



Reducing Excessive Sound Levels from Street Performers

Some street performers perform at sound levels that exceed a reasonable decibel level (as well as current DC law), negatively impacting residential neighbors and local businesses. As the result of the District's success in creating lively, urban mixed-use communities, the need to balance legitimate but conflicting uses has arisen and requires action by the Council. Here, the balance is between street performers' ability to entertain and accept donations and the rights of residents and workers to the healthy use and enjoyment of their homes and workplaces.

The District's current Noise Control Act is 40 years old and is inadequate and unenforceable. Its provisions do not effectively address the widespread availability and use of portable amplification. The limited intent of the proposed legislation is only to address excessive sound levels -- not street performers' ability to perform and receive donations. Note also that the proposed legislation contains no criminal penalties.

The DC Harmony Coalition is a broad group of hundreds of District residents, workers, and businesses, including medical facilities, offices, nonprofit organizations, hotels, and restaurants, that are asking the District Council to pass legislation to provide relief from excessive sound levels and find a reasonable and enforceable balance between two legitimate, but conflicting, uses in D.C.'s successfully created vibrant, mixed-use environment.

Chronic and daily exposure to excessive sound levels from street performers affects residents and workers throughout the city. Impacted parties have documented specific examples of how excessive sound levels are affecting their everyday lives and well-being. These individuals and businesses are seeking a thoughtful, enforceable, and balanced approach to address the issue -- especially as life and work space become blurred by the pandemic. It is anticipated that once the pandemic ends, the work/life division will not return to pre-pandemic levels.

Other cities -- for example, Cambridge, Chicago, New York, New Orleans, Portland, and San Francisco -- have successfully defined and enforced a balance between street performers continuing to play and residents and workers' peaceful and healthy enjoyment of their homes and workplaces. Union activity has not been impacted and First Amendment rights have not been infringed.

No one is attempting to regulate or limit the type or content of any speech. There is no interest from anyone in ending street performances or hindering street performers' ability to attract, entertain, and solicit donations.

It is specifically an issue of excessive volume.

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