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A BILL
25-576

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Historic Landmark and Historic District Protection Act of 1978 to protect historic homes by ensuring that civil fines, penalties, or fees assessed by the Historic Preservation Office account for the severity of the violation, start at the amount set for a Class 1 violation and not be more \$10,000 per violation, and to require that civil fines, penalties, or fees assessed for substantial demolition, alternation, or new construction account for the severity of the violation and start at \$10,000 but not be more than \$25,000 per violation; and to amend the Migratory Local Wildlife Protection Act of 2022 to make the requirements of the law applicable to permits submitted and issued after January 1, 2025.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Protecting Historic Homes Amendment Act of 2024”.

Sec. 2. Section 11(c) of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1110(c)), is amended to read as follows:

“(c)(1) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this subchapter, or any rules or regulations issued under the authority of this subchapter, pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 et seq.).

“(2)(A) Civil fines, penalties, and fees imposed pursuant to this subsection shall:

30 “(i) Account for the severity of the violation; and

31 “(ii) Not exceed \$10,000 per violation; and

32 “(B) Notwithstanding subparagraph (A), civil fines, penalties, and fees for
33 willful demolitions, alterations, or new construction shall:

34 “(i) Account for the severity of the violation; and

35 “(ii) Start at \$10,000 per violation but not exceed \$25,000 per
36 violation.

37 Sec. 3. Section 3(a)(1) of the Migratory Local Wildlife Protection Act of 2022, effective
38 March 22, 2023 (D.C. Law 24-337; D.C. Code § 8-2241.02(a)(1)), is amended to read as
39 follows:

40 “(a)(1) For buildings built or constructed pursuant to Building permit applications
41 submitted on or after January 1, 2025 including for new construction, or for alterations involving
42 the replacement of all or substantially all exterior glazing on commercial buildings, multi-unit
43 residential buildings, institutional facilities, or District-owned or operated buildings, each façade
44 of the exterior wall envelope and any exterior fenestration shall be constructed with bird friendly
45 materials up to 100 feet above grade; provided, that other materials may be used to the extent
46 that they do not exceed an aggregate of 10 square feet within any 10 feet by 10 feet square area of
47 exterior wall below 100 feet above grade.”.

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50 Sec. 4. Fiscal impact statement.

51 The Council adopts the fiscal impact statement in the committee report as the fiscal
52 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
53 approved October 16, 2006 (12 Stat. 2038; D.C. Official Code § 1-301.47a). Sec. 11. Effective
54 date.

55 Sec. 5. Effective date.

56 This act shall take effect following approval by the Mayor (or in the event of veto by the
57 Mayor, action by the Council to override the veto) and a 30-day period of Congressional review
58 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
59 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).