

1 COMMITTEE PRINT
2 COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION
3 APRIL 14, 2010
4
5

6 A BILL
7
8
9
10

11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
12
13
14

15 To require the installation of sidewalks to ensure a safe and accessible environment for
16 pedestrians and persons with disabilities; to establish minimum design and
17 consultation requirements; and to provide for exemptions.
18

19 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

20 That this act may be cited as the "Priority Sidewalk Assurance Act of 2010."

21 Sec. 2. Sidewalk installation requirements.

22 (a) For road segments that lack sidewalks on both sides of the street, road
23 reconstruction or curb and gutter replacement shall include installation of a sidewalk on
24 at least one side of the street.

25 (b) For roadways that are missing sidewalks, but are not undergoing major
26 construction, sidewalk installation shall be prioritized for the following areas:

- 27 (1) Missing sidewalks in school areas;
28 (2) Routes that provide access to parks and recreational facilities;
29 (3) Transit stops;
30 (4) Locations where the absence of a sidewalk creates substantial
31 pedestrian safety risks; and

1 (5) Roadway segments for which residents petitioned to have
2 sidewalks.

3 (c) The Mayor shall continue to accept and consider sidewalk petition requests
4 from residents.

5 Sec. 3. Notice and design requirements.

6 (a)(1) The Mayor shall provide notice to "affected parties", defined as residents
7 with property abutting the road segment under consideration, the affected Advisory
8 Neighborhood Commissions, and the Councilmembers of the affected Wards, prior to
9 designing and constructing new sidewalks. At a minimum, this notice shall include:

10 (a) A statement of intent to design and construct a new sidewalk
11 no less than 30 days before construction is scheduled;

12 (b) A statement of how "affected parties" can comment on the
13 proposed sidewalk, including a statement on how Advisory Neighborhood Commissions
14 can submit resolutions on the potential impact of the proposed sidewalk; and

15 (c) A construction schedule.

16 (2) The Mayor shall maintain for public review, comments from "affected
17 parties" received pursuant to subsection (b) and responses thereto.

18 (b) Subject to the requirements established in sections 2, the Mayor shall design
19 sidewalks in a manner that preserves existing trees wherever possible.

20 Sec. 4. Exemptions.

21 (a) The District Department of Transportation may be exempted from the
22 requirements of this act upon a written determination by the Director which finds that it is
23 impractical or unnecessary to install a sidewalk because:

1 (1) The physical site conditions would make it unduly expensive to
2 construct the sidewalk;

3 (2) The sidewalk would be not used by pedestrians; or

4 (3) The Director of the District Department of Transportation certifies
5 that, due to the specific nature or design of the road segment under consideration,
6 pedestrian travel can be safely accommodated without sidewalks, including travel by
7 children and people with disabilities.

8 (b) The written finding required in subsection (a) of this section shall be posted
9 on the District Department of Transportation website and made available to the Council
10 and the affected Advisory Neighborhood Commissions.

11 Sec. 5. Fiscal impact statement.

12 The Council adopts the fiscal impact statement in the committee report as the
13 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
14 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02
15 (c)(3)).

16 Sec. 6. Effective date.

17 This act shall take effect following approval by the Mayor (or in the event of veto
18 by the Mayor, action by Council to override the veto), a 30-day period of Congressional
19 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act,
20 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and
21 publication in the District of Columbia Register.