AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

location, construction, operation, and maintenance of such bridges and their approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1934.

[CHAPTER 388.]

AN ACT

June 4, 1934.
[S. 2623.]
[Public, No. 284.]

To amend the Act entitled "An Act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes" approved March 19, 1906, as amended, is amended to read as follows:

District of Columbia.
Amendments to Act requiring erection of fire escapes in.
Vol. 34, pp. 70, 1247.

"That it shall be the duty of the owner entitled to the beneficial use, rental, or control of any building three or more stories in height, constructed or used or intended to be used as an apartment house, tenement house, flat, rooming house, lodging house, hotel, hospital, seminary, academy, school, college, institute, dormitory, asylum, sanitarium, hall, place of amusement, office building, or store, or of any building three or more stories in height, or over thirty feet in height, other than a private dwelling, in which sleeping quarters for the accommodation of ten or more persons are provided above the first floor, to provide and cause to be erected and fixed to every such building one or more suitable fire escapes, connecting with each floor above the first floor by easily accessible and unobstructed openings, in such location and numbers and of such material, type, and construction as the Commissioners of the District of Columbia may determine; except that buildings designed and built as single-family dwellings, and converted to use as apartment houses, in which not more than three families reside, including the owner or lessee, or rooming houses in which sleeping accommodations are provided for less than ten persons above the first floor, not more than three stories, nor more than forty feet in height, and having a total floor area not more than three thousand square feet above the first floor, shall be exempted from the provisions of section 1 of this Act; and except that buildings used solely as apartment houses, not more than three stories, nor more than forty feet in height, so arranged that not more than five apartments per floor open directly, without an intervening hall or corridor, on a fire-resistive stairway, three feet or more in width, enclosed with masonry walls in which fire-resistive doors are provided at all openings, shall be exempted from the provisions of this section.

Duty of owner of apartment, etc., house to provide fire escape.

Single-family dwellings converted into not exceeding three-family apartments.

Sleeping accommodations for less than ten persons.

Other specifications.

Fire escapes not required.

"SEC. 2. It shall be the duty of the owner entitled to the beneficial use, rental, or control of any building already erected, or which may hereafter be erected, in which ten or more persons are employed at the same time in any of the stories above the second story, except three-story buildings used exclusively as stores or for office purposes, and having at least two stairways from the ground floor each three or more feet wide and separated from each other by a distance of

Buildings occupied by ten or more persons above second story.

Except stores, etc. having two stairways.

at least thirty feet, from one of which stairways shall be easy access to the roof, to provide and cause to be erected and affixed thereto a sufficient number of the aforesaid fire escapes, the location and number of the same to be determined by the Commissioners, and to keep the hallways and stairways in every such building as is used and occupied at night properly lighted, to the satisfaction of the Commissioners, from sunset to sunrise.

Night lights.

Guide signs, standpipes, fire extinguishers, etc.

"SEC. 3. It shall be the duty of the owner entitled to the beneficial use, rental, or control of any building used or intended to be used as set forth in section 1 of this Act where fire escapes are required, or any building in which 10 or more persons are employed, as set forth in section 2 of this Act where fire escapes are required, also to provide, install, and maintain therein proper and sufficient guide signs, guide lights, exit lights, hall and stairway lights, standpipes, fire extinguishers, and alarm gongs and striking stations in such locations and numbers and of such type and character as the Commissioners may determine; except that in buildings less than six stories in height, standpipes will not be required when fire extinguishers are installed in such numbers and of such type and character as the Commissioners may determine.

Requirements modified for buildings of less than six stories.

Commissioners to adopt and enforce necessary regulations.

"SEC. 4. The Commissioners are hereby authorized and directed to issue such orders and to adopt and enforce such regulations not inconsistent with law as may be necessary to accomplish the purposes and carry into effect the provisions of this Act, and to require any alterations or changes that may become necessary in buildings now or hereafter erected, in order properly to locate or relocate fire escapes, or to afford access to fire escapes, and to require any changes or alterations in any building that may be necessary in order to provide for the erection of additional fire escapes, or for the installation of other appliances required by this Act, when in the judgment of the Commissioners such additional fire escapes or appliances are necessary.

To require building alterations where necessary to install fire escapes, appliances, etc.

Fireproof enclosures for elevator shafts.

"SEC. 5. Each elevator shaft and stairway extending to the basement of the buildings heretofore mentioned shall terminate in a fireproof compartment or enclosure separating the elevator shaft and stairs from other parts of the basement, and no opening shall be made or maintained in such compartment or enclosure unless the same be provided with fireproof doors.

Certain fireproof buildings exempt.

"Such buildings as are used solely for office buildings above the second floor and defined under the building regulations of the District of Columbia to be fireproof are exempted from the requirements of this Act as to fire escapes, guide signs, and alarm gongs; but when the face of a wall of any such fireproof building is within thirty feet of a combustible building or structure, or when the side or sides, front or rear of such building or structure faces within thirty feet of a combustible building, or contains a light or air shaft or similar recess within thirty feet of a combustible building, then each and every window or opening in said wall or walls shall be protected from fire by automatic iron shutters or wire glass in fireproof sash and frames.

