - VAULTS

(a) Permits

No excavation or structural work of any kind, including abandonment, shall be done on a vault without a permit, nor shall any vault remain

In public space unless authorized by a valid permit issued to the owner.

(b) If Constructed Prior to July 1, 1969

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

- (1) Abandon the vault. Specifications for abandonment may be secured from the Underground Locations Section, Department of Highways and Traffic. No rent will be charged for any existing vault abandoned by December 31, 1969.
- (2) Retain and use the vault. Issuance of a permit for this purpose shall be conditioned on the prior execution and recordation by the owner with the Recorder of Deeds, D.C., of an agreement, on the form provided by the Department and obtainable from the Permit Branch. A certified copy of the recorded agreement shall be furnished to the Department prior to issuance of a permit. Insurance, or other security, as specified in section 5 of this Article, shall be secured and be in effect at the time of issuance of the permit.
- (3) Maintain only a portion of the vault, abandoning the remainder. Application shall be made for permit to abandon as provided in subsection (b)(1) of this section. The provisions of subsection (b)(2) of this section will apply to the portion maintained.

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

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

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

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

d) Alteration, Repair or Replacement

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

(2) Where a new building is to be erected on property adjoining an existing vault and the vault space is to be used immediately or shortly for the construction of a new vault the existing vault may be sealed by construction of a solid masonry wall separating it from the private property. In such case the vault agreement and insurance shall remain in effect and full responsibility shall rest on the owner, but no rent will be charged for the space until the new vault is constructed: Provided, that if construction on the new building shall not have been started within six months following the construction of the sealing wall rent will again be charged for the space occupied by the sealed vault at the previous rate until construction is started: And Provided Further, that if construction is suspended after starting, and remains suspended for six consecutive months, rent will be charged as above during the remainder of the period of suspended construction.

(e) Abandonment

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

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

Dangerous Conditions

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

(g) Tax Sales

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

(h) Installation of Utilities and Surface Changes

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

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

utility shall be under permit, and to Department specifications.

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

(i) Uses of Vaults

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

Sec. 5. 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.

Regulation No. 69-56



December 24, 1969
Enactment Date

Regulation of the District of Columbia

TITLE HOLIDAY FOR DISTRICT EMPLOYEES ON DECEMBER 26, 1969

----- Mr. Sterling Tucker ----- Presents the following regulation:

1 WHEREAS, the President on December 23, 1969, issued an order that
 2 declared Friday, December 26, 1969, to be a holiday for federal employees, and
 3
 4 WHEREAS, the District of Columbia Council was transferred the
 5 rulemaking authority for holidays for District Employees under Title 1, Section 206
 6 of the District of Columbia Code, and
 7
 8 WHEREAS, the District of Columbia Council finds that it must act
 9 expeditiously in order to allow District Employees to also have this holiday and,
 10 therefore, finds that in the interest of the public welfare it must act under Section 6
 11 of the District of Columbia Administrative Procedures Act which allows an emergency
 12 waiver of public notice.
 13
 14 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
 15 that:
 16
 17 Section 1. The Commissioner of the District of Columbia is hereby
 18 authorized to issue those orders he deems necessary to declare Friday, December 26,
 19 1969, to be a holiday for District Employees.
 20
 21 Section 2. This regulation shall take effect immediately upon enactment.
 22
 23
 24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON					X
TUCKER	X					HAYWOOD				X		ROBINSON	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 -----
 Adopted on second and final reading ----- December 24, 1969 -----
 Presented to the Mayor-Commissioner ----- December 24, 1969 -----
 Date ----- Secretary of the City Council
 Approved -----
 Mayor-Commissioner ----- Date ----- December 24, 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.

 Secretary of the City Council

Regulation No. 69-57



DECEMBER 31, 1969
Enactment Date

Regulation

of the

District of Columbia

TITLE Regulation to revise the Department of Public Welfare's Standard for Requirements for public assistance recipients.

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, The Department of Health, Education, and Welfare Program
2 Regulation 20-7 specifies as a requirement for State plans that by July 1, 1969,
3 the State's standard for assistance for the Aid to Families with Dependent Children
4 program will have been adjusted to reflect fully changes in living costs since such
5 standards were established and further provides that, in the event the State is not
6 able to meet need in full under the adjusted standard, the State may make rateable
7 reductions; and

8
9 WHEREAS, the Department of Public Welfare Standard for Requirements now
10 in effect for all public assistance recipients was based on living costs in April 1957
11 and established by the Board of Commissioners in Commissioners' Order No. 58-1084,
12 dated July, 1958; and

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

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

22
23 Section 1. Basic Requirements: The Director, in determining basic
24 requirements of individuals and families receiving public assistance shall apply
the attached table which is appropriate to the individual's living arrangement:

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					Robinson	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 DECEMBER 16, 1969

Adopted on second and final reading DECEMBER 31, 1969

Presented to the Mayor-Commissioner DECEMBER 31, 1969 Stephen C. Swain
Date Secretary of the City Council

Approved [Signature] DEC 31 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.

Stephen C. Swain
Secretary of the City Council

1 Table 1 Basic Requirements for Individuals and
2 Families Preparing Meals at Home

3
4 Table 2 Basic Requirements for Individuals Eating
5 Meals in Restaurants, with a Room and
6 Board Arrangement, or for Care in an Inter-
7 mediate Care Facility, Foster Home or
8 Residential Placement.

9
10 Section 2. Special Needs: The Director shall provide for special needs
11 of individuals and families as follows:

12 (a) By including in the assistance payment to the recipient:

- 13 (1) Housekeeper Service: An allowance in the
14 amount charged not to exceed \$200 per month
15 when members of the assistance unit are
16 without proper care and such care can be
17 provided only at additional cost.
- 18 (2) Laundry: An allowance of \$5 per month when
19 the individual is physically unable to do his
20 own laundry.
- 21 (3) Transportation: An allowance for the actual cost
22 of transportation for medical purposes by the
23 means recommended in writing by a physician,
24 clinic or hospital official, for school attendance,
25 rehabilitation purposes, for other appointments
26 recommended by the Director and for visits
27 to relatives in hospitals or other institutions.
- 28 (4) Expenses Attributable to Employment or Training:
29 Allowance for personal upkeep of \$1 per day
30 for adults and .75¢ a day for children under the
31 age of 18 for each day or part-day of employment
32 or training not to exceed 21 working days a month.
33 In addition all specific expenses incidental to
34 employment or training, excluding the cost of day
35 care when such is available from the Day Care
36 Services of the Department; for recipients who are
37 paid to care for children in their own homes, .60¢
38 a meal not to exceed two meals a day for each
39 child provided care.
- 40 (5) Work Incentive Program Training Expenses: An
41 allowance of \$35 per month for each person in
42 training.
- 43 (6) Insurance Premiums: The actual cost of insurance
44 premiums on policies carried by aged, blind and
45 disabled recipients who have assigned the policies
46 to the Department.

47 (b) Special needs to be met by vendor payments to the
48 supplier of goods or service:

- 49 (1) Homemaker Service to be paid in accordance with
50 the contract of the Homemaker Service of the
51 Metropolitan Area, Inc. with the District of Columbia.

- (2) Property assessments on the residence property of aged, blind and disabled recipients on which there is a lien in favor of the District of Columbia.
- (3) Costs related to obtaining and retaining the services of a court appointed representative.
- (4) Medical services not provided by the Medicaid Program.

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Section 3. This regulation rescinds Commissioners' Order No. 58-1084 as amended.

Section 4. This regulation is to be effective January 1, 1970.

