



**Testimony of the Committee of 100 on the Federal City**  
**Committee Of The Whole - Subcommittee On Consumer Affairs**  
**B21-919, Nationals Park Graphics and**  
**Entertainment Regulatory Amendment Act of 2016**

I am Meg Maguire representing the Committee of 100 on the Federal City, a long-standing supporter of the District's law banning new billboard construction. For nine years I served as President of Scenic America and helped cities and towns desperate to stop billboard construction metastasizing throughout their communities.

*This bill is not about loyalty to our beloved Nationals team: 10 jumbotron billboards on the exterior of Nationals Park will not help the batters' averages or the pitchers' ERA (earned run average). This is, quite simply, a high-stakes game between the **Billboard Blights** v. the **City's Rights**. Who are the managers of these teams?*

**The Billboard Blights:**

The billboard company and Events DC, a quasi-public and heavily taxpayer-financed company that owns Nationals Park, manage the **Blights**.

They stand to make a lot of money in DC through five strategies:

**#1. Verizon-ize DC.** Load the bases with jumbotron entitlement. If the Verizon Center can have huge out-of-compliance billboards, why not Nationals Park? And if the Nats, why not DC United, the Wizards, RFK Stadium, The Wharf, H St., and Union Market? Be fair! Never mind the consequences for neighborhoods and our incomparably beautiful city.

**#2. Capitalize on Weakness to Make Big Bucks.** Sensing weakness in governance, enforcement, official ignorance about the billboard industry, and huge profits, the industry's business plans tout their intention to move in for the kill in DC. Capitol Outdoor brags that it has "*...the best, most premier billboards and outdoor advertising units in Washington, DC. With it's glistening perfectly maintained buildings and streets, gorgeous neighborhoods, winning sports teams, amazing venues, and SIX of the top-10 wealthiest counties in the United States, DC is clearly one of the most exciting cities in the country!*"

**#3. Sweet Talk Your Way to Success.** Never use the words "billboards" or "jumbotrons." Adopt benign language to present your product as "graphics," "entertainment," "digital displays" and "full motion video". Speak of "art work" and "animating places."

**#4. Play the Upstanding Citizen.** Promise to help the community by running public service ads from time to time. (Seriously?? Who is going to drive to Nats Park to learn about breast cancer or pre-natal screenings or be reminded that Childrens' Hospital does great work?)

#5. Make Money Through Misrepresentation. Submit appealing pictures of the ball players rather than show advertising that brings in the money. Capture public eyeballs for Heineken, Coke, Egyptian Air and Geico and rake in the profits.

The City's Rights is a citizen-owned, taxpayer -financed team managed by the Council and Mayor.

The managers are, for the most part, a progressive and well-meaning lot, but they are necessarily preoccupied with important issues like schools, police, affordable housing, and potholes. They don't have much knowledge or skin in the outdoor advertising game because, since the 1930s, DC has been dedicated to getting rid of billboards, not constructing new ones. However, in 2000 came Special Signs legislation with 32 enormous outdoor ads up to 10,000sf in size draping on downtown. In 2004 special legislation exempted Gallery Place from the city's billboard law, and in 2012, special legislation exempted the Verizon Center. The managers are showing serious signs of exemption addiction and withdrawal is the only course.

Taxpayers are incredulous that the **City's Rights** managers would even consider this bill to permit 10 giant outdoor advertising signs on the side of a \$784 million dollar city-financed stadium next to a \$622 million city-financed project to build a new bridge and a grand gateway into the Nation's Capital. Are billboards really the aesthetic that decision-makers prefer to our majestic and iconic skyline? Will you be seduced by revenue projections and ignore the obvious crass result from intense and unrelenting advertising in our city's public realm?

Livability has held out the promise of dense mixed-use communities as the best places to live and work. Instead, *mixed use is becoming mixed abuse*, in Chinatown. Digital billboards inflict damage by flashing images day and night directly into expensive apartments and offices, bouncing high intensity light off exterior windows on the west side of 7<sup>th</sup> St. into the apartment interiors on the east side.

Before sanctioning this damage elsewhere, the team managers need a detailed independent impact study of jumbotrons at Gallery Place and the Verizon Center on residents and office workers, property values, visibility from downtown landmarks such as the MLK Library, quality of the streetscape, and MSE's failure to meet the terms of its agreement with the city.

Legal compliance is taking a big hit as the city repeatedly fails to comply with the Federal Highway Beautification Act, according to the FHWA review of city compliance published in March 2012. If the city opens its doors to the billboard industry, experience elsewhere proves we would be headed towards endless battles to enforce regulations and agreements resulting in drawn-out lawsuits. At this very moment, DCRA and the AG's office are tied up in a time-consuming and expensive lawsuit against Digi Outdoor Media. The Verizon Center is not in compliance with the city agreement or the HBA either. The billboard industry says, "You don't like what we do? Come after us." This is a lousy use of legal time and talent in a city with far more pressing legal demands.

Sustainability and environmental health, much-touted values of **City's Rights** managers, are receiving long overdue attention from researchers who are documenting the adverse impacts of digital billboards:

- The American Medical Association has warned that high-intensity LED streetlights emit unseen blue light that can disturb sleep rhythms and possibly increase the risk of serious health conditions, including cancer and cardiovascular disease. So imagine what thousands of LED lights on jumbotrons are doing to residents.
- The International Dark Sky Association reports excessive waste of energy and destruction of the night sky by high intensity light.
- Safety studies conducted by reputable researchers find that "... road environments cluttered with driving-irrelevant material (often called visual complexity) make it difficult to extract critical

*information necessary for safe driving in a timely manner, a particular problem for older drivers.”*

However, Best Practices appear to be poorly understood, but there is hope because the managers say they want to be on the forefront of progressive policies. The Supreme Court has upheld bans on new billboard construction. Four states --VT, ME, AK and HI – remain billboard free; 586 cities and towns in TX, and 237 cities and counties in FL plus many more across the country have stopped new billboard construction. **We should be the national showcase for best practices in sign regulation by stopping the construction of new billboards.**

The Incomparable Beauty and Monumentality of our city is up for grabs. We are not Times Square or Los Angeles. **This city is itself a work of art but our beauty is fragile.** “Oops, we made a mistake” won’t cut it because it will then be too late, businesses will have invested and you won’t have a case to take down their investment in these hideous structures. You, our team managers, have an obligation and an opportunity to defend DC from further billboard blight by saying no to new billboards.

I will close with a quote from UNESCO’s groundbreaking August 2014 report on commercial advertising: *“The concern is ... the disproportionate and omnipresent nature of commercial advertising and marketing. States have a particular responsibility in ensuring that public space remains a sphere for deliberation, cultural exchange, social cohesiveness and diversity.”*

WHEREAS there is no public purpose and a great deal of public harm from digital billboards

THEREFORE,

BE IT RESOLVED that the DC City Council hereby stops the construction of all new billboards in the District of Columbia and rejects **B21-919, Nationals Park Graphics and Entertainment Regulatory Amendment Act of 2016**

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**Score: Top of the 9<sup>th</sup>**

**The Billboard Blights – 5**

**The City’s Rights – 0 (many errors)**

***MANAGERS, TURN THIS GAME AROUND:***

**STOP THE CONSTRUCTION OF NEW BILLBOARDS IN DC!**

