

West's District of Columbia Code Annotated 2001 Edition
Division I. Government of District.
Title 8. Environmental and Animal Control and Protection. (Refs & Annos)
Subtitle A. Environmental Control and Protection.
Chapter 2. Drainage of Lots.

DC ST § 8-205
Formerly cited as DC ST 1981 § 6-405

§ 8-205. Definitions; repair, maintenance, and renewal of water service pipes and building sewers; compensation to property owners; false claims for compensation; severability.

Effective: February 22, 2019
[Currentness](#)

(a) For the purpose of this section, certain words and terms are defined as follows:

(1) "Parking" means that area of public space which lies between the property line and the edge of the actual or planned sidewalk which is nearer to such property line, as such property line and sidewalk are shown on the records of the Surveyor of the District of Columbia.

(2) "Property" means real property.

(3) "Property line" means the line beyond which a private property owner has no legal or vested property rights in any fronting or abutting public space or street; the line of demarcation between privately owned property and any public space or street as may be shown on the records of the Surveyor of the District of Columbia.

(4) "Public space" means all the publicly owned property between lines on a street, as such property lines are shown on the records of the Surveyor of the District of Columbia, and includes any roadway, tree space, sidewalk, or parking between such property lines.

(5) "Street" means a public highway as shown on the records of the Surveyor of the District of Columbia whether designated as a street, alley, avenue, freeway, road, drive, lane, place, boulevard, parkway, circle, or by some other term.

(b) The District of Columbia Water and Sewer Authority of the District of Columbia is authorized to repair and maintain and, where necessary, to renew all water service pipes and building sewers from the water main or the public sewer to the property line of each lot in the District of Columbia required to be so connected by [§ 8-201](#) at the costs of such owner or owners and to perform all such repairs, as are necessary, to maintain or improve any roadway, alley, minor street, highway or other public space above such repaired or renewed water service pipes or building sewers. The District of Columbia Water and Sewer Authority, where he deems such action necessary, may also perform maintenance or repair work on private property, in which case, the cost, including overhead expense, shall be paid by the property owner. The cost of any repair or maintenance work on water service pipes or building sewers beyond the property line away from the house or structure, made necessary by the negligence

or through the action of a property owner or tenant as reasonably determined by the District of Columbia Water and Sewer Authority, shall be charged to the property owner.

(b-1)(1) The District of Columbia Water and Sewer Authority is authorized to install individual water meters and appurtenances and perform related excavation and restoration work for dwelling units at Danbury Station on the north side of Danbury Street, S.W., addresses 3 to 177, on the east side of Martin Luther King, Jr. Avenue, S.W., addresses 4250 to 4258, and on the west side of South Capitol Street, S.W., addresses 4275 to 4289.

(2) The District of Columbia Water and Sewer Authority shall not commence work authorized by paragraph (1) of this subsection until funds necessary to satisfy all costs, reserves, and expenses attributable to the work are received from the Department of Energy and Environment or other sources.

(c) The District of Columbia Water and Sewer Authority is further authorized and directed to compensate property owners for any and all expenses incurred at the direction of the District of Columbia for the direct repair of water service pipes or building sewers within the past 3 years from March 29, 1977; provided, that such repairs at the time of their performances have met the requirements of subsection (b) of this section. Compensation shall be in the form of payment or the removal of a lien or assessment against such property by the District of Columbia only to owners who establish under the requirements of subsection (e) of this section proof of actual payment of repairs under a permit issued by the District of Columbia. All rights to compensation under the terms of this subsection shall terminate 2 years from March 29, 1977.

(d) All prior year compensation payments authorized by subsection (c) of this section and all work required to be done in the repair, maintenance, or renewal of water service pipes and building sewer as authorized under subsection (b) of this section, including surface repair works, shall be paid from the Water and Sewer Authority Enterprise Fund established by [§ 34-2202.07](#).

(e) Before compensation is granted, the District of Columbia Water and Sewer Authority shall determine whether the repair, made under a permit issued by the District of Columbia, would have been authorized under subsection (b) of this section, noting such other pertinent findings of fact as he deems necessary. If the District of Columbia Water and Sewer Authority determines that the repair work would have been eligible under subsection (b) of this section had it been in effect at the time of repair, he shall compensate any person, who was the property owner at the time the repairs were made, for the cost of such repairs, provided such owner can establish proof of payment for the cost of the repairs to the reasonable satisfaction of the District of Columbia Water and Sewer Authority up to the full value thereof for each separate occurrence.

(f) Any person who by means of false statement, or impersonation, or by other fraudulent device obtains or attempts to obtain or any person who knowingly aids or abets such person in obtaining or attempting to obtain: (1) Any award or payment of compensation under the provisions of this section to which he is not entitled; or (2) a larger amount or greater relief in compensation than that to which he is entitled; shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than \$500 or imprisoned not to exceed 1 year, or both. Prosecutions under the provisions of this subsection shall be in the name of the District of Columbia by the Office of the Corporation Counsel.

(g) The District of Columbia Water and Sewer Authority is further authorized to prescribe rules and regulations governing the maintenance and repair of such water service pipes and building sewers by the District of Columbia and the compensation of property owners by the District of Columbia for eligible prior year repairs of water service pipes, building sewers and the roadway above such water service pipes and sewers.

(h) If any section, subsection, or provision of this chapter is held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the remaining sections, subsections, or provisions of this chapter.

Credits

(May 19, 1896, 29 Stat. 126, ch. 206, § 5; Mar. 29, 1977, D.C. Law 1-98, § 2, 23 DCR 9532b; Oct. 19, 2000, D.C. Law 13-172, § 1502, 47 DCR 6308; Oct. 30, 2018, D.C. Law 22-168, § 6152, 65 DCR 9388; Feb. 22, 2019, D.C. Law 22-234, § 3, 66 DCR 219.)

[Notes of Decisions \(1\)](#)

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Current through October 9, 2020.

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