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DC Music Stakeholders' Response to the Introduction of the Harmonious Living Amendment Act of 2021

*Legislation seeking to address infrastructural causes of residents' noise complaints is
an essential step towards protecting DC culture*

The DC Music Stakeholder Coalition congratulates councilmembers Nadeau, Lewis-George, Henderson and Pinto on the introduction of the Harmonious Living Amendment Act of 2021. This unique piece of legislation will help preserve our historic entertainment districts, prevent against the further gentrification of the arts and provide much-needed resources for our vibrant and nationally recognized street performer community. In other words: It could be the catalyst for true Harmonious Living in our city.

“When addressing the cohabitation of residents in culturally rich areas and musicians who play in the streetscape of these areas, this is a smart approach towards a forward thinking resolution,” noted Aaron Myers, a prominent D.C. musician and DC Music Stakeholder Coalition organizer who serves as board chair of the Capitol Hill Jazz Foundation. .

The proposed legislation adopts the “Agent of Change” principle, which establishes that the business or person responsible for a change to the city’s landscape must also be responsible for managing the impact of that change. As density, growth, and development surge in cities all around us, the Agent of Change principle places the burden of mitigating the acoustic impact of that change on the developers and building code regulation.

In response to the introduction of the legislation, WeAct Radio co-founder Kymone Freeman writes: “DC is a music town. It is also the city with the highest intensity of gentrification in America. This legislation places the economic burden of providing suburban amenities to new residents where it belongs. It is a great first step towards a retention plan for longtime DC residents while celebrating the value of art and culture.”

Since 2016, music advocates in Washington, DC have been pushing for Agent of Change principles to be adopted by the city. Over the past few years, music venues and clubs that have thrived in our entertainment districts have received an ever-increasing number of noise complaints from new residents. These complaints often come from new residents of historic

entertainment districts, whose newly constructed residences have not been properly sound-insulated for the ambient sound in the entertainment neighborhoods in which they reside. Sandra Basanti, owner of H Street's Pie Shop, whose venue has been subject to a number of recent noise complaints, writes "DC's vibrant local arts and music culture is its heart and soul. Preserving and promoting the soul of our city in the face of big money developers is imperative. In order for both to coexist, measures must be taken to ensure that who we are at our core isn't constantly under attack."

In 2018, a number of councilmembers introduced the Amplified Noise Amendment Act, which sought to address these issues by punishing street musicians rather than addressing underlying infrastructure failures. In response, the music community organized to propose their own version of the legislation, and conducted a series of independent studies of outdoor performances and sound levels throughout downtown neighborhoods. In doing so, they discovered that numerous apartment buildings built during the period when neighborhoods like Gallery Place were being designed as entertainment districts, did not include any soundproofing and incorporated construction material and design choices that actually amplified street level noise.

Sound engineer, Graham Smith White, who took many of the measurements for the sound study, noted that "with multiple sources of sound present from emergency vehicles and motorcades to musicians and the sounds of a busy city, it stands to reason that solid building methods and standards are the best move for living in harmony with each other." Many of the apartments with the worst acoustic treatments were built right next to the city's primary downtown sports arena, where performers entertain crowds of basketball, hockey, concert attendees and tourists from around the world on a nightly basis. This was an issue the city would ultimately have to address, and the music community is thankful that Councilmember Nadeau committed to exploring solutions to this difficult issue.

This one-of-a-kind legislation includes a series of proposals tailored to fit the specific needs of our thriving, diverse, creative city. Developers must be required build to higher acoustic standards in entertainment districts; venues and existing property owners will be eligible for funding or tax incentives to retrofit their properties with acoustic upgrades; new renters and owners will be provided with disclosures stating the type of neighborhood they are moving into; and a survey will be conducted to provide resources for street performers to use to live in harmony with the older and newer residents of these important neighborhoods alike.

Dior Ashley Brown, an emcee, performer and founder of DC Music Summit, appreciates the multifaceted approach this legislation takes to addressing these complicated issues. She has noted that "informing potential residents moving into high traffic areas, about aspects of the city's culture and traditions, could create a greater appreciation for its community, and aid developers in evolving their foundations. This Act could be a start. "

The Coalition plans to spend the next couple months talking to all members of our community about the importance of this legislation. "Unless you spend a lot of time discussing the intersection of art culture and city policy, the need for legislation like this may not be apparent,"

said Chris Naoum of Listen Local First DC, “We are here to educate our communities, and work with policy makers to make sure this proposed legislation becomes law.”

The DC Music Stakeholder Coalition is a group of advocates and DC music community leaders who have met twice a week, every week for the past year to share resources, build community solidarity, and propose policies to help our vibrant communities survive and thrive throughout the COVID-19 pandemic. Our advocacy coalition, which has grown to over 300 members, represents artists, managers, agencies, producers, art collectives, cultural non profits, festivals, music educators, recording studios and venues, with representation from every ward and nearly every major musical community in the District.