

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 34.
PUBLIC UTILITIES.

CHAPTER 25.
PRIVATE CONDUITS.

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CHAPTER 25. PRIVATE CONDUITS.

§ 34-2501. CONDITIONS UNDER WHICH PRIVATE CONDUITS MAY BE LAID.

The Mayor of the District of Columbia is hereby authorized to grant permission to lay conduits for the transmission of electric power and pipes for the transmission of steam in alleys in the District of Columbia, under the following conditions, namely:

- (1) The conduits or pipes shall be laid entirely within a square or block, and shall not cross or enter any avenue, street, or highway.
- (2) The conduits and pipes shall be located as directed by said Mayor and be laid under his inspection; and the cost of such inspection, together with the cost of replacing all improved pavements disturbed in connection with said work, shall be paid in advance by the party desiring to lay said conduits or steam pipes.
- (3) The conduits or pipes shall be used only to connect the premises owned and operated by the permittee, and no power or steam shall be supplied therefrom for any other purpose than the use of the permittee.
- (4) The permittee shall not rent the conduit or pipe or any portion thereof.

(May 26, 1900, 31 Stat. 217, ch. 587, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1301.

1973 Ed., § 43-1301.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-2502. PENALTY FOR REFUSAL TO REMOVE CONDUITS.

On violation of any of the provisions or restrictions of § 34-2501 the said Mayor shall require the permittee, after 30 days notice, to abandon the use of said conduits or pipes and remove them from the alley or alleys in which they are located, and if said permittee shall neglect or refuse to remove said conduits or pipes and place the surface of the alley in good condition within 60 days after the date of said notice, the said permittee shall be deemed guilty of a misdemeanor, and shall be liable to a fine of \$10 for each and every day that said conduits or pipes are allowed to remain in the alley, or the said alley shall remain out of repair, which fine shall be recovered in the Superior Court of the District of Columbia, in the name of said District, as other fines and penalties are now recovered in said Court.

(May 26, 1900, 31 Stat. 218, ch. 587, § 2; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1302.

1973 Ed., § 43-1302.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 34-2503. RIGHT TO ALTER, AMEND, OR REPEAL RESERVED.

Congress reserves the right to alter, amend, or repeal §§ 34-2501 and 34-2502.

(May 26, 1900, 31 Stat. 218, ch. 587, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1303.

1973 Ed., § 43-1303.

§ 34-2504. CONSTRUCTION OF TUNNELS AND STRUCTURES IN ANACOSTIA RIVER.

The Secretary of the Army is authorized to permit the construction and operation of any intake and discharge tunnels and/or other structures in the Anacostia River insofar as they affect navigable waters of the United States; and the Director of National Park Service is authorized, in consideration of the above mentioned quitclaims to the United States, to convey, on behalf of the United States, to the owners of square 667 that portion of square east of 667 lying west of the direct southerly projection of the west line of Half Street as existing on June 15, 1932, north of U Street Southwest; and said Director of National Park Service is authorized to permit the construction and operation of any pipelines and intake and discharge tunnels, upon such terms and conditions as shall be fair and reasonable, under and on any lands owned or claimed by the government of the United States lying in the above area and/or between the east line of Water Street, or other streets, and the Anacostia River. All areas conveyed by the United States to the owners of square 667 shall thereafter be assessed on the books of the Assessor of the District of Columbia the same in all respects as other private properties in the District of Columbia.

(June 15, 1932, 47 Stat. 319, ch. 265, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 43-1304.

1973 Ed., § 43-1304.

References in Text

The Director of Public Buildings and Public Parks of the National Capital was changed to the Director of National Parks, Buildings and Reservations by Executive Order No. 6166, dated June 10, 1933. This in turn was changed to the Director of National Park Service by the Act of March 2, 1934, 48 Stat. 389, ch. 38, § 1.

Miscellaneous Notes

Office of Assessor abolished: The Office of the Assessor was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. All functions of the Office of the Assessor including the functions of all officers, employees and subordinate agencies were transferred to the Department of General Administration by Reorganization Order No. 3 of the Board of Commissioners, dated August 28, 1952. Reorganization Order No. 20, dated November 10, 1952, abolished the Office of the Assessor and transferred the functions to the Finance Office in the Department of General Administration. The same Order provided that an Office of the Assessor would be created in the Finance Office. Reorganization Order No. 20 was superseded and replaced by Organization Order No. 121, dated

December 12, 1957, which provided that the Finance Office (consisting of the Office of the Finance Officers, Property Tax Division, Revenue Division, Treasury Division, Accounting Division, and Data Processing Division) shall continue under the direction and control of the Director of General Administration, and prescribed the functions thereof. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Organization Order No. 121 was revoked by Organization Order No. 3, dated December 13, 1967, Part IVC of which prescribed the functions of the Finance Office within a newly established Department of General Administration. Functions of the Finance Office as stated in Part IVC of Organization Order No. 3 were transferred to the Director of the Department of Finance and Revenue by Commissioner's Order No. 69-96, dated March 7, 1969. Functions pertaining to centralized accounting as set forth in Commissioner's Order No. 69-96 were transferred to the Director of the Office of Budget and Financial Management by Organization Order No. 30, dated April 5, 1972. The Office of Budget and Financial Management was replaced by Organization Order No. 50, dated December 31, 1974, which Order established the Office of Budget and Management Systems. The Office of Budget and Management Systems was replaced by Mayor's Order 79-5, dated January 2, 1979, which Order established the Office of Budget and Resource Development.