



**ADVISORY NEIGHBORHOOD COMMISSION 2F**  
**Government of the District of Columbia**  
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**ANC 2F Policy Regarding Exceptions to Single Sales Ban Pursuant to D.C. Code §25-345(c)(1)**

ANC 2F has adopted the following policy regarding the basis upon which ANC 2F will provide input to ABRA under §25-345(c)(2)(A) of the Consolidated Mt. Pleasant, Ward 2, and Ward 6 Single Sales Moratorium Act of 2008, (the "Act") or advise the ABC Board under DC Code §1-309(10) with regard to exceptions.

A. Purposes: ANC 2F supports the purposes which underlie the Act; namely, that the sale of single containers of the alcoholic products enumerated in the Act facilitates public drinking (which is illegal under D.C. law), has been shown to contribute to loitering, public drunkenness and crime and safety problems, and to add to improper disposal of trash.

B. ANC 2F Objectives and Overall Policy Regarding Exceptions to the Act. While ANC 2F supports the purposes of the Act, it also recognizes, as does the Act, that there may be instances where an exception is warranted. Generally speaking, ANC 2F will support exceptions where the adverse effects enumerated above in Paragraph A are not likely to be present. It is concurrently a policy of ANC 2F to support businesses within the Commission's boundaries that provide welcomed amenities to the community and to seek constraints on such businesses only when in the judgment of the Commission the public interest requires them and are permitted by law.

C. ANC 2F Guidelines for Exceptions. Because the circumstances of each applicant for an exception may vary widely, the application of the general objectives and policies stated in Paragraph B, above, is not susceptible to a set of precise "rules" for ANC 2F support of an exception request. ANC 2F will, however, consider the following matters in its determination to support or oppose an exception:

1. To the extent ANC 2F has information that bears on them, the factors stated in §25-345(c)(2)(B)-(E) of the Act.

2. Complaints of the community regarding the licensee's operations or conduct which involve disturbances of the peace, order and quiet of nearby residential properties or violations of the licensee's voluntary agreements, if any.

3. Whether the applicant has entered into a voluntary agreement with ANC 2F .  
[Normally, ANC 2F will not support an exception absent a voluntary agreement, unless the applicant's business is located in the downtown business district within the Commission's boundaries and not in

close proximity to residential tenancies, in which case, voluntary agreements normally would not be sought.]

4. The degree of risk which ANC 2F adjudges to be present for loitering, public drunkenness, crime, or public nuisances if an exception is granted by RA. *Example*: if the licensee is located nearby night clubs or other establishments and there is credible evidence that patrons leaving such establishments provide clientele for the applicant, the ANC will likely oppose an exception.

5. Whether any factors tending to militate against ANC 2F support can be minimized or eliminated by additional provisions in an applicant's voluntary agreement, and the applicant agrees to such provisions. *Example*: The applicant is located adjacent to an area where itinerate workers congregate and are known to dispose of beer cans in the street. If the applicant agrees that it will sell singles with limitations designed to minimize risks of public drinking and other undesirable effects (such as, for example, selling only un-refrigerated singles of beer, ales and malt liquor, marking containers of singles with discrete stickers or other notation to aid in the determination of the origin of improperly disposed of containers, adopt pricing minimums on singles which will in the Commission's judgment differentiate specialty alcoholic products not likely to be drunk in public), the Commission will likely support an exception.

6. Applicant agree that the Commission may apply to the ABC Board to revoke the exception if, after six months, the Commission determines that applicant's sales of singles are being abused in that they are being consumed in public or their containers are being disposed of in the streets within the community served by ANC 2F, whether or not such abuses or disposals are the fault of the applicant. Any such application to revoke the exception shall not require a showing that the applicant is in breach of the Voluntary Agreement, and ANC 2F retains its rights to enforce the Voluntary Agreement.

D. Procedures:

1. Applicants seeking exceptions must so inform ANC 2F at least three weeks before a general public meeting, which it may do by written or oral notice to the Executive Director of ANC 2F, the Chairman of ANC 2F, or the ANC 2F Commissioner for the SMD within which the applicant is located. The matter will be placed on the agenda for the next public meeting, unless the Chairman determines that such meeting's agenda would not conveniently permit an appropriate discussion of the request, in which case it must be placed on the next following meeting's agenda.

2. Applicants must be present in person or by representative at the public meeting

3. ANC 2F prefers that Applicants seek ANC 2F review before applying to ABRA for an exception, but this is not a requirement. In all events, however, the applicant should provide ANC 2F with a written application which it has either filed or intends to file with ABRA.