

Memorandum

Government of the District of Columbia

TO: John Pressley
ANC Liaison
Office of Community Services

Office: Corporation Counsel
Prepared by: L&O:LNG:pmcK
(87-226)(LCD-2800)

FROM: Frederick D. Cooke, Jr. *FDC*
Acting Corporation Counsel, D.C.

Date: September 3, 1987

SUBJECT: 30-day Prior Notification Procedures for
Advisory Neighborhood Commissions

This is in response to Mayor's Memorandum 87-47, dated August 31, 1987, in which the Mayor requests a copy of this Office's ANC notification procedures, written or otherwise, "currently in use to notify the Advisory Neighborhood Commissions of agency planning, decision-making and/or action."

Generally, the Office of the Corporation Counsel does not take the kinds of governmental actions which are subject to the ANC 30-day written notice requirement set forth in D.C. Code § 1-261(b) (1987). Accordingly, this Office has no written procedures governing 30-day written notice to ANCs. Occasionally, this Office has promulgated rules which have had a city-wide effect. See, e.g., the Corporation Counsel-promulgated rules governing procedures to be followed by the District of Columbia Board of Appeals and Review, 34 DCR 2484, April 17, 1987. In following the rulemaking requirements of D.C. Code § 1-1506 (1987), which required publication in the D.C. Register of these rules as proposed rules at least 30 days prior to their final adoption (see Notice of Proposed Rulemaking at 33 DCR 7712, December 12, 1986), the Corporation Counsel satisfied the 30-day ANC prior notice requirement set forth in D.C. Code § 1-261(b) (1987), assuming that provision was applicable. See attached copy of the May 26, 1977 letter from Principal Deputy Corporation Counsel Louis P. Robbins to Keith A. Vance (2 Op.C.C.O.C. 48 (1977)), in which Mr. Robbins opines that since all ANCs receive a copy of the D.C. Register, timely publication of a notice in the D.C. Register satisfies the ANC notice requirement now codified at D.C. Code § 1-261(b) (1987).

FDC

Attachment