



## Frequently Asked Questions

### **What is the issue?**

Street performers are musicians or entertainers who perform in public places, usually seeking gratuities. Some street performers often exceed a reasonable sound level while performing for extended periods of time, disrupting their residential neighbors and local businesses. The District needs to establish fair and enforceable standards that provide balance among these legitimate but conflicting uses: street performers' ability to share their talents and receive donations; and the ability of residents and workers to live and work in a peaceful, healthy environment.

Excessive sound levels should be regulated and enforced as a matter of fairness to all and to ensure quality of life for all District residents and businesses. These issues are of increasing importance during the COVID-19 pandemic because many residents now live and work at the same location.

### **How would you like this issue resolved?**

The Council of the District of Columbia should pass legislation defining and enforcing a reasonable balance to reduce excessive sound levels. Other jurisdictions have successfully addressed the issue.

### **What is the DC Harmony Coalition?**

The DC Harmony Coalition is a broad volunteer group of hundreds of District residents, workers, and businesses — including medical facilities, offices, public interest organizations, hotels, and restaurants — that are impacted by chronic excessive sound levels from street performers and want the Council to act.

### **What is the goal of the Coalition?**

The DC Harmony Coalition has a single goal: Addressing the excessive sound levels from some street performers that are negatively affecting the quality of life of District residents and businesses. The Coalition in no way intends to prevent or impede the ability of street performers to play what and where they want or to accept donations, the only goal is to address the specific issue of excessive sound levels.

### **Would this limit free speech?**

The Coalition does not propose to regulate or limit the type or content of *any* speech.

### **Isn't there already a law in place?**

The District's current Noise Control Act is 40 years old, inadequate, and unenforceable. Under the current law, the Metropolitan Police Department and the District's Attorney General do not have a way to effectively enforce regulations regarding street performers' excessive sound levels in the downtown area. In addition, its provisions do not effectively address the widespread availability and use of portable amplification.

### **Has legislation been passed in any other cities?**

There are legislative and judicial precedents where other major cities have successfully defined the balance between street performers continuing to play and the ability of residents and workers to live and work in a peaceful, healthy environment. Union activity has not been limited and First Amendment rights have not in any way been infringed. Cities that have successfully addressed street performers' sound levels include: New Orleans; Portland, Oregon; Cambridge, Massachusetts; San Francisco; Chicago; and, New York City. Other examples include Atlanta; Boulder, Colorado; San Antonio, Texas; Savannah, Georgia; and, Atlantic City, New Jersey (where no amplification is permitted at any time). Other jurisdictions, such as Austin, Texas and Charlotte, North Carolina, require additional permitting or licensing to use amplification. In Los Angeles, Dallas, and Omaha, Nebraska, no amplification is allowed near schools, hospitals, nursing homes, or residential areas/homes.

### **Isn't Loud Noise Just Part of "City Living"?**

People who live in cities anticipate and accept a certain level of noise and sound. It goes with the territory — especially if they move into an urban mixed-use community. Many of these residents and businesses were here before the street performers. However, in the District, street musicians' use of extreme levels of amplification as well as the size of some of the performing groups have greatly increased in recent years, resulting in much louder performances. The sound levels far exceed current District statutes, but are essentially unenforceable downtown. The sustained nature of the sound is unique to street performers. Car alarms, sirens, and other street noises do not have a duration exceeding several hours. Some street performers play for many consecutive hours at a time, frequently with taped "back-up" music at extremely high volume, often repeating the same songs over and over again, at times with no accompanying performance element.

For many residents, the value of their residence has decreased due to the sound level and they are unable to sell since buyers are scared off by the loud volume. At the same time, office buildings are unable to rent whole sections of their buildings due to the loud volume of these performances.

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