A BILL

25-750

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

To require the Construction Codes Coordinating Board to issue final rules establishing sound level reduction design requirements for any new residential property construction within an activity area or an entertainment area by no later than **two years after the applicable date of the act ~~June 30, 2026~~**; to require sound level disclosures to tenants or purchasers of a dwelling unit located in an activity or entertainment area starting January 1, 2026; to require the Mayor to establish a grant program for soundproofing upgrades of qualifying dwelling units, residential properties, and entertainment venues by no later than **one year after the applicable date of the act** **~~October 1, 2026~~**; to amend the Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015 to require the Office of Cable Television, Film, Music and Entertainment (“Office”) to provide mobile or temporary acoustic shells at specific locations for certain permitted performances, to require the Office to install five digital decibel feedback signs in specific locations in coordination with the District Department of Transportation, and to require the Office to issue a report to the Council on the facilitation of outdoor performances in public space by no later than **one year after the applicable date of the act** **~~January 1, 2026; and to require the Mayor to allow persons to submit service requests for noise complaints via the 311 system~~**.

 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Harmonious Living Amendment Act of 2024”.

Sec. 2. Definitions.

(a) For purposes of this act, the term:

 (1) “Activity area” includes any parcel or lot within, or with exterior boundaries abutting, the following zones as defined in Title 11 of the District of Columbia Municipal Regulations:

 (A) ARTS-1 through ARTS-4;

 (B) MU-4 through MU-29

 (C) NC-6 through NC-16.

 (D) D-1 through D-8.

 (2) “Construction codes” shall have the same meaning as provided in section 2(2) of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401(2)).

 (3) “Dwelling unit” means a room or group of rooms that form a single independent habitable unit for permanent occupation by one or more individuals, that has living facilities with permanent provisions for living, sleeping, eating, and sanitation. The term “dwelling unit” does not include a unit within a hotel, motel, or seasonal or transient facility, unless such unit is or will be occupied by a person at risk, as defined in § 8-231.01(31), for a period exceeding 30 days.

 (4) “Entertainment area” means any parcel or lot with all exterior boundaries within 300 feet of an entertainment venue.

 (5) “Entertainment venue” means:

 (A) An establishment with an on-premises retailer’s license for a nightclub, club, or multipurpose facility as provided for in D.C. Official Code § 25-113;

 (B) An establishment with a manufacturer’s license, class A, B, or C, holding an on-site sales and consumption permit or a retailer's license, class C/R, D/R, C/H, D/H, C/T, D/T, C/B, and D/B, with an entertainment endorsement as provided for in D.C. Official Code § 25-113.01; or

 (C) Locations of cultural significance as entertainment venues, as declared by the Mayor.

 (6) “Median family income” means he median family income for the Washington Metropolitan Statistical Area as set forth by the United States Department of Housing and Urban Development, adjusted for household size, without regard to any adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers.

 (7) “Residential property” means improved real property used exclusively for non-transient residential dwelling purposes.

 Sec. 3. **~~Construction Codes Coordinating Board sound level reduction design requirements~~** **Sound level reduction design guidelines and requirements** rulemaking.

 **(a)** No later than **two years after the applicable date of the Harmonious Living Amendment Act of 2024 ~~June 30, 2026~~**, the Construction Codes Coordinating Board shall **promulgate rules** **~~publish a notice of final rulemaking~~** amending the Construction Codes to establish sound level reduction design requirements for any new residential property construction within an activity area or an entertainment area. **Such requirements shall consider:**

 **(1) Sound attenuation measures in entertainment areas that account for frequencies below 125 hertz; and**

 **(2) Any policy guidelines published by the Mayor pursuant to subsection (b) of this section.**

 **(b) No later than one year after the applicable date of the Harmonious Living Amendment Act of 2024, the Mayor shall publish guidelines and principles for sound level reduction in activity areas and entertainment areas, to ensure that established entertainment and sound-generating uses remain viable and can continue or grow without unreasonable restrictions.**

 Sec. 4. Sound level disclosure.

 (a) Beginning on January 1, 2026, the owner of a residential property or dwelling unit located in an entertainment area or activity area shall disclose to the purchaser or tenant of residential property or dwelling unit:

 (1) That the location of the residential property or dwelling unit is within an entertainment area or activity area;

 (2) That expected sound levels within an entertainment area or activity area may be higher than they are outside an entertainment or activity area;

 (3) A brief description of any **known** soundproofing measures present in the residential property or dwelling unit; and

 (4) A list of entertainment venues within 300 feet of the **~~residential property or~~** dwelling unit with daily hours of operation for each venue.

 (b) The disclosures set forth in subsection (a) of this section shall be provided on a sound disclosure form provided by the Mayor.

 (c) The disclosures set forth in subsection (a) of this section shall be provided before the purchaser or tenant is obligated under any contract to purchase or lease the residential property or dwelling unit.

(d) No later than **6 months after the applicable date of the Harmonious Living Amendment Act of 2024 ~~October 1, 2025~~**, the Mayor shall make publicly available the sound disclosure form required by subsection (b) of this section.

**(e) A transfer subject to this section shall not be invalidated solely because of the failure of any person to comply with any provisions of this section.**

Sec. 5. Grants for soundproofing upgrades.

 (a) No later than **one year after the applicable date of the Harmonious Living Amendment Act of 2024** **~~than October 1, 2026~~**, the Mayor shall establish a grant program to support the installation of measures mitigating sound transfer between an entertainment venue and abutting or nearby residential properties. Eligibility for grants shall be limited to:

 (1) Property owners whose dwelling unit or residential property are entirely located within an activity area or entertainment area; provided, that property owners must:

 (A) Demonstrate that he or she is current on all mortgage payments for the last 12 months;

 (B) Demonstrate that he or she is current on all District and federal taxes; and

 (C) Demonstrate that the dwelling unit or residential property does not meet the proposed sound level reduction design requirements published by the Construction Codes Coordinating Board; or,

 (2) Entertainment venues; provided, that the beneficial owner or owners of the entertainment venue must demonstrate that he, she, or they are current on all District and federal taxes.

 (b) The Mayor shall, pursuant to Title I of the District of Columbia Administrative Procedures Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*.), issue rules to implement the provisions of this section. The rules shall, at a minimum, include the following:

 (1) The maximum grant award amount for eligible property owners and entertainment venues;

 (2) A list of expenses that may be covered by the grant; and

 (3) A process or criteria that will prioritize grant funding for eligible property owners who are low-income or live in older properties. For purposes of this subparagraph, the term “low-income” means the property owner has a household income that is 60% or less of the median family income.

Sec. 6. The Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1252.01 *et seq.*), is amended by adding a new section 204 to read as follows:

“Sec. 204. Outdoor performances.

“(a) No later than **one year after the applicable date of the Harmonious Living Amendment Act of 2024** **~~January 1, 2026~~**, the Office shall provide temporary or mobile acoustical shells or other structures meant to mitigate transmission of sound to nearby buildings **~~for permitted events involving~~** **resulting from** the use of musical instruments or amplified sound in the following locations:

 “(1) Columbia Heights Civic Plaza in Lot 834 of Square 2843; **~~and,~~**

 “(2) The northwest corner of 14th Street, NW, and U Street, NW, located on Lot 844 in Square 204**~~.~~; and**

 “(3) Other locations as determined by the Office.

“(b)(1) No later than **one year after the applicable date of the Harmonious Living Amendment Act of 2024** **~~January 1, 2026~~**, the Office shall, in coordination with the District Department of Transportation, install within the public right-of-way no fewer than 5 digital decibel feedback signs displaying the current dBA level of the surrounding area. Digital decibel feedback signs shall be accompanied by a summary of relevant regulations on dBA limits.

 “(2) Locations selected for installation of digital decibel feedback signs within the public right-of-way shall include, at minimum:

 “(A) Those specified in subsection (a) of this section, as well as locations of frequent violations of maximum noise levels as prescribed in Chapters 27 and 28 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR §§ 2700 *et seq*.and 2800 *et seq.*).

 “(B) The vicinity of the 600 block of 6th Street, NW.

 “(3) The digital decibel feedback signs installed pursuant to paragraph (1) of this subsection shall not be considered measurement equipment for the purposes of enforcing noise control regulations as outlined in Chapter 29 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR § 2900 *et seq.*).

“(c) The Office shall have authority to establish and administer a program to provide grants to performers, businesses, or organizations engaged in the management of public and commercial outdoor spaces, for the purposes of supporting outdoor performances in suitable public spaces as determined by the Office pursuant to this section.

“(d)(1) No later than **one year after the applicable date of the Harmonious Living Amendment Act of 2024** **~~January 1, 2026~~**, the Office shall publish a report on outdoor performances in the District and strategies for accommodating performances on public space that are in the vicinity of residential or mixed-use areas.

“(2) The report shall include:

 “(A) An inventory of public spaces where outdoor performance frequently occurs and locations where it may be encouraged;

 “(B) Design guidelines and an action plan for accommodating outdoor performances that mitigates excessive sound attributable to the performances, with a focus on physical improvements like streetscape design, building code revisions, band shells, or other design standards to contain sound;

 “(C) A list of buildings proximate to common or prospective outdoor performance locations that may be insufficiently soundproofed and recommendations for remedy; and

 “(D) A review of regulations governing outdoor performance and recommendations for reform.”.

**~~Sec. 7. 311 noise complaints and reporting.~~**

**~~(a) Beginning January 1, 2026, the Mayor shall permit persons to submit requests via the District’s 311 system regarding noise complaints. The 311 system shall provide categories for noise complaints, such as trash truck noise or violations of § 25-725 and route the complaint to the appropriate enforcement agency.~~**

 **~~(b) Beginning January 1, 2027, and each year thereafter, the Mayor shall submit to Council a report of the number of requests for service received pursuant to subsection (a) of this section and the number of warnings and citations issued for violations of the District’s noise control laws and regulations.~~**

 Sec. **7~~8~~**. Applicability.

 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

 (c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

 (2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. **8~~9~~**. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. **9~~10~~**. Effective date.

This act shall take effect after approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).