

AMENDMENT TO BILL 18-191  
The "Priority Sidewalk Assurance Act of 2010"  
June 1, 2010 (Committee Print)

1. On page 2, lines 10-11, Section 3(a)(1)(a) is amended to read as follows:

“(a) A statement of intent to design and construct a new sidewalk no less than ~~30~~ 60 days before construction is scheduled, including a 30-day period for public comment on the proposed design;”.

2. On page 2, lines 18-19, Section 3(b) is amended to read as follows:

“(b) ~~Subject to the requirements established in sections 2,~~ The Mayor shall design sidewalks in a manner that preserves the health of existing trees wherever possible.”.

3. On page 2, after line 19, add a new subsection 3(c) to read as follows:

“(c) The recommendations of the affected Advisory Neighborhood Commission shall be given great weight, as that term is defined in D.C. Law 1-61.”.

4. On page 3, after line 7, a new paragraph 4(a)(4) is added to read as follows:

“(4) There would be damage to park land by the construction of the sidewalk on park land, or the District would be required to acquire an easement or property interest in order to establish the sidewalk.”.

Rationale:

The first amendment will give the public time to consider and comment on any new proposed sidewalks, consistent with the typical notice requirement for ANCs. Otherwise, the notice requirement is too short for meaningful public involvement. The second amendment clarifies and strengthens the language protecting trees. The third amendment will provide great weight to ANC recommendations, if there are any. The final amendment makes clear that sidewalks are not required if land (or an interest in the land) must be acquired, or if park land must be utilized. “Park land” has the usual meaning of public land designated as park.