TABLE 1

DEPARTMENT OF PUBLIC WELFARE, D. C.
Simplified Standard Public Assistance Grant for Persons Eating In, September 1967
All Categories: OAA, AB, AFDC, CPA, APTD

No. of Persons in Assistance Unit	Food	Clothing	Personal & Household Needs	Total BPR	Total Shelter ^{1/}	Total Grant ^{2/}
1	34	10	8	52	80	132
2	63	20	12	95	86	181
3	90	30	14	134	98	232
4	114	40	16	170	110	280
5	135	49	18	202	115	317
6	154	58	20	232	137	369
7	180	67	22	269	150	419
8	205	76	24	305	157	462
9	231	85	26	342	163	505
10	256	94	28	378	171	549
11	272	100	30	402	182	584
12	288	106	32	426	193	619
13	305	112	33	450	204	654
14	321	118	35	474	215	689
15	337	124	37	498	226	724
16	354	130	39	523	236	759

^{1/}A breakdown of Total Shelter approximates 80% for rent, 10% heating fuel, and 10% for utilities.

^{2/}To the above grant:

1. Add \$7 for each child 13 - 20 years;
2. Deduct \$10 for each child 5 years and less;
3. Add \$12 for pregnant woman;
4. Add \$35 for each additional person over 16 persons.

Sources: (1) Food - Department of Agriculture's Low Cost Food Plan for 1 month for a female (20 - 35 years) in September 1967 is the uniform outlay for food per person in each family group with an adjustment made for size of family, as suggested by the Department of Agriculture.

(2) All other components appear in the Standard, Autumn 1967, which is the official standard of the Department of Welfare at present in the 1970 Budget.

TABLE 2

DEPARTMENT OF PUBLIC WELFARE, D. C.
 Standards for Eating Meals in Restaurants,
 Room and Board, Intermediate, Foster Home or Residential Placement Care
 September 1957
 All Categories: OAA, AB, APTD, AFDC, GPA

Living Arrangement	Food	Clothing	Personal and Household Requirements	Total BPR	Shelter	Total Grant
Persons Eating Out						
One	\$ 80	\$ 10	\$ 8	\$ 98	\$80	\$178
Two	160	20	12	192	86	278
(Recipient)	(80)	(10)	(8)	(98)		
(Ess. Person)	(80)	(10)	(4)	(94)		
Add \$12 for pregnant woman						
	<u>Room and Board</u>					
One Person	\$107	\$ 10	\$ 8	\$125		\$125
Two Persons	186	20	12	218		218
Add \$12 for pregnant woman						
Intermediate Care Facility	<u>Room, Board & Care</u>					
Class I	\$125	\$ 8	\$ 8			\$141
Class II	165	8	8			181
Class III	225	8	8			241
Foster Home or Residential Placement						
	\$125	\$ 8	\$ 8			\$141

Regulation No. 69-58



DECEMBER 31, 1969
Enactment Date

Regulation of the District of Columbia

TITLE Regulation to revise the income scale to determine the ability of legally responsible relatives to support persons in need of public assistance.

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, the District of Columbia Code, Section 3-218 cites certain
2 relatives who are held responsible for the support of persons in need of public
3 assistance to the extent of their ability to pay; and
4

5 WHEREAS, the Department of Health, Education, and Welfare SRS Program
6 Regulation 20-7 requires that States that hold relatives responsible for supporting
7 public assistance applicants and recipients must establish an income scale based
8 on more than the minimum standard of living level to determine their ability to
9 support; and
10

11 WHEREAS, the income scale now in effect to determine legally responsible
12 relative's ability to contribute to persons in need of public assistance, established
13 by Commissioners' Order No. 67-889, is based on 1959 living costs and causes
14 hardship when applied to the income of relatives who are trying to support their
15 families adequately at 1969 living costs; and
16

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

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

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
HAHN				X		DAUGHERTY				X		SHACKLETON	X					
TUCKER	X					HAYWOOD	X					Robinson	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 DECEMBER 16, 1969

Adopted on second and final reading DECEMBER 31, 1969

Presented to the Mayor-Commissioner DECEMBER 31, 1969
Date *Stephen C. Swain*
Secretary of the City Council

Approved *Walter Washington*
Mayor-Commissioner Date DEC 31 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 Section 1. The Director, Department of Public Welfare, shall apply the
 2 following income scale exemptions to determine the ability of a legally responsible
 3 relative cited in the District of Columbia Code, Section 3-218, to contribute to the
 4 support of a public assistance applicant or recipient, with the exception of a parent
 5 for a minor child or a husband for a wife who are legally liable to support under
 6 other District of Columbia statutes:

7
 8 (a) Relative is the primary wage earner for his own family-
 9 Scale A

Number of Persons Dependent Upon Income - Including Wage Earner		<u>Net Annual Income Scale</u>
	1	\$ 4,700
	2	6,800
	3	8,800
	4	9,300
	5	10,300
	For each Additional Dependent	1,000

22 (b) Relative is supported by others but has an independent
 23 income - Scale B

Number of Persons Dependent Upon Income - Including Wage Earner		<u>Net Annual Income Scale</u>
	1	\$ 2,350
	2	2,850
	For each Additional Dependent	500

33 Section 2. Basis for computation of relative's contribution

34
 35 (a) Net income for this purpose shall be total income minus
 36 taxes, Social Security, retirement, and insurance deducted by the employer.

37
 38 (b) The dollar amount of the following extraordinary expenses
 39 shall be added to the exemption for dependents before determining the relative's
 40 expected contribution:

- 41
- 42 (1) Medical and dental expenses in excess of
- 43 3 percent of gross annual income.
- 44
- 45 (2) Debts remaining after long unemployment or
- 46 illness accrued as a result of such unemploy-
- 47 ment or illness.
- 48
- 49 (3) Cost of Establishment of home after fire or forced
- 50 moving.
- 51
- 52 (4) Reasonable educational expenses beyond secondary
- 53 school.
- 54
- 55 (5) Other unusual expenses approved by the Department
- 56 of Public Welfare.

57
 58 (c) The expected contribution is one-half of any excess after
 59 allowable exemptions have been considered. Computation shall be to the nearest
 60 dollar.

__3 of 3__

1 (d) No contribution is required if the amount is less than \$5
2 per month. Any amount which is regularly contributed each month shall be counted
3 as a resource.

4 (e) The employed mother and father of an adult recipient may
5 combine their incomes in determining their expected contribution.
6

7 (f) When the relative is an employed daughter whose husband is
8 not employed full time, Income Scale A is used.
9

10 Section 3. Dependents of a legally responsible relative are defined as:
11

12 (a) All persons dependent upon the income of the relative
13 excluding the public assistance applicant or recipient; the support of persons
14 claimed as dependents who do not live in the relative's household must be veri-
15 fied.
16

17 (b) The employed wife of a responsible relative when her
18 income is added to his in determining the contribution according to Income Scale
19 A.
20

21 (c) When Income Scale B is used, all of the persons included
22 in (a) above plus the employed husband of the relative.
23

24 Section 4. Noncompliance
25

26 Whenever a responsible relative fails to provide information necessary to
27 determine his ability to support, or when it has been determined that he is financially
28 able to but has not contributed to the person in need of assistance, the case shall
29 be evaluated for appropriate action including referral to Corporation Counsel.
30

31 Section 5. Verification Relative's Ability to Contribute
32

33 The ability of responsible relatives to contribute shall be determined through
34 verification of earnings and other income at time of application, and whenever circum-
35 stances indicate the need to do so, but in no case less frequently than once every
36 12 months.
37

38 Section 6. Commissioners' Order No. 67-889, dated June 20, 1967, is
39 hereby rescinded.
40

41 Section 7. This regulation shall become effective immediately upon
42 enactment.
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Regulation No. 69-59



Enactment Date DECEMBER 31, 1969

Regulation of the District of Columbia

Revision in Policies Relating to Methods of Applying the
TITLE : - Standard for Requirements for Recipients of Public Assistance

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

1 WHEREAS, the Department of Health, Education, and Welfare
2 requires States to find means of simplifying methods of determining need
3 for public assistance; and
4

5 WHEREAS, the Department of Public Welfare is currently operating
6 under complicated methods of determining need that are administratively
7 expensive; and
8

9 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of
10 Reorganization Plan No. 3 of 1967, the District of Columbia Council is
11 authorized to establish rules and regulations to carry out the provisions
12 of the District of Columbia Public Assistance Act of 1962, and to approve
13 regulations under which shall be determined the amount of public assistance
14 which any person shall receive.
15