Automatic iron shutters.

Unobstructed halls or stairways.

"SEC. 6. It shall be unlawful to obstruct any hall, passageway, corridor, or stairway in any building enumerated in this Act with baggage, trunks, furniture, cans, or with any other thing whatsoever.

Free access to fire escape; no obstacle upon.

"SEC. 7. No door or window leading to any fire escape shall be covered or obstructed by any fixed grating or barrier, and no person shall at any time place any incumbrance or obstacle upon any fire escape or upon any platform, ladder, or stairway leading to or from any fire escape.

Violations.

"SEC. 8. Any person failing or neglecting to provide fire escapes, guide signs, guide lights, exit lights, hall and stairway lights, standpipes, fire extinguishers, alarm gongs and striking stations, or other appliances required by this Act after notice from the Commissioners so to do, shall, upon conviction thereof, be punished by a fine of not less than $10 nor more than $100, and shall be punished by a further fine of $5 for each day that he fails to comply with such notice. Any person violating any other provision of this Act or regulations promulgated hereunder shall be punished, upon conviction thereof, by a fine of not less than $10 nor more than $100 for each offense.

Penalties.

Scope of notice.

"SEC. 9. The notice from the Commissioners requiring the erection of fire escapes and other appliances enumerated in this Act shall specify the character and number of fire escapes or other appliances to be provided, the location of the same, and the time within which said fire escapes or other appliances shall be provided, and in no case shall more than ninety days be allowed for compliance with said notice unless the Commissioners shall, in their discretion, deem it necessary to extend their time.

Service of notice.

"SEC. 10. Such notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or if no such office can be found in said District by reasonable search if forwarded by registered mail to the last-known address of the person to be notified and not returned by the post-office authorities, or if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on ten consecutive days in a daily newspaper published in the District of Columbia, or if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner herin-[1] before in this section provided, or if delivered to the agent, trustee, executor, or other legal representative of the estate of such person. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia: *Provided*, That in case of failure or refusal of the owner entitled to the beneficial use, rental, or control of any buildings specified in this Act, to comply with the requirements of the notice provided for in section 9, the Commissioners are hereby empowered and it is their duty to cause such erection of fire escapes and other appliances mentioned in the notice provided for, and they are hereby authorized to assess the costs thereof as a tax against the buildings on which they are erected and the ground on which the same stands, and to issue tax-lien certificates against such building and grounds for the amount of such assessments, bearing interest at the rate of 10 per

By mail.

Publication, if not delivered.

Notice to a corporation.

Proviso.
Failure to comply.

[1] So in original.

centum per annum, which certificates may be turned over by the Commissioners to the contractor for doing the work.

Injunction to restrain use, etc., of building.

"SEC. 11. The Supreme Court of the District of Columbia, in term time or in vacation, may, upon a petition of the District of Columbia, filed by its said Commissioners, issue an injunction to restrain the use or occupation of any building in the District of Columbia in violation of any of the provisions of this Act.

"SEC. 12. As used in this Act—

Definitions.

"(a) The terms 'apartment house', 'tenement house', and 'flat' mean a building in which rooms in suites are provided for occupancy by three or more families.

"(b) The term 'rooming house' means a building in which rooms are rented and sleeping quarters provided to accommodate ten or more persons, not including the family of the owner or lessee.

"(c) The term 'lodging house' means a building in which sleeping quarters are provided to accommodate ten or more transients.

"(d) The term 'hotel' means a building in which meals are served and rooms are provided for the accommodation of ten or more transients.

"(e) The term 'elevator shaft' includes a dumbwaiter shaft.

"(f) The term 'fire escape' means an exterior open stairway or arrangement of ladders constructed entirely of incombustible materials and of approved design, or an interior or exterior stairway of fire-resistive construction with enclosing walls of masonry with fire-resistive doors and windows.

"(g) The term 'standpipe' means a vertical iron or steel pipe provided with hose connections and valves, so arranged as to supply water for fire-fighting purposes.

"(h) The terms 'fireproof' and 'fire-resistive' have the same meaning as is ascribed to the term 'fire-resistive' in the Building Code of the District of Columbia.

Saving provisions.

"SEC. 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed."

Approved, June 4, 1934.

[CHAPTER 389.]

AN ACT

June 4, 1934.
[H.R. 9061.]
[Public, No. 285.]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes.

District of Columbia. Appropriations for expenses of, fiscal year 1935, from District revenues and $5,700,000 from the Treasury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1935, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition a sum equal to $5,700,000 less a sum equal to 70 per centum of the amounts expended under the allotments from the Public Works Administration of $1,759,500 for sewers and $148,650 for park improvements is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1934, and all of the remainder out of the combined revenues of the District of Columbia, namely:

Less 70 percent of Public Works Administration allotments.