

D.C. LAW 6-180

D.C. NOISE CONTROL ACT OF 1977 AMENDMENT ACT OF 1986
IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 25, 1986

To amend the District of Columbia Noise Control Act of 1977 to regulate the use of sound at commercial establishments and to reduce the permissible decibel level for musical instruments, stereo equipment, and amplifiers used on public and private space.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Noise Control Act of 1977 Amendment Act of 1986".

Sec. 2. Section 7(a)(12) of Commissioners' Order 61-1206, effective July 11, 1961 (Article 43, section 3(j)(12) of the Police Regulations of the District of Columbia; 24 DCMR 208.2), is amended by inserting after the word "neighborhood." the phrase, "This music shall not exceed 60 dB(A) or the applicable decibel level for the zone from which the music emanates when measured at the property line of the establishment from which the music originates."

Sec. 3. A Regulation Governing Vending Businesses in Public Space, enacted December 13, 1974 (Reg. 74-39; 24 DCMR), is amended by adding a new section 510.19 to read as follows:

"510.19 No sidewalk vending business shall operate a loud speaker, or sound amplifier, or play a radio, drum, or other musical instruments as a means of advertising or attracting a crowd, nor cry or hawk any article or goods or attract a crowd on the public streets, alleys, or thoroughfares in any commercial or residential area in the District of Columbia in such a manner as to create a noise disturbance as the term is defined in 20 DCMR 3099. Activities open to the public and provided for in 20 DCMR 3105.2 are exempt from the limitations set forth in this section."

Sec. 4. Section 5(e)(1) of the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR 3100.2), is amended as follows:

(a) Section 3100.2 is amended by inserting after the word "space", the phrase "for concerts, festivals, or plays"; and

(b) By adding 2 new subsections 3100.4 and 3100.5 to read as follows:

"3100.4 Sounds shall not project outside a place of business at a level that exceeds 60 dB(A) at a distance of not less than 1 meter from outside the business

establishment. Nothing in this act shall be construed to prohibit the use of musical instruments, amplifiers, or stereo equipment for the sole enjoyment of the listener: provided that the sound does not exceed 60 dB(A) or the applicable noise level for the zone from which the sound emanates at a distance of 1 meter from the source.

"3100.5 It shall be unlawful for any person to make, continue or cause to be made or continued any noise disturbance as that term is defined in 20 DCMR 3099 created by the operation or use of a loud speaker, sound amplifier, radio, or musical instrument on public streets, alleys, or thoroughfares in the District of Columbia. Public assembly activities provided for in 20 DCMR 3100.3 and non-commercial public speaking are exempt from the limitations set forth in this section."

Sec. 5. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

Source

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-289 on first and second readings, October 21, 1986 and November 5, 1986, respectively. Following the signature of the Mayor on November 25, 1986, this legislation was assigned Act No. 6-231, published in the December 12, 1986, edition of the D.C. Register, (Vol. 33 page 7660) and transmitted to Congress on January 7, 1987 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-180, effective February 24, 1987.