



OFFICE OF THE
SECRETARY
2016 OCT 18 AM 10:43

MURIEL BOWSER
MAYOR

OCT 18 2016

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Ave., NW, Suite 506
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is a proposed resolution entitled the "Signs Appendix Amendment Approval Resolution of 2016".

This rulemaking revises Appendix N of the 2013 District of Columbia Building Code to require permits for the erection of certain interior signs for which permits are not currently required. Currently, the applicable regulations exempt from the permitting process any signs that are within a building that are farther than 18 inches from a window or entrance. This rulemaking would revise the existing regulations to require permits for signs with writing that is legible, or with images that are clearly discernible, to other property despite being farther than 18 inches from a window or entrance.

The City Administrator adopted these rules on an emergency basis on July 12, 2016 and intends to extend the emergency rules for the duration of the Council's consideration of this resolution.

If you have any questions on this matter, please contact Barry Kreiswirth, General Counsel and Senior Policy Advisor, Office of the City Administrator, at 202-724-3692 or barry.kreiswirth@dc.gov.

Sincerely,

A handwritten signature in blue ink that reads "Muriel Bowser". The signature is stylized, with the first name "Muriel" written in a cursive script and the last name "Bowser" in a more blocky, capital-letter style.

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution,
which was referred to the Committee on _____.

To approve proposed rules to amend Appendix N of Title 12 (D.C. Construction Codes Supplement of 2013) of the District of Columbia Municipal Regulations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
resolution may be cited as the "Signs Appendix Amendment Approval Resolution of 2016".

Sec. 2. Pursuant to section 10 of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409), the Council approves the proposed rules, published at 63 DCR 11000, to amend Appendix N of Title 12 of the District of Columbia Municipal Regulations.

Sec. 3. The Council adopts the fiscal impact statement issued by the Chief Financial Officer, dated -----, as the fiscal impact statement required by section 603(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Director of the Department of Consumer and Regulatory Affairs.

Sec. 5. This resolution shall take effect immediately.

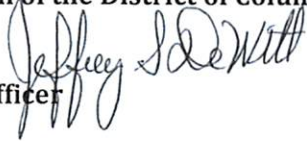
Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt 
Chief Financial Officer

DATE: October 11, 2016

SUBJECT: Fiscal Impact Statement – Signs Appendix Amendment Approval
Resolution of 2016

REFERENCE: Draft bill provided to the Office of Revenue Analysis on October 7, 2016

Conclusion

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill.

Background

The bill approves rulemaking that requires a permit be obtained for signage that is located inside of a building, is attached to, or within 18 inches of, a window or entrance, and contains writing that is clearly discernible from other properties. Currently, a permit is not required for these types of signs within a building.

Financial Plan Impact

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill. Requiring permits to install the types of signs outlined in the rulemaking may increase licenses fee revenue, but to what extent is unknown.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: October 7, 2016

SUBJECT: Legal Certification of Draft Approval Resolution, the "Signs Appendix
Amendment Approval Resolution of 2016"
(AE-16-595B)

This is to Certify that this Office has reviewed the above-referenced draft approval resolution and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.



Janet M. Robins

OFFICE OF THE CITY ADMINISTRATOR

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The City Administrator, pursuant to the authority set forth in Section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl. & 2016 Supp.)) and Mayor's Order 2015-36, dated January 9, 2015, hereby gives notice of the adoption, on an emergency basis, of the following amendments to Appendix N (Signs) of Title 12 (Construction Codes Supplement of 2013), Subtitle A (Building Code Supplement of 2013), of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking would revise Section N101.3.5.3 of 12-A DCMR Appendix N to require permitting of signs that are located inside a building and are legible or clearly discernable from a property other than the property on which the sign is located, and to regulate such signs as exterior signs under Appendix N.

The emergency rulemaking is necessary to ensure that unpermitted, quasi-exterior signage does not proliferate across the District. This emergency rulemaking was adopted on July 12, 2016 and became effective on that date. The emergency rulemaking shall remain in effect for one hundred and twenty (120) days, or until November 8, 2016, unless earlier superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

The City Administrator also hereby gives notice of the intent to take final rulemaking action to adopt this amendment. Pursuant to Section 10(a) of the Act, the proposed amendment will be submitted to the Council of the District of Columbia for a forty-five (45) day period of review before permanent adoption. Final rulemaking action will be taken not less than thirty (30) days after the date of publication of this notice in the *D.C. Register* or Council approval of the amendment, whichever is later.

Appendix N, SIGNS, of Title 12-A DCMR, BUILDING CODE SUPPLEMENT OF 2013, is amended as follows:

Section N101, GENERAL, Subsection N101.3.5.3, is amended to read as follows:

N101.3.5.3 Signs within a building. Any sign located entirely inside a building, unless the sign: (1) is attached directly or painted on a window; (2) is located within 18 inches (457 mm) of a window or entrance; or (3) contains writing that is legible, or an image that is clearly discernible, from property other than the property on which the sign is located. A sign inside a building that (1) is attached directly or painted on a window; (2) is located within 18 inches (457 mm) of a window or entrance; or (3) contains writing that is legible, or an image that is clearly discernible, from property other than the property on which the sign is located shall require a permit and shall be regulated as a sign under this Appendix N.

All persons desiring to comment on these proposed regulations should submit comments in writing to Jill Stern, Construction Codes Coordinating Board Chairperson, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, S.W., Room 5100, Washington, D.C. 20024, or via e-mail at jill.stern@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Persons with questions concerning this Notice of Proposed Rulemaking should call (202) 442-4400. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested.