

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 8.
ENVIRONMENTAL AND ANIMAL CONTROL
AND PROTECTION.

CHAPTER 20A.
PET OWNERSHIP RESTRICTION IN ASSISTED
HOUSING.

2001 Edition

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CHAPTER 20A. PET OWNERSHIP

RESTRICTION IN ASSISTED HOUSING.

§ 8-2031. DEFINITIONS.

For the purposes of this chapter, the term:

- (1) "District" means the District of Columbia.
- (2) "Elderly" means any person who is 60 years of age or older.
- (3) "Person with a disability" means any person who has a medically determined physical impairment, including blindness, which prohibits and incapacitates 75% of that person's ability to move about, to assist himself or herself, or to engage in an occupation.
- (4) "Locally assisted housing accommodation for elderly persons or persons with disabilities" means any building that contains 4 or more rental units, receives District housing assistance, and is designated for elderly tenants or tenants with disabilities. The term "locally assisted housing accommodation for elderly persons or persons with disabilities" shall not include facilities receiving other types of District assistance and licensed under § 44-501 et seq.
- (5) "Common household pet" means a domesticated animal, such as a dog, cat, bird, rodent, fish, or turtle, that is traditionally kept in the home for pleasure rather than for commercial purposes. The term "common household pet" shall not include reptiles, other than turtles.

(Mar. 16, 1989, D.C. Law 7-181, § 2, 35 DCR 7715; Apr. 24, 2007, D.C. Law 16-305, § 31(a), 53 DCR 6198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

2001 Ed., § 8-2201.

1981 Ed., § 6-1021.

Effect of Amendments

D.C. Law 16-305, in par. (3), substituted "Person with a disability" for "Handicapped"; and, in par. (4), substituted "elderly persons or persons with disabilities" for "the elderly or handicapped" and "tenants or tenants with disabilities" for "or handicapped tenants".

Legislative History of Laws

Law 7-181, the "Pet Ownership Nonrestriction Act of 1988," was introduced in Council and assigned Bill No. 7-63, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on July 12, 1988 and September 27, 1988, respectively. Signed by the Mayor on October 13, 1988, it was assigned Act No. 7-239 and transmitted to both Houses of Congress for its review.

For Law 16-305, see notes following § 8-1804.

Delegation of Authority

Delegation of authority pursuant to D.C. Law 7-181, the Pet Ownership Nonrestriction Act of 1988, see Mayor's Order 90-45, March 5, 1990.

§ 8-2032. PET OWNERSHIP POLICY ESTABLISHED.

Notwithstanding any other provision of law, the owner or operator of locally assisted housing accommodations for elderly persons or persons with disabilities shall not:

- (1) As a condition of tenancy or otherwise, prohibit or prevent an elderly tenant or tenant with a disability from owning common household pets or keeping common household pets in the rental unit of

the tenant; or

(2) Discriminate against any person in connection with admission to, or continued occupancy of, that rental unit by reason of the ownership of common household pets by that person or the presence of common household pets in the rental unit of that person.

(Mar. 16, 1989, D.C. Law 7-181, § 3, 35 DCR 7715; Apr. 24, 2007, D.C. Law 16-305, § 31(b), 53 DCR 6198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

2001 Ed., § 8-2202.

1981 Ed., § 6-1022.

Effect of Amendments

D.C. Law 16-305 substituted "elderly persons or persons with disabilities" for "the elderly or handicapped" and "tenant or tenant with a disability" for "or handicapped tenant".

Legislative History of Laws

For legislative history of D.C. Law 7-181, see Historical and Statutory Notes following § 8-2031.

For Law 16-305, see notes following § 8-1804.

§ 8-2033. EXCEPTION.

(a) Nothing in this chapter shall be construed to prohibit any owner or operator of a locally assisted housing accommodation for elderly persons or persons with disabilities or any local housing authority from requiring the removal from any rental unit any common household pet whose conduct or condition is duly determined to constitute a threat or nuisance to the health or safety of the other occupants of the housing accommodation. The owner or operator of a locally assisted housing accommodation shall regulate pet ownership in accordance with rules established pursuant to § 8-2035.

(b) No pet shall be kept in violation of health statutes or under circumstances constituting cruelty to animals as set forth in § 22-1001.

(Mar. 16, 1989, D.C. Law 7-181, § 4, 35 DCR 7715; Apr. 24, 2007, D.C. Law 16-305, § 31(c), 53 DCR 6198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

2001 Ed., § 8-2203.

1981 Ed., § 6-1023.

Effect of Amendments

D.C. Law 16-305, in subsec. (a), substituted "elderly persons or persons with disabilities" for "the elderly or handicapped".

Legislative History of Laws

For legislative history of D.C. Law 7-181, see Historical and Statutory Notes following § 8-2031.

For Law 16-305, see notes following § 8-1804.

§ 8-2034. CIVIL INFRACTIONS.

Any person who violates the provisions of this chapter shall be fined not more than \$300 for each violation. A violation of this chapter shall be a civil infraction for purposes of Chapter 18 of Title 2. Civil fines, penalties, and fees may be imposed as sanctions for any infraction of the provisions of this chapter, or the rules issued under the authority of this chapter, pursuant to Chapter 18 of Title 2. Adjudication of any infractions shall be pursuant to Chapter 18 of Title 2.

(Mar. 16, 1989, D.C. Law 7-181, § 5, 35 DCR 7715.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

2001 Ed., § 8-2204.

1981 Ed., § 6-1024.

Legislative History of Laws

For legislative history of D.C. Law 7-181, see Historical and Statutory Notes following § 8-2031.

§ 8-2035. RULES.

Within 180 days of March 16, 1989, the Mayor shall promulgate proposed rules, in accordance with subchapter I of Chapter 5 of Title 2, to carry out the purposes of this chapter. The proposed rules shall include guidelines, applicable to owners and tenants of locally assisted housing accommodations, on keeping common household pets, pet size, types of pets, potential financial obligation of tenants, and standards of pet care. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the regulations, in whole or in part, by resolution within the 45-day review period, the proposed rules shall be deemed approved.

(Mar. 16, 1989, D.C. Law 7-181, § 6, 35 DCR 7715.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

2001 Ed., § 8-2205.

1981 Ed., § 6-1025.

Legislative History of Laws

For legislative history of D.C. Law 7-181, see Historical and Statutory Notes following § 8-2031.