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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish an Office of Nightlife within the Executive Office of the Mayor for the purpose of coordinating District government agencies, businesses, and community groups to manage the after-hours economy, and to establish a Commission of Nightlife to advise the Mayor, Council, and Office of Nightlife on common issues and trends relating to the after-hours economy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office and Commission of Nightlife Establishment Act of 2017”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “After-hours economy” means economic activity occurring primarily between the hours of 5 p.m. and 5 a.m. during weekdays and anytime during weekends.

(2) “Commission” means the Commission of Nightlife, established in section 5(a).

(3) “Creative industry” means the music, performing arts, and visual arts industries.

(4) “Director” means the Director of the Office of Nightlife.

(5) “Member” means a member of the Commission.

34 (6) "Nightlife establishment" means an establishment that is open to the public for
35 entertainment or leisure, serves alcohol or where alcohol is consumed on the premises, and
36 conducts a large volume of business at night. The term "nightlife establishment" includes, but is
37 not limited to, bars, entertainment venues, clubs and restaurants.

38 (7) "Office" means the Office of Nightlife established in section 3.

39 Sec. 3. Establishment of the Office of Nightlife.

40 There is established within the Executive Office of the Mayor the Office of Nightlife.
41 The Office shall be overseen by a Director who shall be appointed by the Mayor. .

42 Sec. 4. Duties of the Director.

43 The Director shall:

44 (1) Serve as a liaison to nightlife establishments in relation to city policies and
45 procedures affecting the after-hours economy and, in that capacity, shall:

46 (A) Conduct outreach to nightlife establishments and provide information
47 and assistance to such establishments in relation to existing District policies and procedures for
48 responding to complaints, violations and other enforcement actions, and assist in the resolution of
49 conditions that lead to enforcement actions; and

50 (B) Serve as a point of contact for nightlife establishments to help such
51 establishments connect with District government agencies for matters including, but not limited
52 to, consumer complaints, issues with District government agencies, and obtaining relevant
53 licenses, permits, or approvals;

54 (2) Advise and assist the Mayor and District government agencies that have duties
55 relating to nightlife establishments;

56 (3) Review information obtained from District government agencies on complaints
57 regarding and violations issued to nightlife establishments and develop recommendations to
58 address recurring problems or trends, in consultation with industry representatives, advocates,
59 District agencies, community boards and residents;

60 (4) Serve as the intermediary between District government agencies, Advisory
61 Neighborhood Commissioners, residents, and nightlife establishments to pursue, through
62 neighborhood-specific policy recommendations, long-term solutions to issues related to the after-
63 hours economy;

64 (5) Review and provide to the Department of Employment Services (“DOES”)
65 information relating to after-hours economy workforce conditions, and upon request, assist DOES
66 in developing recommendations to address common issues or trends related to nightlife
67 establishments’ work conditions;

68 (6) Promote an economically and culturally vibrant after-hours economy, while
69 accounting for the best interests of the District and its residents;

70 (7) Appear before and consult with the Commission on ways to improve laws and
71 policies that impact the after-hours economy;

72 (8) Prepare and submit a report no later than December 31 annually to the Mayor,
73 Chairman of the Council, and Commission detailing the actions the coordinator has taken over the
74 prior fiscal year and providing any recommendations he or she has pursuant to this section; and

75 (9) Perform other relevant duties as the Mayor may assign.

76 Section 5. Commission of Nightlife.

77 (a) There is established a Commission of Nightlife to identify and study common issues
78 and trends relating to the after-hours economy and advise the Mayor, Council, and Office, as
79 appropriate, on ways to improve laws and policies that impact the after-hours economy.

80 (b) The Commission shall consist of 5 members appointed by the Mayor. Members shall
81 serve 2-year terms, except that of the 5 initial members, 2 shall serve a term of one-year.
82 Members may be reappointed. Terms for the initial members shall begin on the date a majority
83 of the members are sworn in, which shall become the anniversary date for all subsequent
84 appointments. When a vacancy occurs on the Commission, the Mayor shall appoint a successor
85 to fill the unexpired portion of the term.

86 (c) Members shall be District residents and consist of each of the following:

87 (1) An executive at Events DC;

88 (2) A member who is an owner of a business holding an on-premises retailer's
89 license pursuant to section 11 of AN ACT To control the manufacture, transportation,
90 possession, and sale of alcoholic beverages in the District of Columbia, approved January 24,
91 1934 (48 Stat. 324; D.C. Official Code § 25-113);

92 (3) A member employed in a creative industry;

93 (4) A member sitting on the board of directors of a Business Improvement
94 District, as defined in section 3(7) of the Business Improvement Districts Amendment Act of
95 1997, effective October 8, 1997 (D.C. Law 12-26; D.C. Official Code § 2-1215.02); and

96 (5) A member who is an administrator from a District-based college or university
97 where at least 50% of students live in college- or university-owned, -operated, or -affiliated
98 housing.

99 (d) The Mayor shall appoint a chairperson from among the members.

- 100 (e) The Commission shall examine the following:
- 101 (1) The regulatory structure of the after-hours economy;
 - 102 (2) Common complaints regarding nightlife establishments;
 - 103 (3) Public safety concerns related to the after-hours economy;
 - 104 (4) The enforcement of after-hours economy-related laws and rules;
 - 105 (5) The integration of the after-hours economy into the District's neighborhoods
 - 106 (6) The availability and responsiveness of the Office to concerns of nightlife
 - 107 establishments; and
 - 108 (7) Any other issues the Commission finds relevant.

109 (e) The Commission shall develop its own rules of procedure.

110 (f) The Commission shall meet at least quarterly. A quorum shall require at least 3
111 members being present.

112 Sec. 6. Rules.

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

116 Sec. 7. Fiscal impact statement.

117 The Council adopts the fiscal impact statement in the committee report as the fiscal
118 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
119 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

120 Sec. 8. Effective date.

121 This act shall take effect following approval by the Mayor (or in the event of veto by the
122 Mayor, action by Council to override the veto), a 30-day period of congressional review as

123 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
124 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
125 Columbia Register.