

AN ACT

**D.C. ACT 22-473**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**OCTOBER 18, 2018**

To establish an Office of Nightlife and Culture within the executive branch to serve as an intermediary between nightlife establishments, residents, and the District government, and to establish a Commission on Nightlife and Culture to advise the Mayor, Council, and Office of Nightlife and Culture on common issues and trends relating to the nightlife establishments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office of and Commission on Nightlife and Culture Establishment Act of 2018”.

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) “Commission” means the Commission on Nightlife and Culture established in section 5(a).
- (2) “Creative industry” means the music, performing arts, and visual arts industries.
- (3) “Creative space” means an area open to the public for encouraging work in and the exhibiting of creative industries.
- (4) “Director” means the Director of the Office of Nightlife and Culture.
- (5) “Member” means a member of the Commission.
- (6) “Nightlife establishment” means an establishment that is open to the public for entertainment or leisure and conducts business between the hours of 5 p.m. and 2 a.m. during weekdays and anytime during weekends. The term “nightlife establishment” includes bars, entertainment venues, clubs, theatres, sports, recreation and entertainment venues, art galleries, and restaurants.
- (7) “Office” means the Office of Nightlife and Culture established in section 3(a).
- (8) “Workplace conditions” means the physical conditions and mental demands that affect workers in nightlife establishments.

Sec. 3. Establishment of the Office of Nightlife and Culture.

(a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04(b)), the Council establishes an Office of Nightlife and Culture within the executive branch of the District government. The

purpose of the Office shall be to serve as an intermediary between nightlife establishments, residents living near such establishments, and the District government.

(b) The Office shall be headed by a Director appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)). The Director shall be a fulltime position, for which annual compensation shall be fixed in accordance with Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.51 *et seq.*). The Director shall have such staff as is appropriated in an approved budget.

Sec. 4. Duties of the Director.

The Director shall:

(1) Serve as a liaison to nightlife establishments regarding District government policies and procedures, and, in that capacity:

(A) Provide information and assistance to nightlife establishments about existing District policies and procedures for responding to complaints; and

(B) Serve as a point of contact for nightlife establishments to help such establishments connect with District government agencies on matters of concern, including consumer complaints, problems with District government agencies, and obtaining relevant licenses, permits, or approvals;

(2) Advise and assist the Mayor, Council, and District government agencies with functions affecting nightlife establishments;

(3) Review information obtained from District government agencies on complaints against and citations issued to nightlife establishments and develop recommendations to address recurring problems or trends;

(4) Serve as the intermediary when any issues arise between the District government, Advisory Neighborhood Commissioners, residents, and nightlife establishments;

(5) Obtain and provide to the Department of Employment Services information relating to the workplace conditions of nightlife establishments;

(6) Identify practices that promote the safety and security of nightlife establishments' patrons and workers and nearby residents, and provide information to nightlife establishments on how to implement such practices;

(7) Provide information to nightlife establishments on training programs for preventing sexual harassment and assault in the workplace;

(8) Provide input to the District Department of Transportation, the Department of For-Hire Vehicles, and the Office of Planning in furthering the development of accessible and safe nighttime transportation options;

(9) Provide input to the Office of Planning for the creation and preservation of creative spaces in the District;