

the present bona fide claim of any actual occupant of any of said lands so occupied to the amount of land to which, under the law, he is entitled: *And provided further*, That said resurvey shall in no manner affect the rights of bona fide occupants of any of said lands to the land so occupied to the amount which said occupants are entitled to receive from the Government.

Approved, March 1, 1899.

March 1, 1899.

CHAP. 322.—An Act To regulate the height of buildings in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the approval of this Act no combustible or nonfireproof building intended to be used or occupied as a residence or as an apartment house or hotel in the District of Columbia shall be erected to a height of more than five stories or raised to a height exceeding sixty feet above the sidewalk, the measurement to be made as hereinafter prescribed.

SEC. 2. That buildings intended for business purposes solely may be erected to a height of seventy-five feet without being of fireproof construction.

SEC. 3. That all buildings, except churches, hereafter erected or altered to exceed seventy-five feet in height shall be fireproof or non-combustible and of such materials throughout as may be prescribed by the Commissioners of the District of Columbia. Churches must be of fireproof construction up to and including the main or auditorium floor.

SEC. 4. That no building shall be erected or altered on any street in the District of Columbia to exceed in height above the sidewalk the width of the street in its front, and in no case shall a building exceed ninety feet in height on a residence street nor one hundred and ten feet on a business street, as designated by schedule approved by the Commissioners of the District of Columbia, except on business streets and business avenues one hundred and sixty feet wide, where a height not exceeding one hundred and thirty feet may be allowed. The height of buildings on corner lots shall in all cases be regulated by the limitations governing on the broader street: *Provided*, That spires, towers, and domes may be erected to a greater height than the limit herein prescribed, when approved by the Commissioners of the District of Columbia: *Provided further*, That on streets less than ninety feet wide, where building lines have been established so as to be a matter of public record and so as to prevent the lawful erection of any building in advance of said lines, the width of the street, in so far as it controls the height of buildings under this law, may be held to be the distance between said building lines.

SEC. 5. That no wooden or frame building hereafter erected or altered and intended to be used for human habitations shall exceed in height three stories, or forty feet to the roof.

SEC. 6. That the height of all buildings shall be measured from the level of the sidewalk opposite the middle of the front of the building to the highest point of the roof; if the building has more than one front the measurement shall be made upon the front facing the street of steepest grade. No parapet wall shall extend above the limit of height.

SEC. 7. That the limitations of height herein prescribed shall not apply to Federal or municipal buildings.

SEC. 8. That Congress reserves the right to alter, amend, or repeal this Act.

Approved, March 1, 1899.

District of Columbia.
Height of buildings limited.

—of business houses.

Buildings hereafter erected to be fireproof

—churches.

Maximum height.

Provisos.
—spires, etc., excepted.

—streets less than 90 feet wide.

Maximum height frame buildings.

Measurement of height.

Public buildings excepted.

Amendment.