

ENROLLED ORIGINAL

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code*

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To amend the Business Improvement Districts Act of 1996 to approve the expansion of the downtown business improvement district and to clarify the procedures for the expansion of a business improvement district.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the “Capitol Hill North Expansion and Expansion of Business Improvement Districts Amendment Act of 2002”.

Sec. 2. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code §2-1215.01 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 2-1215.04) is amended by adding a new subsection (c-1) to read as follows:

Amend
§ 2-1215.04

“(c-1)(1) The expansion of the downtown BID, to include, in addition to the area described in subsection (c) of this section, all of the properties within the area created by drawing a line that starts at the intersection of the center of Massachusetts Avenue, N.W., and the western edge of I-395; and continues southeast along the center of Massachusetts Avenue, N.W., to the center of North Capitol Street; continues north along the center of North Capitol Street to the center of K Street; and continues east along the center of K Street, N.E., to the eastern edge of the eastern sidewalk on First Street, N.E.; and continues south along the eastern edge of the eastern sidewalk on First Street, N.E., to the center of Massachusetts Avenue, N.E.; and continues northwest along the center line of Massachusetts Avenue, N.E., to the center of North Capitol Street; and continues south along the center line of North Capitol Street to the center line of Louisiana Avenue; and continues southwest along the center line of Louisiana Avenue, N.W., to the center of Constitution Avenue, N.W.; and continues west along the center line of Constitution Avenue, N.W., to the center of Second Street, N.W.; and continues north along the center line of Second Street, N.W., to the center of C Street, N.W.; and continues west along the center line of C Street, N.W., to the eastern edge of the Department of Labor Building; and continues north along the eastern edge of the Department of Labor Building to the center of D Street, N.W.; and continues west along the center line of D Street, N.W., to the western edge of I-395; and continues

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north along the western edge of I-395 to the center of Massachusetts Avenue, N.W. (the starting point), is hereby authorized and the BID taxes specified for the downtown BID are hereby imposed, subject to the approval of the Mayor pursuant to section 10(a).”

“(2) This subsection shall constitute the approval of the Council pursuant to section 10(b).”.

(b) Section 10(a) (D.C. Official Code § 2-1215.09(a)) is amended as follows:

(1) A new paragraph (3A) is added to read as follows:

**Amend
§ 2-1215.09**

“(3A) The petition is submitted to the Mayor with:

“(A) The name and address of the BID corporation and a copy of the resolution adopted by the Board of Directors of the BID corporation accepting the petition;

“(B) A description by lot, square, and street address of the property of each owner in the petition area, to the extent reasonably ascertainable; provided, that a property subdivided into separate condominium units shall constitute a single property for purposes of this subparagraph;

“(C) The most recent assessed value of each nonexempt real property located in the petition area to the extent reasonably ascertainable from District property tax records or a final determination of the District’s Board of Real Property Assessment and Appeals; provided, that a property subdivided into separate condominium units shall constitute a single property for purposes of this subparagraph;

“(D) A business plan for including the petition area in the operations of the BID. The business plan shall contain, at a minimum:

“(i) A map of the geographic area of the petition area and the existing BID;

“(ii) The specific goals and objectives for the inclusion of the petition area in the BID consistent with the BID activity as defined in this act; and

“(iii) The applicable BID taxes;

“(E) A list of the current members of the Board of Directors of the BID; and

“(F) The current articles of incorporation and the bylaws of the BID.”.

(2) Paragraph (4) is amended as follows:

(A) Strike the phrase “section 6” and insert the phrase “sections 6 and 7; provided, that wherever the word “application” or phrase “BID application” appears in section 6 or 7, the word or phrase shall be considered to refer to the expansion petition, and wherever reference is made to the registration of the BID and the nonprofit corporation in section 7, the reference shall be considered to refer to registration of the expanded BID” in its place.

(B) Strike the phrase “Deputy City Administrator for Business Services and Economic Development” and insert the phrase “Deputy Mayor for Planning and Economic Development, or a successor thereto,” in its place.

(3) A new paragraph (5) is added to read as follows:

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“(5) The Mayor shall approve a petition if the Mayor determines that the petition was properly filed and adoption of the petition is consistent with the purposes of this act and the definition of BID activity in section 3(6).”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(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. 5. Effective date.

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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia