


COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE

1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: July 3, 2024

RE: **Request to Place Measure on the Agenda for July 9, 2024 Legislative Meeting**

The following measures are placed on the agenda for the July 9, 2024 Additional Legislative Meeting:

- **Sign Regulations Emergency Declaration Resolution of 2024**
- **Sign Regulations Emergency Amendment Act of 2024**
- **Sign Regulations Temporary Amendment Act of 2024**

This legislation is being introduced at the request of the Mayor, in consultation with the Attorney General, to extend already adopted emergency and temporary legislation. These measures would, among other things, ratify and adopt certain sign regulations previously issued by the Construction Codes Coordinating Board (CCCB) and the City Administrator. The measures would also clarify the rulemaking process for sign regulations and clarify the prohibition on off-premises advertising in Appendix N of Title 12-A of the District of Columbia Municipal Regulations.

On August 11, 2022, the District of Columbia Court of Appeals held that the regulation of outdoor signs has to be affirmatively approved by the Council.¹ The Court of Appeals held that the emergency rules adopted in recent years by the City Administrator and deemed approved by the Council were invalid because the Council had not acted affirmatively through the passage of a resolution to approve the rules.

D.C. Law 25-98, the Sign Regulations Temporary Amendment Act of 2023, expires on August 1, 2024, and the need still exists to ensure that the Court of Appeals' decision does not undermine the District's efforts to prevent the proliferation of unpermitted outdoor and externally visible advertising signs or the Mayor's ability to issue emergency sign rules. The provisions of the Sign Regulations Emergency Amendment Act of 2024 are substantively identical to the provisions in the earlier emergency and temporary acts, and the adoption of this legislation also will prevent a gap in the law as the Council advances permanent legislation.

Draft copies of the proposed measures are attached. Please contact me or Christian A. Washington, Special Counsel at (202) 724-8083 if you have any questions.

cc: All Councilmembers
Council Officers

¹ Also, that section 1 of An Act To regulate the erection, hanging, placing, painting, display and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia ("Outdoor Sign Regulation Act") (46 Stat. 1486; D.C. Official Code § 1-303.21), governed the rulemakings in question.