

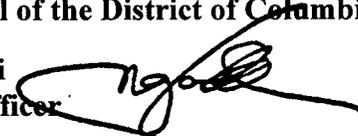
**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: November 9, 2009

SUBJECT: Fiscal Impact Statement – “Construction Codes Schedule of Fines Resolution of 2009”

REFERENCE: No Bill Number– Draft Resolution

Conclusion

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the proposed resolution. The proposed resolution does not have an impact on the District’s budget and financial plan.

Background

The proposed resolution would amend Section 3309 (DCRA Fire Protection Division Infractions) of Chapter 33 (Department of Consumer & Regulatory Affairs Infractions) of Title 16 (Consumers, Commercial Practices, & Civil Infractions) of the D.C. Municipal Regulations. This amendment is needed to address a potential gap in the enforcement of compliance with the current District Construction Codes¹. The regulations that prevail at the expiration of current emergency rulemaking² refer to a prior version of the Construction Codes, violations of which would not be subject to notices of violation and enforcement proceedings. The current emergency rulemaking corrects the references to the most recent version of the Construction Codes in Subsections 3309.1, 3309.2, and 3309.3(c) that identify Class 1, Class 2 and Class 3 infractions, respectively.

¹ Published in final form in the *D.C. Register* on December 26, 2008 (55 DCR 13094)

² Adopted on October 23, 2009 to remain in effect for up to 120 days

Financial Plan Impact

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the proposed resolution. The proposed resolution amends the D.C. Municipal Regulations to reflect updated citations to the D.C. Construction Codes, and does not have an impact on the District's budget and financial plan.