DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF THIRD EMERGENCY RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs ("Director"), pursuant to paragraph 7(A) of the General Expenses title of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1910, and for other purposes, approved March 3, 1909 (35 Stat. 689; D.C. Official Code § 6-661.01(a) (2018 Repl.)), Mayor's Order 2013-23, dated January 29, 2013; and in keeping with the public health emergency and public emergency declared by Mayor's Orders 2020-45 and 2020-46, each dated March 11, 2020, and subsequent Mayor's Orders extending those emergencies, hereby gives notice of the adoption of the following amendment, on an emergency basis, to Chapter 1 (DCRA Permits Division Schedule of Fees) of Title 12 (Construction Codes Supplement of 2017), Subtitle M (Fees), of the District of Columbia Municipal Regulations ("DCMR").

This third emergency rulemaking provides the Director with the authority to waive Construction Codes permit fees for construction directly related to preparation, response, mitigation, or recovery efforts arising from COVID-19 for the duration of the public emergency and public health emergencies declared by Mayor Muriel Bowser on March 11, 2020 and extended on December 18, 2020 by Mayor's Order 2020-127.

This third emergency rulemaking is necessary to protect the health, safety, and well-being of the District of Columbia as it responds to the COVID-19 global pandemic. During the declared public health emergency, structures may need to be constructed expeditiously as part of the District's response and without being hindered or delayed because of fees.

A Notice of Emergency Rulemaking was published on April 17, 2020 at 67 DCR 4399. A Second Notice of Emergency Rulemaking was published on August 21, 2020 at 67 DCR 10002. This third emergency rulemaking was adopted on January 6, 2021. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of adoption, expiring May 6, 2021.

Title 12 DCMR, CONSTRUCTION CODES SUPPLEMENT OF 2017, is amended as follows:

Subtitle 12-M DCMR, FEES, is amended as follows:

Chapter 1, DCRA PERMITS DIVISION SCHEDULE OF FEES, is amended as follows:

Section 101, BUILDING PERMIT FEES, is amended as follows:

A new Subsection 101.2 is added to read as follows:

101.2 The Director may, at his or her discretion and on a case-by-case basis, waive the fees imposed by Subsection 101.1 during the public and public health emergencies declared by Mayor's Orders 2020-45 and 2020-46, dated March 11,

2020, and during any extension of those emergencies, for construction directly related to preparation, response, mitigation, or recovery efforts arising from COVID-19.