

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the Construction Codes Approval and Amendments Act of 1986 to require a property owner, contractor, or person applying for certain permits for construction work to demonstrate that their insurance provides coverage for adjacent and adjoining property owners for loss or damage that arises out of the proposed construction work.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Protecting Adjacent and Adjoining Property Owners from Construction Damage Second Congressional Review Emergency Amendment Act of 2024”.

Sec. 2. Section 6a(a)(2A) of the Construction Codes Approval and Amendments Act of 1986, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 6-1405.01(a)(2A)(B)), is amended to read as follows:

(a) Subparagraph (B) is amended to read as follows:

“(B) The following permits shall require insurance pursuant to subparagraph (A) of this paragraph; provided, that the requirements shall only apply to permits issued 30 days after the adoption of emergency or final rules issued by the Mayor pursuant to subparagraph (E) of this paragraph:

35 “(i) An addition, alteration, and repair permit pursuant to which the
36 applicant will be engaging in underpinning, construction at the property line or on the party wall
37 of an adjacent or adjoining property, or any construction activity for which a permit listed under
38 sub-subparagraph (iii), (iv), (v), (vi), (vii), or (viii) of this subparagraph would otherwise be
39 required;

40 “(ii) An alteration and repair permit pursuant to which the
41 applicant will be engaging in underpinning, construction at the property line or on the party wall
42 of an adjacent or adjoining property, or any construction activity for which a permit listed under
43 sub-subparagraph (iii), (iv), (v), (vi), (vii), or (viii) of this subparagraph would otherwise be
44 required;

45 “(iii) A foundation permit;

46 “(iv) A demolition permit;

47 “(v) An excavation permit;

48 “(vi) A new building permit;

49 “(vii) A raze permit; and

50 “(viii) A sheeting and shoring permit.”.

51 (b) Subparagraph (D)(i) is amended to read as follows:

52 “(i) “Adjacent property” means any privately held real property
53 (all or a portion thereof) within 30 feet of a property line of the real property for which the
54 permit is applied.”.

55 (c) Subparagraph (E) is amended to read as follows:

56 “(E) The Mayor shall issue rules to implement this paragraph, pursuant to
57 the authority provided in section 10.”.

58 Sec. 3. Applicability date.

59 This act shall apply as of November 21, 2024.

60 Sec. 4. Fiscal impact statement.

61 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
62 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
63 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

64 Sec. 5. Effective date.

65 This act shall take effect following approval by the Mayor (or in the event of a veto by
66 the Mayor, action by the Council to override the veto), and shall remain in effect for no longer
67 than 90 days, as provided for emergency acts of the Council of the District of Columbia in
68 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
69 Stat. 788; D.C. Official Code § 1-204.12(a)).