



Brianne K. Nadeau

Councilmember, Ward 1

Today, I am joined by Chairman Mendelson and Councilmember Pinto in introducing the **Harmonious Living Amendment Act of 2024**.

It has been nearly five years since the [Don't Mute DC](#) movement began; what emerged as a protest in defense of a U Street store that has long played go-go music in the neighborhood has blossomed into a lasting cultural movement.

Tensions that were initially surfaced in 2019 still exist, but I believe those tensions can be addressed through careful planning. Those who reside in vibrant neighborhoods throughout the District and the artists and spaces who make those communities so special can continue to co-exist, as they have for many decades. The Harmonious Living Amendment Act of 2024 accomplishes this through several complementary policy initiatives.

As a foundation, the bill sets soundproofing standards for new residential construction on mixed-use corridors and entertainment districts, with higher requirements for buildings within 300 feet of a performance venue to address crowds and low frequencies. Currently, the District does not require any soundproofing standard for building exteriors.

For existing buildings, the bill requires a new disclosure on lease or purchase agreements for residential properties in an entertainment or activity area that informs a new renter or buyer of nearby activity and long-established cultural institutions. New incentive programs are created for soundproofing retrofits, for residences and commercial venues alike.

The goal is to give residents and building owners tools and responsibilities to improve overall quality of life, while establishing clarity in noise ordinances that both regulate and give allowances to music venues and street musicians.

The Harmonious Living Amendment Act of 2024 derives inspiration from “Agent of Change” legislation in London, which came about after 35 percent of the city’s live venues closed in less than 10 years – often due to complaints from buildings constructed well after a venue’s founding. In that spirit, I’ve worked with local artists, residents, music venues, and acoustics engineers to identify how the District can avoid venues seeing the same fate as we continue to add needed new housing for our residents.

If you look for where soundproofing standards are the most robust in the United States, you'll find that it's almost exclusively in proximity to highways and airports. As a result, the guarantee of a well-soundproofed home is almost exclusively a suburban privilege. This doesn't have to be the case. I believe in the promise of diverse, active, and exciting urban neighborhoods that is not at odds with providing residents a high quality of life.

Previously introduced in 2021, this 2024 update to the bill goes beyond building standards to address common problems in enforcement of the District's 1970's-era noise ordinance. Further, it includes policies that would improve the quality of performances in public spaces.

The legislation would create public spaces that are more amenable to live performances in ways that reduce residential disturbance. Commonly active locations would have band shells or other acoustic treatments installed; where appropriate, live decibel reader displays would be introduced to public spaces to clearly communicate the District's laws and regulations. This would be accompanied by grant programs to encourage public performances that fit well with these spaces and help advance the District's cultural vibrancy.

Ward 1 has always celebrated music, from Black Broadway and the Funk Parade to the Go-Go tapes playing from the speakers of the Shaw Metro PCS store at 7th Street and Florida Ave, NW. The sounds of the District are often why new residents move to DC neighborhoods and why current residents wish to stay. While the music continues to play on the corner of 7th Street and Florida Avenue NW, many beloved venues and cultural institutions remain at risk.

With collaboration and shared responsibility by everyone in a community – from longtime and recently-arrived residents to venues and musicians – this legislation charts a path that protects what makes our neighborhoods so special.



Chairman Phil Mendelson



Councilmember Brianne K. Nadeau



Councilmember Brooke Pinto

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend the Construction Codes Approval and Amendments Act of 1986 to establish sound
 2 attenuation standards for new residential construction in activity areas or entertainment
 3 areas, and to require information in residential lease and purchase agreements on the
 4 presence of pre-existing entertainment venues and soundproofing measures present in the
 5 structure; to establish subsidy and incentive programs supporting the retrofit of structures
 6 to improve soundproofing; to facilitate and manage outdoor performances in suitable
 7 public spaces through support for performers and the installation of acoustical shells or
 8 other structures mitigating transmission of sound to nearby buildings; and to improve the
 9 equitable enforcement of decibel limits through the clear delineation of agency
 10 enforcement responsibilities, providing each enforcement agency with sound-level reader
 11 and microphone devices, and establishing an enforcement response time target of no
 12 greater than two hours.

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 14
 15 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
 16 act may be cited as the “Harmonious Living Amendment Act of 2024”.

17 Sec. 2. The Construction Codes Approval and Amendments Act of 1986, effective March
 18 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*) is amended as follows:

19 (a) Section 2 (D.C. Official Code § 6-1401) is amended by adding new paragraphs (13),
20 (14), (15), and (16) to read as follows:

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

24 “(A) ARTS-1 through ARTS-4;

25 “(B) MU-4 through MU-29

26 “(C) NC-6 through NC-16.

