

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 6.
HOUSING AND BUILDING RESTRICTIONS
AND REGULATIONS.

CHAPTER 5.
FLOOD HAZARDS.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 5. FLOOD HAZARDS.

TABLE OF CONTENTS

[§ 6-501. Review of building permit applications; design and construction requirements.](#)

[§ 6-502. Review of subdivision and other new development proposals.](#)

[§ 6-503. Design of water and sanitary sewage systems; location of on-site waste disposal systems.](#)

[§ 6-504. Review of excavation, grading, filling, or construction permit applications; mudslide hazards.](#)

[§ 6-505. Annual report.](#)

[§ 6-506. Penalties.](#)

CHAPTER 5. FLOOD HAZARDS.

§ 6-501. REVIEW OF BUILDING PERMIT APPLICATIONS; DESIGN AND CONSTRUCTION REQUIREMENTS.

The Mayor shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has flood hazard, the proposed new construction or substantial improvement (including prefabricated homes) must:

- (1) Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- (2) Use construction materials and utility equipment that are resistant to flood damage; and
- (3) Use construction methods and practices that will minimize flood damage.

(May 26, 1976, D.C. Law 1-64, § 2, 22 DCR 7146.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-301.

1973 Ed., § 5-1101.

Legislative History of Laws

Law 1-64, the "District of Columbia Applications Insurance Implementation Act," was introduced in Council and assigned Bill No. 1-209, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on January 27, 1976, and February 24, 1976, respectively. Signed by the Mayor on March 19, 1976, it was assigned Act No. 1-95 and transmitted to both Houses of Congress for its review.

Delegation of Authority

Delegation of authority pursuant to D.C. Law 1-64, the "D.C. Applications Insurance Implementation Act", see Mayor's Order 98-46, April 15, 1998 (45 DCR 2691).

Miscellaneous Notes

Authority under District of Columbia Applications Insurance Implementation Act delegated: See Mayor's Order 84-193, November 2, 1984.

§ 6-502. REVIEW OF SUBDIVISION AND OTHER NEW DEVELOPMENT PROPOSALS.

The Mayor shall review subdivision proposals and other proposed new developments to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage;
- (2) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided so as to reduce exposure to flood hazards.

(May 26, 1976, D.C. Law 1-64, § 3, 22 DCR 7146.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-302.

1973 Ed., § 5-1102.

For legislative history of D.C. Law 1-64, see Historical and Statutory Notes following § 6-501.

§ 6-503. DESIGN OF WATER AND SANITARY SEWAGE SYSTEMS; LOCATION OF ON-SITE WASTE DISPOSAL SYSTEMS.

The Mayor shall require new or replacement water systems and sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

(May 26, 1976, D.C. Law 1-64, § 4, 22 DCR 7146.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-303.

1973 Ed., § 5-1103.

Legislative History of Laws

For legislative history of D.C. Law 1-64, see Historical and Statutory Notes following § 6-501.

§ 6-504. REVIEW OF EXCAVATION, GRADING, FILLING, OR CONSTRUCTION PERMIT APPLICATIONS; MUDSLIDE HAZARDS.

The Mayor shall review each permit application for any excavation, grading, fill, or construction to determine whether the proposed site and improvements will be reasonably safe from mudslides. If a proposed site and improvements are in a location that may have mudslide hazards, a further review shall be made by persons qualified in geology and soils engineering; and the proposed new construction, substantial improvement, or grading must:

- (1) Be adequately protected against mudslide damage; and
- (2) Not aggravate the existing hazard.

(May 26, 1976, D.C. Law 1-64, § 5, 22 DCR 7146.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-304.

1973 Ed., § 5-1104.

Legislative History of Laws

For legislative history of D.C. Law 1-64, see Historical and Statutory Notes following § 6-501.

§ 6-505. ANNUAL REPORT.

The Mayor shall submit an annual report before April 1st of each year to the Council to advise the public of progress made under the National Flood Control Program.

(May 26, 1976, D.C. Law 1-64, § 6, 22 DCR 7146.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-305.

1973 Ed., § 5-1105.

Legislative History of Laws

For legislative history of D.C. Law 1-64, see Historical and Statutory Notes following § 6-501.

§ 6-506. PENALTIES.

Violations of any provision of this chapter, including the implementing regulations, are punishable by the

following penalties:

(1) Any person who violates any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be punishable by a fine of not more than \$300 for each day of the violation, or imprisoned for not more than 30 days, or both.

(2) Any person who violates any provision of this chapter shall be liable to the District of Columbia for any and all consequential damages resulting from the violation, in addition to related costs and attorney fees.

(3) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this chapter pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this chapter shall be pursuant to Chapter 18 of Title 2.

(May 26, 1976, D.C. Law 1-64, § 6A, as added Mar. 8, 1991, D.C. Law 8-237, § 38, 38 DCR 314.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-306.

Legislative History of Laws

Law 8-237, the "Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990," was introduced in Council and assigned Bill No. 8-203, which was referred to the Committee on Consumer and Regulatory Affairs. The Bill was adopted on first and second readings on December 4, 1990, and December 18, 1990, respectively. Signed by the Mayor on December 27, 1990, it was assigned Act No. 8-320 and transmitted to both Houses of Congress for its review.