16 NOW, THEREFORE, BE IT ENACTED by the District of Columbia
17 Council that:
18

19 Section 1. The Department of Public Welfare in determining need
20 for public assistance will authorize the full allowance for basic requirements
21 for the number of persons in the assistance unit as specified in the Standard
22 for Requirements with the following exceptions:
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					Robinson	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 ----- DECEMBER 16, 1969

Adopted on second and final reading ----- DECEMBER 31, 1969

Presented to the Mayor-Commissioner DECEMBER 31, 1969 -----
Date 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 -----
Mayor-Commissioner Date

Readopted -----
Date

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

Secretary of the City Council

2 of 2

1 (a) The principle of family budgeting shall be applied when there
2 is more than one assistance payment paid to members of a family, by prorating
3 the allowance for basic requirements according to the number of persons
4 included in each payment.
5

6 (b) When two or more related families are receiving assistance
7 and share the same living quarters, the shelter allowance shall be prorated
8 according to the number in each assistance unit.
9

10 (c) When children who are receiving assistance are living in the
11 home of a self-supporting relative who requests an allowance for shelter for
12 the children, the amount allowed shall not exceed the children's prorated
13 share of the relative's actual shelter cost, nor exceed the shelter allowance
14 standard for the number of children in the payment.
15

16 (d) When an adult recipient of assistance lives with a legally
17 responsible relative whose net income exceeds the income scale established
18 to determine the ability of such relative to contribute to the recipient, no
19 shelter allowance shall be included in the assistance payment.
20

21 Section 2. When a recipient prepares some of his meals at home
22 and eats some meals in restaurants, the Department shall use the standard
23 that predominately applies to his eating pattern.
24

25 Section 3.
26

27 (a) When a recipient is receiving nursing care in the home of a
28 relative, the Department will apply the standard for room, board and care
29 in an intermediate care facility, based on the kind and extent of care required.
30

31 (b) The rate for care in a foster home or for residential placement
32 shall be the same as that for the lowest rate in an intermediate care facility.
33

34 (c) The rates paid for intermediate care, foster home care or
35 residential placement shall be paid at 100 percent of the standard as the
36 rates were not increased in the 1970 budget.
37

38 Section 4. This regulation rescinds all actions of the Board of
39 Public Welfare and any implementing Administrative Orders which are in
40 conflict with this regulation.
41

42 Section 5. This regulation shall become effective January 1, 1970.
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Regulation No. 69-60



DECEMBER 31, 1969
Enactment Date

Regulation

of the
District of Columbia

TITLE SALE AND USE TAX ACT - INCOME AND FRANCHISE TAX ACT

-----STERLING TUCKER----- Presents the following regulation:

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WHEREAS, on October 31, 1969, there was enacted "The District of Columbia Revenue Act of 1969" and

WHEREAS, said Revenue Act amended the District of Columbia Sales Act, and the D. C. Use Tax Act, and the District of Columbia Income and Franchise Tax Act of 1947; and

WHEREAS, as a consequence of said Revenue Act of 1969 changes are required in existing regulations adopted pursuant to said taxing acts,

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

Section 1. EFFECTIVE ON AND AFTER JANUARY 1, 1970, THE FOLLOWING REGULATIONS PERTAINING TO DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAXES promulgated by the Commissioner under authority of Section 1 of Title XVI of the District of Columbia Income and Franchise Tax Act of 1947, as amended, are amended to read as follows:

Section 12 is amended as follows:

Section 12.14(a) - Declaration of Estimated Franchise Tax by Corporations and Unincorporated Businesses. Every corporation and unincorporated business required to make and file a franchise tax return under this article shall make and file a declaration of estimated tax if its franchise tax imposed by Title X Sec. 1 for the

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					ROBINSON	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 DECEMBER 16, 1969

Adopted on second and final reading DECEMBER 31, 1969

Presented to the Mayor-Commissioner DECEMBER 31, 1969 *Stephen C. Swain*
Date Secretary of the City Council

Approved *Walter Washington* DEC 31 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.
Stephen C. Swain
Secretary of the City Council

1 taxable year can reasonably be expected to exceed \$1,000.00.

