700 GENERAL PROVISIONS

700.1 The purpose of this chapter is to establish minimum standards for the storage, collection, transportation and disposal of solid wastes, and thus promote the health, safety and welfare of the people of the District of Columbia and to enhance and improve the environment.

700.2 The provisions of this chapter shall apply to all solid waste storage, collection, transportation, and disposal within the District.

700.3 All solid wastes shall be stored and containerized for collection in a manner that will not provide food, harborage, or breeding places for insects or rodents, or create a nuisance or fire hazard.

700.4 No person shall deposit, throw or place or cause to be deposited, thrown or placed any solid waste in any alley, street, catch basin, or other public space, or into the Potomac River or other waters in the District, or onto any premise under the control of others.

700.5 The transportation and disposition of hazardous wastes shall be in accord with methods approved by the Mayor or the Mayor's agent.

700.6 Except as otherwise specifically provided in Title 21 DCMR or in Title 24 DCMR, Chapter 13 (Civil Fines under D.C. Law 6-100), any person who fails to comply with any provision of this chapter shall, upon conviction, be punished by a fine not to exceed three hundred dollars ($300) or imprisonment not to exceed ten (10) days, or both.

700.7 In the event of any violation of, or failure to comply with this chapter, each and every day of the violation shall constitute a separate offense, and the penalties described in this section shall be applicable to each separate offense.

700.8 The District shall collect and remove all solid waste from buildings or structures used exclusively for residential purposes, except the following buildings or structures:

(a) Any building or structure containing (4) or more dwelling units;

(b) Any building or connected group of buildings which is used, maintained, advertised, or held out as a place where, for a consideration, sleeping accommodations are furnished to five (5) or more persons who are not members of the immediate family of the owner or lessee of the building and in which the accommodations are not under the exclusive control of the occupants;

(c) Any building or connected group of buildings which is used, maintained, advertised, or held out as a place where, for a consideration, meals or lunches are furnished to five (5) or more boarders or to five (5) or more transients who have sleeping accommodations on the premises;

(d) Any dwelling units which does not abut public space; or

(e) Hotels.

700.9 The District shall not collect any solid waste from or of any place of business or from any building or structure which is not used exclusively for residential purposes.

700.10 Designated officials within the District agencies or departments enumerated in the governing regulations for D.C. Law 6-100, the "Litter Control Administration," Title 24 DCMR, Chapter 13, §1300.2, may issue the civil Notice of Violation to persons who violate the provisions of Chapter 7 of this title.

700.11 Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of this part pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985. Adjudication of any infraction of this part shall be pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §402(4) of the Reorganization Plan No. 3 of 1967, (81 Stat. 948), 32 FR 11669, D.C. Code §1-226); §412 of the District of Columbia Self-Government and Governmental Reorganization Act, 87Stat. 790. Pub. L. 93-198 D.C. Code §1-227(a); Commissioner's Order 71-255, dated July 27, 1971, as amended by Commissioner's Order 72-96, dated April 19, 1972; Reorganization Plan No. 4 of 1983, 30 DCR 6428, effective March 2, 1984; Mayor's Order 84-55; the Solid Waste Disposal Act of 1989, D.C. Law 8-16, effective July 25, 1989; Mayor's Order 90-47, dated March 12, 1990; D.C. Law 11-94, the Solid Waste Facility Permit Act of 1995, effective February 22, 1996; Mayor's Order 96-51, dated April 12, 1996.

SOURCE: Regulation No. 71-21 approved June 29, 1971, 18 DCR 16 (July 12, 1971), 8 DCRR §§8-3:601(a),(b), §§8-3:603(a), (b), §8-3:607(i), and §8-3:612; as amended by §2(b)(1) of Solid Waste Control Act of 1977, D.C. Law 2-69, 24 DCR 6800 (February 17, 1978); by Final Rulemaking published at 31 DCR 1288 (March 16, 1984); by §3(c) of the Litter Control Administration Act of 1985, D.C. Law 6-100, 33 DCR 781 (February 7, 1986); by §2(b) of the Litter Cantle. Expansion Amendment Act of 1987, D.C. Law 7-38, 34 DCR 5326 (August 14, 1987); and by Final Rulemaking published at 36 DCR 1099 (February 3, 1989); by §31 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 Technical and Clarifying Amendments Act of 1990, D.C. Law 8-237, 38 DCR 314, 326 (January 11, 1991); and by §2(d) of the Litter Control Fine Increase Amendment Act of 1995, D.C. Law 11-13, 42 DCR 1268, 1280 (March 17, 1995).