

District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



May 22, 2007

Councilmember Mary Cheh
Chairperson, Committee on Public Services and Consumer Affairs
1350 Pennsylvania Avenue NW, Suite 108
Washington, DC 20004

Councilmember Mary Cheh:

We applaud the introduction of the Noise Control Protection Amendment Act of 2007 (Bill 17-177) and welcome the opportunity to testify in support of the bill on Monday, July 9, 2007 at 10:00am in the Council Chamber located in John A. Wilson Building located at 1350 Pennsylvania Avenue, N.W.

After a review of the Noise Control Protection Amendment Act of 2007, we noticed several issues that should be amended to ensure our residents are protected from harmful noise levels. We believe that these changes will protect the right to free speech. Accordingly, the following amendments we offer for consideration were approved unanimously at our Commission meeting on May 10, 2007:

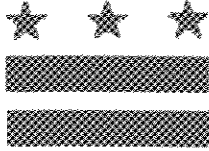
- **Measured Distance.** Limit loudness to a level that does not inhibit residents' quiet enjoyment of their homes. The 50 foot provision for measuring sound at 70 dB(A) is simply not enough protection. To accommodate mixed-use zoning corridors, such as H Street NE, the Act should be amended to state: "50 feet or the closest occupied building".
- **Maximum Sound Level.** The Environmental Protection Agency (EPA) established a maximum level for outdoor activity interference and annoyance is 55 dB(A) outdoors and 45 dB(A) indoors. These are the maximum levels that still permit spoken conversation and comfort in the activities of daily living. A permitted level greater than 55 dB(A) would be actively harmful to the hearing of our residents. Why should we be required to confine our children and our family activities to the inside of our homes? We strongly urge the Act be amended stating the maximum sound level be no higher than 55 dB(A).
- **Tools, Training and Enforcement.** The relatively few sound level meters are owned by Department of Consumer and Regulator Affairs (DCRA). Additional meters should be funded and training should be provided to DCRA inspectors and Metropolitan Police Department (MPD) personnel. The Act should be amended to provide enforcement powers to both DCRA and MPD.

If you have any questions regarding these proposed amendments, please contact me by phone at (202) 423-8868 or by electronic mail at fengler6a02@yahoo.com.

On behalf of the Commission,

Joseph Fengler, Chair
Advisory Neighborhood Commission 6A

Cc: Councilmember Tommy Wells
Councilmember Kwame Brown



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



COUNCILMEMBER MARY CHEH, CHAIRPERSON
COMMITTEE ON PUBLIC SERVICES AND CONSUMER AFFAIRS
ANNOUNCES A PUBLIC HEARING ON

Bill 17-177, the “Noise Control Protection Amendment Act of 2007”

Monday, July 9, 2007
10:00 a.m.
Council Chamber
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.

On Monday, July 9, 2007, Councilmember Mary Cheh, Chairperson of the Committee on Public Services and Consumer Affairs, will hold a public hearing on Bill 17-177, the “Noise Control Protection Amendment Act of 2007.” Bill 17-177 would define the circumstances in which noise made during non-commercial speaking can be considered a noise disturbance. The public hearing will begin at 10:00 a.m. in the fifth-floor Council Chamber of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the hearing should contact Aukima Benjamin, staff assistant to the Committee on Public Services and Consumer Affairs, at 724-4902, or via e-mail at abenjamin@dccouncil.us. All witnesses will be permitted a maximum of three (3) minutes for oral presentation.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to the Committee on Public Services and Consumer Affairs, or to Ms. Cynthia Brock-Smith, Secretary to the Council, Room 5 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at the end of the business day on Monday, July 23, 2007.