

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification  
District of  
Columbia  
Official Code*

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Supp.**

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Publisher**

To amend section 25-314(b) of the District of Columbia Official Code to clarify that the prohibition against the issuance of new licenses within 400 feet of a public, private, or parochial primary, elementary, or high school, college or university, or recreation area operated by the D.C. Department of Recreation does not apply where the main entrance to the college, university, or recreation area, or the nearest property line of the school is actually on or occupies ground zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Commercial Exception Clarification Act of 2006”.

Sec. 2. Section 25-314(b) of the District of Columbia Official Code is amended as follows:

**Amend  
§ 25-314**

(a) Paragraph (1) is amended by striking the phrase “D.C. Department of Recreation” and inserting the phrase “District of Columbia Department of Parks and Recreation, except as provided in paragraphs (2) through (5) of this subsection” in its place.

(b) Paragraph (2) is amended to read as follows:

“(2) The 400-foot restriction shall not apply to a restaurant, hotel, club, caterer’s, or temporary license.”.

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

“(5) The 400-foot restriction shall not apply where the main entrance to the college, university, or recreation area, or the nearest property line of the school is actually on or occupies ground zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia.”.

Sec. 3. 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. 4. 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

**ENROLLED ORIGINAL**

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia