

# Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

JUDICIARY SQUARE

441 FOURTH ST., N.W.

WASHINGTON, D. C. 20001



IN REPLY REFER TO:

July 14, 2000

Mr. David J. Bardin  
Chairman  
Advisory Neighborhood Commission 3F  
PO Box 39290  
Washington, D.C. 20016-9290

Re: Notice to ANCs of applications for public space permits for curb cuts

• Dear Mr. Bardin:

This responds to your letter of June 1, 2000, wherein you requested advice regarding whether the Department of Public Works (DPW) is required to provide notice to Advisory Neighborhood Commissions (ANCs) of applications for curb cuts. You state, and DPW confirms, that a request for a curb cut is filed with DPW as an application for a public space permit. You also advise that ANCs previously received notice of proposed curb cut permits (prior to the administration of Anthony Downing of the DPW Public Space Office) and that DPW currently provides notice to ANCs of other public space permits such as applications for bike rack installations, enclosed and open air cafes, and certain fences on public space. Despite your own efforts, the efforts of several attorneys in this Office, and the purported agreement of persons within DPW that notice should be provided, you have been unable to informally resolve this issue with DPW.

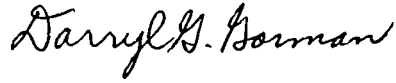
Section 13(c)(3) of the Advisory Neighborhood Councils Act of 1975, effective October 10, 1975 (D.C. Law 1-21, D.C. Code § 1-261(c)(3)), as amended by section 3(a) of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-135, 47 DCR 2741), states in relevant part:

Each Commission and the affected Ward Councilmember shall also be provided at least twice a month with a current list of applications for public space permits.

Therefore DPW is required to provide a list of applications for public space permits, including applications for curb cuts, twice a month to ANCs and Ward Councilmembers.

If you have any further questions with regard to this matter, you may contact Annette Elseth, Assistant Corporation Counsel, Legal Counsel Division, at 724-5537, or me at 724-5943.

Sincerely,



Darryl G. Gorman  
Senior Deputy Corporation Counsel for  
Government Operations

DGG/abe  
(AL-00-326)

cc: Anthony Downing  
Public Space Office  
Department of Public Works  
941 N. Capitol Street, N.E.  
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