2
3 Section 12.14(a)-(1) - Time for Filing Declaration of Estimated Franchise
4 Tax by Corporations and Unincorporated Businesses. - The declaration of estimated
5 tax required of corporations and unincorporated businesses shall be filed as follows:

6		
7	If the requirements of Title X	The declaration shall be
8	Sec. 1 are first met:	filed on or before:
9		
10	before the 1st day of the 4th month	the 15th day of the 4th month
11	of the taxable year:	of the taxable year:
12		
13	after the last day of the 3rd month	the 15th day of the 6th month
14	and before the 1st day of the 6th	of the taxable year:
15	month of the taxable year:	
16		
17	after the last day of the 5th month	the 15th day of the 9th month
18	and before the first day of the ninth	of the taxable year:
19	month of the taxable year:	
20		
21	after the last day of the 8th month	the 15th day of the 12th
22	and before the 1st day of the 12th	month of the taxable year.
23	month of the taxable year:	
24		

25 Section 12.14(a)-(2) Installment payments of Estimated Franchise Tax by
26 Corporations and Unincorporated Businesses.

27
28 Amount and time for payment of each installment. - The amount of estimated
29 tax (as defined in Title XII Sec. 14) with respect to which a declaration is required
30 shall be paid in installments in accordance with the following table:

31					
32	If the declaration is timely filed on	The following percentages of			
33	or before the 15th day of the --	the estimated tax shall be			
34		paid on the 15th day of the --			
35					
36		4th	6th	9th	12th
37		month _____			
38					
39	4th month of the taxable year	25	25	25	25
40					
41	6th month of the taxable year	33 1/3	33 1/3	33 1/3	33 1/3
42	(but after the 15th day of the 4th				
43	month)				
44					
45	9th month of the taxable year	--	50	50	
46	(but after the 15th day of the 6th				
47	month)				
48					
49	12th month of the taxable year	--	--	100	
50	(but after the 15th day of the 9th				
51	month)				
52					

53 For the first taxable year only beginning after January 1, 1970 one half of
54 the above percentages is applicable.

55
56 Section 12.14(a) - (3) Presumption as to Date of Payment. - For the purpose
57 of this section, any amount paid prior to the fifteenth day of the fourth month following
58 the close of the taxable year shall be deemed to have been paid on the fifteenth day
59 of the fourth month following the close of such taxable year.

1 Section 12.14(a) - (4) Amendment of Declaration. If any amendment of a
2 declaration is filed, the remaining installments, if any, shall be ratably increased
3 or decreased, as the case may be, to reflect the respective increase or decrease in the
4 estimated tax by reason of such amendment. If any amendment is made after the
5 fifteenth day of the ninth month of the taxable year any increase in the estimated tax
6 by reason thereof shall be paid at the time of making such amendment.

7
8 Section 12.7(a)(4) - (A) Returns of Taxes Withheld - Time for Filing - Forms.

9 (1) The Commissioner or his designated agent shall, for the purpose of the filing by
10 an employer of a return of the taxes withheld or required to be withheld by him, assign
11 to each employer required to deduct and withhold tax under this Act a period which,
12 in the discretion of the Commissioner or his designated agent shall be either a
13 calendar month, quarter, or year. Each such employer shall file a return for the
14 reporting period so assigned to him on or before the last day of the month immediately
15 following the close of his assigned reporting period. All returns shall be made on
16 forms as prescribed by the Commissioner or his designated agent. Any employer who,
17 prior to January 1, 1970, was filing his return on a quarterly basis, shall continue so
18 to do unless and until he is notified by the Commissioner or his designated agent that
19 his filing period has been changed.

20
21 (2) There shall be assigned to each employer registering for withholding on
22 and after January 1, 1970 a monthly, quarterly, or annual filing period at the time of
23 his registration, and returns shall be filed in accordance with the filing period so
24 assigned until such time as the Commissioner or his designated agent determines that
25 the employer's return shall be made for a different filing period.

