

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To establish a licensure requirement for the use of amplified sound devices in public spaces and authorize the Department of Licensing and Consumer Protection to issue licenses and take enforcement action against violators of licenses and individuals who fail to obtain a required license; to direct the Mayor to make recommendations about noise control enforcement and to equip noise control enforcement agencies with devices capable of measuring sound volume, to create a 311 complaint option for noise complaints, and to issue a report to the Council on the use of 311 for noise complaints; and to amend the District of Columbia Noise Control Act of 1977 to establish decibel levels for amplified sound and to make other conforming changes.

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

TITLE I. PUBLIC SPACE AMPLIFIED SOUND LICENSE

Sec. 101. This title may be cited as the “Public Space Amplified Sound License Act of 2024”.

Sec. 102. Definitions

“For the purposes of this title, the term:

(1) “Amplified sound device” means a device that increases the volume of sound through electrical means and includes stereo systems, speakers internal or external to the sound source, microphones, and megaphones, but does not include cellular phones and other portable two-way communication devices or speakers in vehicles.

(2) “Department” means the Department of Licensing and Consumer Protection.

(3) “Occupy” means to use or be present in a vicinity in a non-transient manner.

(4) “Public space” means all roadway, tree space, sidewalk, or parking space owned or under the jurisdiction of the District.

Sec. 103. Public space amplified sound license.

(a) Except as provided in this section, no person may occupy public space in the District while operating an amplified sound device without a valid license issued by the Department of Licensing and Consumer Protection pursuant to this section.

(b) The Department shall issue public space amplified sound licenses in the following categories:

- (1) Single-day;
- (2) Multiple-day, up to 14 days;
- (3) One-year; and
- (4) License renewal.

(c)(1) The Department shall prescribe the form of the public space amplified sound license application.

(2) The Department may not require an applicant for a license issued pursuant to this section to provide the Department with a social security number.

(3) The Department must grant or deny an application for a public space amplified sound license within 3 business days after its receipt by the Department.

(d) The Department may only deny an application or renewal of an application for a license issued pursuant to this section if the Department determines that:

- (1) The applicant furnished false information; or
- (2) A license issued to the applicant pursuant to this section was revoked within

the previous 6 months.

(e) A license issued pursuant to this section shall prohibit the holder from:

(1) Occupying public space while operating an amplified sound device outside the hours of 7 a.m. to 10 p.m.;

(2) Amplifying sound on public space to a level that exceeds the lesser of the following, as measured by the Department or other District agency charged with enforcing the terms of this title, in accordance with the requirements specified in Chapter 29 of Title 20 of the District of Columbia Municipal Regulations:

(A) 55 decibels, measured inside of the nearest residential unit an enforcement officer is given permission to enter;

(B) 65 decibels, measured inside the nearest commercial establishment;

(C) 95 decibels, measured at the source of amplification in all zones not identified in subparagraph (D) of this paragraph;

(D) 90 decibels, measured at the source of amplification in Residential Zones, Residential Flat Zones, or Residential Apartment Zones, as those terms are defined in the District of Columbia Zoning Regulations; and

(3) Interfering with an enforcement officer's measurement of sound volume.

(f) The Department may only suspend or revoke a license issued pursuant to this section if the Department determines that:

- (1) The holder furnished false information on the application; or
- (2) The holder is adjudicated to have violated the terms of the license pursuant to

this title.

(g) The holder of a license issued pursuant to this section shall post the license in a conspicuous place on or near the amplified sound device.

(h) A license issued pursuant to this section shall not be subject to the requirements outlined in subchapter II of Chapter 28 of Title 47.

(i) The licensing requirements of this section shall not apply to individuals or events using public space that are otherwise required by District law or regulation to obtain a permit or license from the Department or another District government agency.

Sec. 104. Enforcement and penalties.

(a) The Department shall enforce violations of this title.

(b) The failure to obtain a license required by this title or the violation of a license issued pursuant to this title shall be a class 4 civil infraction under the schedule of fines in 16 DCMR § 3201, issued pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (Law 6-42; D.C. Code § 2-1801.01 *et seq.*) (“Civil Infractions Act”), and the Mayor may assess civil fines, penalties, and fees as sanctions for any violation of the provisions of this title, or the rules issued under authority of this title, pursuant to the Civil Infractions Act. Adjudication of any infractions shall be pursuant to the Civil Infractions Act.

(c)(1) Any person who is reasonably suspected of violating this title in the presence of an enforcement agent shall identify himself or herself at the direction of the agent by giving his or her legal name and current address. If the person refuses to provide his or her legal name and current address, or if the enforcement agent has reason to believe that the person is providing an incorrect name or address, the enforcement agent may request that the person provide reasonable identification. Upon request of the enforcement agent, the person shall produce reasonable identification.

(2) If a person refuses to produce reasonable identification pursuant to paragraph (1) of this subsection, the enforcement agent may not make an arrest but may detain the person for a period of time not longer than is reasonably necessary to identify the person for purposes of issuing a notice of a civil infraction.

(d) Before issuing a notice of infraction for a violation of this title, an enforcement agent shall provide a written warning to the violator. A person who receives a written warning must be given reasonable time to abate the infraction, test equipment to ensure compliance with this title, or to obtain a license pursuant to this title, as the circumstances warrant.

(e) For the purposes of this section, the term:

(1) “Detain” means to verbally order a person to remain at his or her current location or a nearby location specified by the enforcement officer.

(2) “Enforcement agent” means a person authorized to enforce the provisions of this title.

(3) “Reasonable identification” means any form of identification that includes a person’s legal name and current address.

Sec. 105. Rulemaking.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this title.

Sec. 106. Construction.