27 “(D) D-1 through D-8.

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

30 “(15) “Entertainment venue” means:

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

33 “(B) An establishment with a manufacturer’s license, class A, B, or C,
34 holding an on-site sales and consumption permit or a retailer's license, class C/R, D/R, C/H, D/H,
35 C/T, D/T, C/B, and D/B, with an entertainment endorsement as provided in D.C. Official Code §
36 25-113.01.

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

39 “(16) “DNL” means the Day-Night Average Sound Level in dBA, calculated in
40 accordance with the procedures outlined in “Information on Levels of Environmental Noise

41 Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety,” EPA Report
42 No. 550/9-74-004, 1974.”.

43 (b) A new section 10d is added to read as follows:

44 “Sec. 10d. Exterior sound attenuation in new residential buildings.

45 “(a) Notwithstanding any other provision of this act, construction permits shall not be
46 granted for new residential construction occurring after January 1, 2026:

47 “(1) Within an activity area, unless the plans are designed to ensure that overall
48 sound level reduction for residential units results in a DNL of 45 dBA or lower; or

49 “(2) Within an entertainment area, unless the plans are designed to ensure that:

50 “(A) Residential units meet or exceed a composite Outdoor/Indoor
51 Transmission Class of not less than 32, as determined by the test procedures set forth in the
52 Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of
53 Building Partitions and Elements (ASTM E90) and the rating procedures set forth in the
54 Standard Classification for Rating Outdoor-Indoor Sound Attenuation (ASTM E1332); and

55 “(B) Residential units achieve an indoor sound level reduction for
56 frequencies between 80 and 160 hertz of not less than 30 dBA.

57 “(b) Any parcel or lot designated as part of both an entertainment area and an activity area
58 shall be subject to the requirements of an entertainment area.

59 “(c) For all residential buildings within an entertainment area or activity area, a disclosure
60 notice shall be provided with all lease or purchase agreements stating:

61 “(1) The location of the building is within an entertainment area or activity area;

62 “(2) Expected sound levels within an entertainment area or activity area may be
63 higher than non-entertainment or activity areas;

64 “(3) A description of the soundproofing measures present in the building; and

65 “(4) A list of entertainment venues within 300 feet of the residential building and

66 additional details such as opening year and daily hours of operation.”.

67 “(d) The Mayor may issue rules to implement this section, including designating

68 additional locations as an entertainment area or activity area.”.

69 Sec. 3. Grants for soundproofing upgrades.

70 (a) The Mayor shall establish a grant program to support the installation of measures

71 mitigating sound transfer between an entertainment venue and abutting or nearby residential

72 buildings.

73 (b) Eligibility for grants under this section shall extend to:

74 (1) Any owner of a property in a residential or mixed-use zone, as those terms are

75 defined in 11-A DCMR § 101.9 and 101.10; and,

76 (2) Entertainment venues, as defined in section 2(15) of the Construction Codes

77 Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C.

78 Official Code § 6-1401(15)).

79 (c) The Commission shall establish the criteria for eligibility to receive a grant under this

80 section, with criteria prioritizing low-income residents and buildings that do not meet the standards

81 of sound attenuation in new construction established by section 2 of this Act.

82 (d) Grants may be issued to reimburse expenses incurred up to 24 months prior to any grant

83 application deadline.

84 Sec. 4. Outdoor performance.

85 The Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015,
86 effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1252.01 *et seq.*), is amended
87 as follows:

88 (a) Section 201 is amended by adding a new subsection (f) to read as follows:

89 “(f) The Director shall appoint a Director of Public Performance, to serve as the manager
90 of programs to support the development of public music performance in the District, ensure that
91 public performance meets the requirements of the District of Columbia Noise Control Act of 1977
92 (D.C. Law 2-53, 20 DCMR § 2700 *et seq.*), and to manage the duties of the Office pursuant to
93 Section 203.

94 (b) A new section 203 is added to read as follows:

95 “Sec. 203. Outdoor performances.

96 “(a) Within 180 days of the enactment of this section, the Office shall install in public right-
97 of-way acoustical shells or other structures to mitigate transmission of sound to nearby buildings
98 in the following locations:

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

100 “(2) The northwest corner of 14th Street, N.W. and U Street, N.W., located on Lot
101 844 in Square 204.

102 “(b)(1) No later than 240 days of the enactment of this section, the Office shall install
103 within the public right-of-way no fewer than five digital decibel feedback signs displaying the
104 current dBA level of the surrounding area. Digital decibel feedback signs shall be accompanied by
105 a summary of relevant regulations on dBA limits.

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

108 “(A) Those specified in subsection (a) of this section, as well as locations
109 of frequent violations of maximum noise levels as prescribed in 20 DCMR § 2700 and 20 DCMR
110 § 2800.

111 “(B) The vicinity of the 600 block of 6th Street, N.W.

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

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

119 “(d)(1) Within 270 days of the enactment of this section, the Office shall publish a report
120 on outdoor performances in the District and strategies for accommodating performances on
121 public space that are in the vicinity of residential or mixed-use areas.

122 “(2) The report shall include:

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

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

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

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

134 Sec. 5. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as
135 follows:

136 (a) The table of contents is amended by adding a new section designation to read as follows:
137 “47-870. Sound insulation real property tax deduction.”.

138 (b) A new section 47-870 is added to read as follows:

139 “Sec. 47-870. Sound attenuation real property tax deduction.

140 “(a) For taxable years beginning in 2023, the Mayor shall deduct from the assessed value
141 of real property for a qualified property within an entertainment or activity area, as those terms are
142 defined in § 6-1401, expenses paid to install sound attenuation measures that achieve no less than
143 10 dBA of additional interior sound level reduction.

144 “(b) The deduction shall be apportioned equally between each installment during a tax year
145 and shall not be carried forward or back.

146 “(c) No deduction in assessed value under this section shall exceed \$50,000 per residential
147 dwelling unit in a qualified property, per tax year.

148 “(d) For the purposes of this section, the term "qualified property" means residential real
149 property:

150 “(1)(A) Contains not more than 5 dwelling units, whether as a row, detached, or
151 semidetached structure, or is a single dwelling unit owned as a condominium; and

152 "(B) Used exclusively for non-transient residential dwelling purposes; or
153 "(2) That is owned by a cooperative housing association; provided, that at least
154 50% of the dwelling units contained therein are occupied by the shareholders or members of
155 such cooperative housing association."

156 Sec. 6. Enforcement responsibilities and coordination.

157 (a) The primary responsibility for enforcement of noise control regulations and issuance
158 of notices of infraction shall be as follows:

159 (1) The enforcement of construction noise control regulations, pursuant to Title
160 20, Sections 2802 and 2803 of the District of Columbia Municipal Regulations (20 DCMR §
161 2802), and all structural soundproofing regulations and related building code requirements shall
162 be the sole responsibility of the Department of Buildings;

163 (2) Notwithstanding paragraph (1) of this subsection, the enforcement of noise
164 control regulations in public space shall be the primary responsibility of the Department of
165 Licensing and Consumer Protection, unless the agency is outside of its operating hours or
166 additional enforcement resources are requested;

167 (3) The enforcement of noise control regulations related to licensed alcohol
168 establishments, including the enforcement of sound attenuation procedures included in voluntary
169 agreements, shall be the primary responsibility of the Alcohol Beverage and Cannabis
170 Administration, unless the agency is outside of its operating hours or additional enforcement
171 resources are requested;

172 (4) The enforcement of noise control regulations originating from private
173 properties or other establishments shall be the primary responsibility of the Metropolitan Police
174 Department.

175 (b) The Mayor shall establish separate categories of 311 service requests for each
176 enforcement responsibility enumerated in subsection (a) of this section, to be routed to the
177 appropriate agency.

178 (1) The service level agreement and response time target for service requests
179 established pursuant to this subsection shall be no greater than two hours.

180 (2) Beginning January 1, 2025 and each year thereafter, the Mayor shall submit to
181 Council a report of the number of requests for service received pursuant to this subsection, and
182 the number of agency responses that exceeded the maximum service level agreement pursuant to
183 paragraph (1) of this subsection.

184 (c) The Mayor shall ensure that each agency responsible for enforcement of noise control
185 regulations is equipped with no fewer than five (5) sound-level reader and microphone devices
186 compliant with the requirements of Section 2901 of Title 20 of the District of Columbia
187 Municipal Regulations (20 DCMR § 2901).

188 (d) The Mayor shall ensure that each agency responsible for enforcement of noise control
189 regulations is able to engage in direct radio communication with enforcement officers from other
190 agencies.

191 Sec. 7. Fiscal impact statement.

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

195 Sec. 7. Effective date.

196 This act shall take effect after approval by the Mayor (or in the event of veto by the
197 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

198 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
199 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
200 Columbia Register.