26
27 (3) The last return for any employer required to deduct and withhold tax
28 under this Act who, during a calendar year, ceases to engage in business or ceases
29 to pay wages shall be marked by such employer as his "Final Return", which such
30 return shall state the period for which it is made and the date of the last payment
31 of wages. A final return shall be filed with the Commissioner or his designated agent
32 on or before the 30th day after the date on which the final payment of wages is made
33 by the employer, to which shall be attached as a part of such return a statement
34 setting forth the address at which the employer's records will be kept, the name of
35 the person keeping such records and, if the business has been sold or otherwise
36 transferred to any other person, the name and address of such person and the date
37 on which such sale or other transfer of the business took effect. Whenever an employer
38 temporarily ceases to pay wages, (including employers engaged in seasonal activities
39 and employers paying wages upon which temporarily no taxes were required to be
40 withheld) he shall continue to file returns, but shall state on the face of any return
41 on which no tax is required to be reported the date of his last payment of wages and the
42 date when he expects to resume paying wages subject to withholding.

43
44 Section 12.7(a)(4) - (B). Payment of Withholding Tax. (1) All sums which the
45 employer has withheld from employees shall be deemed to be held in trust by the
46 employer for the District of Columbia.

47
48 (2) With each return filed, every employer must remit to the Commissioner
49 or his designated agent not less than the full amount of the tax which such employer
50 was required to withhold during the filing period covered by such return.

51
52 (3) Where in any filing period more than the correct amount of tax is withheld,
53 such amount as was actually withheld shall be remitted to the District.

54
55 Section 12.7(a)(4) - (C). Adjustment or Refund. If, in any filing period,
56 more than the correct amount of tax is deducted from any wage payment, the overcollection
57 shall be repaid to the employees only in another filing period of the same calendar year.
58 The employer shall obtain and keep as a part of his records the written receipt of the
59 employee showing the date and the amount of the repayment. Every overcollection
60 not repaid and receipted for the employee must be reported and paid to the D. C.
Treasurer. P-110

Adjustments of prior returns shall be made in accordance with instructions issued by the Commissioner.

Section 2. That, THE REGULATIONS PERTAINING TO DISTRICT OF COLUMBIA SALES AND THE DISTRICT OF COLUMBIA USE TAX ACT promulgated by the Commissioners under authority of Section 143 of Title I of the District of Columbia Sales Tax Act of 1949 as amended, are amended to read as follows:

(a) For each sale or charge subject to the sale tax @ 2%:

<u>Range of Sale Price or Charge</u>	<u>Amount of Reimbursement</u>
(1) 1¢ to 12¢	Nothing
(2) 13¢ to 62¢	1¢
(3) 63¢ to \$1.12	2¢
(4) on each additional 50¢ of sales price, or fraction thereof	an additional 1¢

(b) For each sale or charge subject to the sales tax @ 4%

<u>Range of Sale Price or Charge</u>	<u>Amount of Reimbursement</u>
(1) 1¢ to 12¢	Nothing
(2) 13¢ to 29¢	1¢
(3) 30¢ to 54¢	2¢
(4) 55¢ to 84¢	3¢
(5) 85¢ to \$1.12	4¢
(6) more than \$1.12	4¢ on each dollar or any multiple thereof, and, for any additional fraction of a dollar, the amount applicable thereto as shown in (1) through (5)

(c) For each sale or charge subject to the sales tax @ 5%:

<u>Range of Sale Price or Charge</u>	<u>Amount of Reimbursement</u>
(1) 1¢	Nothing
(2) 13¢ to 24¢	1¢
(3) 25¢ to 44¢	2¢
(4) 45¢ to 64¢	3¢
(5) 65¢ to 84¢	4¢
(6) 85¢ to \$1.12	5¢
(7) more than \$1.12	5¢ on each dollar or any multiple thereof, and for any additional fraction of a dollar, the amount applicable thereto as shown in (1) through (6)

Although no reimbursement is authorized as to sales or charges in amounts which fall in the first bracket for each table shown above, the gross receipts derived therefrom are nevertheless required to be included in the gross receipts subject to the tax.

Section 3. This Regulation shall take effect immediately upon enactment.

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