



Reducing Buskers' Excessive Sound Levels

The proposed bill has been “decriminalized” from an earlier draft. Enforcement includes only fines for repeat offenders, no jail.

NO ONE IS PROPOSING TO STOP BUSKERS FROM PLAYING WHAT AND WHERE THEY WANT OR ACCEPTING CONTRIBUTIONS - THE ONLY ISSUE IS EXCESSIVE SOUND LEVELS - no one makes a donation from 100 feet away.

- Some street performers (known as “buskers”) perform at sound levels that exceed a reasonable decibel level (and current DC law), disrupting their residential neighbors and local businesses. As the District successfully created lively, urban mixed use communities, the need to balance legitimate, but conflicting uses requires action by the Council. Here, the balance is between buskers’ ability to entertain and accept donations and the right of residents and workers to the reasonable use and enjoyment of their homes and workplaces.
- The District’s current Noise Control Act is 40 years old and inadequate. Its provisions do not cover buskers’ sound levels in downtown and do not effectively address the widespread availability of portable amplification. The limited intent of the proposed legislation is *only* to address excessive sound levels, not the ability to play and collect donations.
- The proposed legislation would limit the sound level of buskers so that it is not “*plainly audible to an individual of normal hearing at a vertical, horizontal, or diagonal distance of 100 feet or more from the sound source.*” No one is making a donation from 100 feet away so this approach, which is similar to how other cities have resolved the issue, shouldn’t have an impact on buskers’ donations.
- The proposed bill has been “decriminalized” from an earlier draft. Violations will first result in a warning, and repeated violations could result in a fine, but no jail.
- The Turn It Down Coalition is a broad group of 250+ District residents, workers and businesses including medical facilities, offices, hotels and restaurants, that are asking the City 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 busker sound levels is impacting residents and workers throughout the city and over 700 incidents have been tracked in the past year. Impacted parties have documented specific examples of how the sound level is affecting their everyday lives and well-being. These individuals and businesses are seeking a thoughtful, enforceable and balanced approach to address the issue.
- Other cities have successfully defined and enforced that balance between buskers continuing to play and making a living and residents and workers’ reasonable use their homes and workplaces; union activity has not stopped and First Amendment rights have not been infringed.
- As has been true in other cities that have successfully addressed this issue (e.g., Chicago, New Orleans, New York, Cambridge, Portland, San Francisco) sound level adjustments can be made and the buskers continue to receive donations, and the controversy calms down.
- No one is attempting to regulate or limit the type or content of *any* speech. There is no interest from anyone to stop buskers or their ability to attract, entertain and solicit donations from a crowd. It is specifically an issue of *excessive* volume.