A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency with respect to amending, on an emergency basis, Title 20 of the District of Columbia Municipal Regulations to regulate noise in the public space generated from electronically amplifying sound devices pursuant to an enforcement standard of a plainly audible standard at a distance of 100 feet or more and to specify a penalty for continuing or resuming a violation of that standard following an official warning, to clarify the definition of a noise disturbance by making reference to all residentially zoned districts, to clarify that a person participating in a parade, public gathering, or demonstration conducted is exempt from the noise disturbance standard and other noise limitations; and to prohibit the use of gas generators in the public space subject to certain exceptions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Amplified Noise Emergency Amendment Declaration Resolution of 2018”.

Sec. 2. (a) There exists an immediate need to amend Title 20 of the District of Columbia

Municipal Regulations to regulate noise in the public space generated from electronically amplifying sound devices pursuant to an enforcement standard of plainly audible at a distance of 100 feet or more and to specify a penalty for continuing or resuming a violation of that standard following an official warning, to clarify the definition of a noise disturbance by making reference to all residentially zoned districts, to clarify that a person participating in a parade, public gathering, or demonstration is exempt from the noise disturbance standard and other noise limitations; and to prohibit the use of gas generators in the public space subject to certain exceptions.

(b) In recent years, residential and mixed-use areas of the District have experienced increasingly loud noises emanating from street performers, also known as “buskers.”  When these performances reach unreasonably loud sound levels, they disturb people in their residences and work places daily, which has negatively impacted individuals’ safety, health, and enjoyment.

(c) While the District has statutes that regulate noise by decibel level, these standards are unenforceable due to practical and statutory constraints.

(d) Recognizing that buskers and their performances contribute to the vibrancy of our city, this bill does not discourage street musicians from playing in public spaces, it simply encourages performers to “turn it down” to a level that everyone can enjoy.

(e) Bill 22-839, the “Amplified Noise Amendment Act of 2018,” is currently under review by the Council. However, passing these amendments on an emergency basis would allow for reasonable sound levels to be implemented and enforced during the summer months, when busker activity is anticipated to increase in the District.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the “Amplified Noise Emergency Amendment Act” be adopted.

Sec. 4. This resolution shall take effect immediately.