DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF SECOND 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 Mayor's Order 2020-35, dated February 28, 2020, Mayor's Order 2020-45, dated March 11, 2020, Mayor's Order 2020-46, dated March 11, 2020, and Mayor's Order 2020-79, dated July 24, 2020, 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 second 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 July 24, 2020.

This second emergency rulemaking is necessary to protect the health, safety, and well-being of the District of Columbia as it continues responds to the COVID-19 global pandemic and because Mayor Muriel Bowser extended by the public health emergency on July 24, 2020. 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. This second emergency rulemaking was adopted on August 6, 2020. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of adoption, expiring December 4, 2020.

Chapter 1, DCRA PERMITS DIVISION SCHEDULE OF FEES, of Title 12-M DCMR, 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, 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.