

[CHAPTER 98]

AN ACT

To provide for special assessments for the laying of curbs and gutters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, when any curb or gutter is laid, or any curb and gutter are laid, on any street, avenue, or road in the District of Columbia which said curb shall be constructed of concrete, stone, or other permanent type of construction, or which said gutter shall be constructed of concrete, brick, granite block, asphalt on a concrete base, or other permanent type of construction, one-half of the total cost thereof shall be charged against and become a lien upon the property abutting the side of the street, avenue, or road, or portion thereof, so improved, and assessments therefor shall be levied pro rata according to the linear frontage of said property on the side of the street, avenue, or road, or portion thereof, so improved: *Provided, however,* That no assessments shall be levied hereunder on account of the replacement of any curb or gutter or curb and gutter of a permanent type of construction. When any gutter shall be constructed, in whole or in part, as an integral portion of a permanent type of roadway of any street, avenue, or road, so much of said roadway as lies within two feet of the curb line shall be considered as a gutter for the purposes of this Act.

SEC. 2. The total assessment levied hereunder against any abutting property shall not exceed the number of square feet of area of said property multiplied by 1 per centum of the linear front-foot assessment and shall not exceed 10 per centum of the value of the said abutting property, exclusive of improvements thereon, as assessed for the purpose of taxation at the time of the laying of the curb or gutter or curb and gutter for which said assessment is levied. In computing assessments hereunder against unsubdivided land according to the assessed valuation, there shall be excluded from the computation land lying back more than one hundred feet from the street, avenue, or road being improved where the depth is even, and where the depth is uneven the average depth shall be taken in computation but not to exceed more than one hundred feet.

SEC. 3. When any property abuts two or more streets, avenues, or roads, the assessments against said property levied hereunder shall not exceed in the aggregate, together with any legal assessments heretofore levied and paid for paving, curbing, and guttering of or on said streets, avenues, or roads, under the authority of the Acts of July 21, 1914 (38 Stat. 524), and September 1, 1916 (39 Stat. 716), relating to assessments for the paving of streets, avenues, and roads, or under the Act of August 7, 1894 (28 Stat. 250), relating to assessments for laying curbs, or under the Act of February 20, 1931 (46 Stat. 1197), entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters", 3½ cents per square foot of area of said property, or 20 per centum of the value of said property, exclusive of improvements thereon, as assessed for the purpose of taxation at the time of the laying of the curb or gutter or curb and gutter for which said assessment is levied.

SEC. 4. No assessments shall be levied under said Act of Congress approved February 20, 1931, for any roadway improvement completed subsequent to the approval of this Act, but for curbs or gutters, or curbs and gutters, completed subsequent to the approval of this Act, assessments shall be levied against the abutting property in accordance with the provisions of this Act.

Approved May 25, 1943.

May 25, 1943
[H. R. 2159]

[Public Law 54]

District of Columbia.
Assessment for laying curbs and gutters.

Replacements.

Total assessment, computation.

Property abutting two or more streets.

D. C. Code §§ 7-611, 7-612.

D. C. Code § 7-606.

D. C. Code §§ 7-622 to 7-633.

Improvements subsequently completed.