This title shall be construed to supersede the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR *passim*) (“Noise Control Act”), to the extent its provisions conflict with the Noise Control Act, except that nothing in this title shall be construed as preventing the Metropolitan Police Department from enforcing the Noise Control Act against an individual who operates an amplified sound device on public space without a valid public space amplified sound license.

TITLE II. NOISE CONTROL ENFORCEMENT AND COORDINATION

Sec. 201. This title may be cited as the “Noise Control Enforcement and Coordination Act of 2024”.

Sec. 202. (a) The Mayor shall determine the agencies responsible for enforcing compliance with the Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR *passim*) (“Noise Control Act”), for the types of noise listed below, and shall submit recommendations and proposed amendments to the Noise Control Act to the Council no later than 180 days after the applicability date of this title:

(1) Construction noise, described at 5(d)(2) of the Noise Control Act (D.C. Law 2-53; 20 DCMR §§ 2802, 2803) and all structural soundproofing regulations and related building code requirements;

(2) Noise in public spaces other than noise required to be licensed pursuant to Title I of the Amplified Sound Mitigation Regulation Amendment Act of 2024, passed on second reading on December 17, 2024 (Enrolled version of Bill 25-749); and

(3) Noise originating from private properties or other establishments.

(b) The Mayor shall ensure that each agency responsible for enforcement of noise control laws and regulations is equipped with a sufficient number of devices compliant with the requirements of 20 DCMR § 2901.

(c) The Mayor shall ensure that each agency responsible for enforcement of the Noise Control Act and other noise related laws and regulations is able to engage in direct radio

communication with enforcement officers from other agencies.

(d) No later than one year after the applicability date of this section, the Mayor shall permit persons to submit requests through the District's 311 system regarding noise complaints. The 311 system shall provide categories for noise complaints, such as trash truck noise, violations of D.C. Official Code § 25-725, or noise related to amplified sound on public space, and route the complaint to the appropriate enforcement agency.

(e) No later than one year after the applicability date of this section, and each year thereafter, the Mayor shall submit to the Council a report of the number of requests for service received pursuant to subsection (d) of this section and the number of warnings and citations issued for violations of the District's noise control laws and regulations.

### TITLE III. NOISE CONTROL AMENDMENTS

Sec. 301. The District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR *passim*), is amended as follows:

(a) Section 2(n) (20 DCMR § 2799) is amended as follows:

(1) Strike the phrase “. A noise shall not be considered a noise disturbance if it is made during noncommercial public speaking during the daytime and does not exceed 80 decibels inside the nearest occupied residence in districts zoned R-1A, R-1B, R-2, R-3, or R-4.” and insert a period in its place.

(2) Strike the phrase “verified by qualified inspectors of the Department of Consumer and Regulatory Affairs” and insert the phrase “verified by the Department of Licensing and Consumer Protection and any other agency the Mayor designates” in its place.

(b) Section 5(d)(1) (20 DCMR § 2800) is amended to read as follows:

“(d)(1) Musical Instruments, Loud Speakers, Amplifiers, and Unamplified Voices.

“(A) Noise resulting from electronic musical instruments, loudspeakers, sound amplifiers, or other electronically amplified sound, shall not exceed the maximum noise levels contained in this paragraph.

“(B) It shall be unlawful for any person to make, operate, use, or play any electronically amplified sound in a public space that, when measured by a sound-level meter 96 pursuant to 20 DCMR § 2901, exceeds the lesser of:

“(i) 55 decibels, measured inside of the nearest residential unit an enforcement officer is given permission to enter;

“(ii) 65 decibels, measured inside the nearest commercial establishment;

“(iii) 95 decibels, measured at the source of amplification in all zones not identified in sub-subparagraph (iv) of this subparagraph; or

“(iv) 90 decibels, measured at the source of amplification in in Residential Zones, Residential Flat Zones, or Residential Apartment Zones, as those terms are defined in the District of Columbia Zoning Regulations.

“(C)(i) Any person who is reasonably suspected of violating this paragraph in the presence of an enforcement officer shall identify himself or herself at the direction of the officer by giving his or her legal name and current address. If the person refuses to provide his or her legal name and current address, or if the enforcement officer has reason to believe that the person is providing an incorrect name or address, the enforcement officer may request that the person provide reasonable identification. Upon request of the enforcement officer, the person shall produce reasonable identification.

“(ii) If a person refuses to produce reasonable identification pursuant to sub-subparagraph (i) of this paragraph, the enforcement officer may not make an arrest but may detain the person for a period of time not longer than is reasonably necessary to identify the person for purposes of issuing a notice of a civil infraction.

“(iii) For purposes of this subparagraph, the term:

“(I) “Detain” means to verbally order a person to remain at his or her current location or a nearby location specified by the enforcement officer.

“(II) “Enforcement officer” means a person authorized to enforce the provisions of this paragraph.

“(III) “Reasonable identification” means any form of identification that includes a person’s legal name and current address.

“(D) Parades and public gatherings conducted pursuant to a permit issued by the Metropolitan Police Department (as provided for in 24 DCMR, Chapter 7) are exempt from the noise disturbance limitation in this paragraph.”.

Sec. 302. Section 2901 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR § 2901) is amended as follows:

(a) Subsection 2901.1 is amended by striking the phrase “Type II specifications per ANSI S1.4-1971” and inserting the phrase “Class 2 specifications per IEC 61672 or Type 2 specifications per ANSI S1.4-2014”.

(b) Subsection 2901.3 is repealed.

#### TITLE IV. GENERAL PROVISIONS

##### Sec. 401. 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. 402. Fiscal impact statement.

The Council adopts the fiscal impact statement in the Budget Director 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. 403. 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)).

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia