

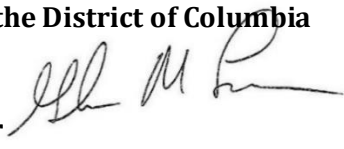
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: November 25, 2024

SUBJECT: Fiscal Impact Statement – Amplified Sound Mitigation Amendment Act of 2024

REFERENCE: Bill 25-749, Draft Committee Print as circulated on November 22, 2024

Conclusion

Funds are not sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill. The bill's implementation will cost \$608,000 in fiscal year 2025 and \$1.9 million over the four-year financial plan period.

Background

The bill requires the Department of Licensing and Consumer Protection (DLCP) to establish an amplified sound license and prohibits the use of an amplified sound device¹ in public space in the District without obtaining the license. The bill establishes four amplified sound license categories: daily, extended-day, one-year, and renewals. Mayor should develop a license application, charge fees, restrict an approved licensee to using amplified sounds between 7am and 10pm, and limit sounds to levels authorized in District Municipal Regulations.² The bill establishes the conditions under which DLCP can deny, suspend, or revoke a license. The bill establishes that the failure to obtain or comply with an amplified sound license is a class 4 infraction.³ However, the bill allows the Mayor to provide a verbal warning and offer reasonable time to abate the situation. After issuing a warning, the bill allows the Mayor to impound an amplified sound device. The bill exempts an applicant for an

¹ The bill defines an amplified sound device as an electronic musical instrument, loudspeaker, sound amplifier, or other electronically amplified sound device.

² Maximum Noise Levels (20 DCMR § 2800).

³ Classes of Infraction, effective December 23, 2016 (16 DCMR § 3200).

amplified sound license from the District's clean hands laws,⁴ basic business license requirements,⁵ and social security number requirements,⁶ and from any lapsed, expired, or reinstatement fees and penalties. The bill exempts from licensure any amplified sound devices used by near-by premises that are licensed by DLCP or the Alcoholic Beverage and Cannabis Administration or that are associated with events in public space that are permitted or licensed by the Mayor.

The bill sets noise limits for amplified sounds as measured by a sound-level meter. Amplified sounds should not exceed 55 decibels when measured inside of the nearest residential unit, 65 decibels when measured inside the nearest commercial establishment, or 95 decibels when measured at the source of amplification. The bill requires an individual to identify themselves with their legal name and address or be subject to detainment⁷ until that information is ascertained. The bill makes each day of the violation a separate offense and authorizes the District to immediately offer the violator the opportunity to pay their civil fines on a payment plan.

The bill updates the sound-level meter standards to Class 2 specifications per IEC 61672 or Type 2 specifications per ANSI S1.4-2014.⁸

The bill also requires the Mayor to appoint executive agencies to enforce various types of noise incidents by April 1, 2025. The Mayor must designate who will enforce construction noise, amplified sound licenses, noise in public space, and private property-related noise. The Mayor must ensure that each designated agency has the proper equipment to enforce noise violations and that enforcement officers across agencies have direct radio communication.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill. The bill's implementation will cost \$608,000 in fiscal year 2025 and \$1.9 million over the four-year financial plan period.

DLCP will license, publicize, and enforce amplified sound licenses in the District. DLCP requires \$25,000 to update its licensing system to include an amplified sound license and \$50,000 for community outreach and stakeholder communications to bring individuals into compliance with the new license. DLCP would also require an additional licensing specialist to support the new licenses. This staffer will cost \$76,000 in fiscal year 2025 and \$314,000 over the four-year financial plan period.

The Mayor also requires five additional investigators to focus on noise violations for amplified sound devices and general public space noise violations. These inspectors will cost \$335,000 in fiscal year 2025 and \$1.4 million over the four-year financial plan period. These inspectors require vehicles and sound-level meter equipment. The cost of these materials is \$111,000 in fiscal year 2025. This

⁴ Clean Hands Before Receiving a License or Permit Act of 1996, effective May 11, 1996 (D.C. Law 11-118; D.C. Official Code § 47-2861 et seq.

⁵ Omnibus Regulatory Reform Amendment Act of 1998, effective April 29, 1998 (D.C. Law 12-86; D.C. Official Code § 47-2851.02.

⁶ Child Support and Welfare Reform Compliance Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-269; D.C. Official Code § 47-2805.02.

⁷ The bill defines detainment as a verbal order to remain in place or at a nearby location.

⁸ The current standard is Type II specifications per ANSI S1.4-1971 (Equipment, 20 DCMR § 2901).

The Honorable Phil Mendelson

FIS: Bill 25-749, "Amplified Sound Mitigation Amendment Act of 2024," Draft Committee Print as circulated on November 22, 2024

estimate includes additional sound-level meter equipment for other agencies to which the Mayor may assign sound enforcement as required in the bill. The bill requires the Mayor to designate which agencies will enforce which types of noise violations. The Mayor has not yet made those determinations, and unanticipated costs could occur as those assignments are made.

The Department of Buildings (DOB) must also upgrade its sound-level metering equipment to meet the bill's new equipment standards. These upgrades will cost \$11,000 in fiscal year 2025.

Amplified Sound Mitigation Amendment Act of 2024 Implementation Costs Fiscal Year 2025 – Fiscal Year 2028 (\$ thousands)					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
Amplified Sound License	\$75	\$0	\$0	\$0	\$75
DLCP Staff	\$76	\$78	\$79	\$81	\$314
Investigators	\$335	\$345	\$350	\$360	\$1,390
Equipment	\$111	\$0	\$0	\$0	\$111
DOB Upgraded Equipment	\$11	\$0	\$0	\$0	\$11
Total Costs	\$608	\$423	\$429	\$441	\$1,901