

AN ACT

*Codification
District of
Columbia
Code
2001 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Public Space Rental Act to allow certain merchants to obtain a one day public space rental permit for street festivals, and to establish the fee for the rental of public space by these merchants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Street Festival One Day Public Space Rental Amendment Act of 2000".

Sec. 2. The District of Columbia Public Space Rental Act is amended by adding a new section 201a to read as follows:

"Sec. 201a. (a) To participate in a street festival, the lessee of a building that fronts and abuts the closed street may rent, pursuant to section 201, the public space immediately fronting and abutting the building which the lessee occupies. This rental of public space shall be subject to the following conditions:

"(1) No holder of a license issued pursuant to section 10 of the District of Columbia Alcoholic Beverage Control Act ("ABC Act"), shall rent public space pursuant to this subsection, except the holder of a retailer's license, Class C or a retailer's license, Class D as defined in section 11 of the ABC Act. The provisions of this subsection shall not alter the terms and conditions of these licenses in any other way.

"(2) Only a lessee who occupies the entire street level of the building, or, where there is no street level, a lessee who occupies either the entire floor immediately above street level or the entire floor immediately below street level may rent the sidewalk in accordance with this subsection.

"(3) The rental period pursuant to this section shall begin with the closing of the street in preparation for the street festival and shall end with the reopening of the street, or for 24 hours, whichever is shorter.

"(4) Public space rented pursuant to this subsection shall:

"(A) Not include any area within the street; and

"(B) Be subject to all conditions of section 201, except the submission of the proposed rental to the Commission on Fine Arts.

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"(b) The rent for the use of public space as provided for in subsection (a) of this section shall be \$1.00 per square foot for the duration of the rental period, except the rent by the holder of a retailer's license, Class C or a retailer's license, Class D as defined in section 11 of the ABC Act, shall be \$2.00 per square foot for the duration of the rental period. Rent shall be paid in advance to the Metropolitan Police Department for the payment of costs associated with the closing of the street for the street festival.

"(c) Business associations shall be allowed to obtain permits on behalf of multiple festival permit participants.

"(d) For the purposes of this section "street festival" means any event for which a temporary street closing permit has been issued and which meets the following conditions:

"(1) The licensee to whom the street closing permit was issued is a nonprofit organization;

"(2) The street closed is zoned for primarily retail use; and

"(3) The festival uses the street closed primarily to rent to retail vendors."

Sec. 3. Fiscal impact statement.

Pursuant to the fiscal impact statement submitted by the Executive Branch, funds are sufficient in the FY 20001 through 20004 budget and financial plan because no additional staff or resources will be required. The revenue impacting of the District's financial plan cannot be quantified at this time, but it has the ability to be positive.

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia