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2 Chairman Phil Mendelson

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Councilmember Charles Allen

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6 Councilmember Brianne Nadeau

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Councilmember Elissa Silverman

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10 Councilmember Kenyan McDuffie

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Councilmember David Grosso

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14 Councilmember Vincent B. Orange, Sr.

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Councilmember Jack Evans

15  
16 A BILL

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20 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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23  
24 To require the creation of a temporary business license, to establish a temporary certificate of  
25 occupancy and require the Mayor to develop an expedited approval process for obtaining  
26 a temporary certificate of occupancy, to establish that a property that is occupied by a  
27 temporary use for at least 60 days per 6-month property tax period shall not be classified  
28 as vacant property, and to require the Mayor to establish a public, central database of  
29 government-owned property available for temporary commercial activity.  
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31 BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

32 That this act may be cited as the “Small Business Incubator Act of 2015”.

33 Sec. 2. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as  
34 follows:

35 (a) The table of contents is amended by adding a new section designation for subchapter  
36 I-A to read as follows: “47-2851.03e. Temporary basic business license.”.

37 (b) A new section 47-2851.03e is added to read as follows:

38 “§ 47.2851.03e. Temporary basic business license.

1           “(a) A temporary basic business license shall be available for applicants applying to  
2 license a business for up to 90 consecutive days.

3           “(b) The Mayor shall establish:

4                   “(1) Procedures governing temporary business licenses, including procedures to  
5 transition from a temporary basic business license to a standard basic business license; and

6                   “(2) A temporary license fee equal to the fee for a comparable standard basic  
7 business license prorated for the amount of time for which the temporary license is issued.

8           “(c) The Mayor may adjust, by rule, the license fees established in subsection (b) of this  
9 section.”.

10           Sec. 3. Expedited process for temporary certificate of occupancy.

11           (a) Notwithstanding any other provision of law, there is established a temporary  
12 certificate of occupancy, which shall be valid for up to 180 days.

13           (b)(1) Within 90 days after the effective date of this act, the Mayor shall:

14                   (A) Establish an expedited permit approval process for temporary certificates  
15 of occupancy, which shall include a 5-day approval process as described in paragraph (2) of this  
16 subsection;

17                   (B) Establish an online application process for temporary certificates of  
18 occupancy; and

19                   (C) Publish online:

20                           (i) The information needed to apply for a temporary certificate of  
21 occupancy, including the criteria and procedures to obtain one under the expedited approval  
22 process; and

1 (ii) The building and fire code life-safety requirements that must be  
2 met prior to the approval of any temporary certificate of occupancy.

3 (2) A temporary certificate of occupancy issued pursuant to this section shall be  
4 approved or disapproved within 5 business days of application, excluding days required for the  
5 applicant to provide any additional information or make any modifications requested by the  
6 Mayor.

7 (c) A property shall be not be classified as a vacant property for tax purposes whenever  
8 an owner can demonstrate that the property has been in use for least at least 60 days within a 6-  
9 month property tax billing period.

10 Sec. 4. Centralized listing of available government-owned sites.

11 (a) Within 180 days of the effective date of this act, the Mayor shall establish and  
12 maintain a publicly accessible database of all government-owned property with area available for  
13 temporary commercial use.

14 (b) The database shall include the following information for each property or portion of  
15 the property that is available:

16 (1) Size;

17 (2) Permissible uses;

18 (3) Fees, if any; and

19 (4) Contact information for an interested person to learn more about the property.

20 Sec. 5. Rules.

21 The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act,  
22 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules  
23 to implement the provisions of this act.

1           Sec. 6. Fiscal impact statement.

2           The Council adopts the fiscal impact statement in the committee report as the fiscal  
3 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
4 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

5           Sec. 7. Effective date.

6           This act shall take effect following approval by the Mayor (or in the event of veto by the  
7 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
8 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
9 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
10 Columbia Register.