

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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PUBLIC HEARING

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IN THE MATTER OF: :

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Brew Pub and Wine Pub Hours : Rulemaking

Rulemaking : Hearing

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Section 705 of the DCMR :

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February 28, 2013

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

T-A-B-L-E O-F C-O-N-T-E-N-T-S

INTRODUCTORY REMARKS

Ruthanne Miller.3

PUBLIC TESTIMONY

Denis James.4

P-R-O-C-E-E-D-I-N-G-S

4:23 p.m.

CHAIRPERSON MILLER: Our next rulemaking is Brew Pub and Wine Pub Hours Rulemaking related to Section 705 of the DCMR.

We're today pursuant to D.C. Official Code 25-211(b) to conduct a public hearing and take comment on a proposed rulemaking that creates new Section 705.13 of Chapter 7, General Operating Requirements of Title 23 of the District of Columbia Municipal Regulations. New Section 705.13 makes clear that the sale of beer and growlers by brew pub permit holders and the sale of wine by wine pub permit holders for off-premises consumption is limited to the hours between 7:00 a.m. and midnight, seven days a week.

I'll begin this hearing by calling on those witnesses who notified the Agency in advance regarding their desire to address the Board. I don't have any actually. I'll then entertain comments from other interested

1 parties who wish to be heard. Each one will
2 get five minutes to speak. If there's any
3 time left at the end of the hearing, the Board
4 will consider granting additional time to
5 individuals.

6 Is there anyone here for this
7 public hearing on brew pub and wine pub hours?

8 (No audible response.)

9 CHAIRPERSON MILLER: Okay. All
10 right. The record is going to be open for
11 interested parties to submit additional
12 comments by Friday, March 8th, 2013 at 4:00
13 p.m.

14 (Whereupon, at 4:25 p.m. off the
15 record until 4:39 p.m.)

16 CHAIRPERSON MILLER: So okay.
17 We're going to reopen the record in Brew Pub
18 and Wine Pub Hours Rulemaking for Denis James
19 just to present short testimony. Okay.

20 MR. JAMES: Thank you so much for
21 that.

22 CHAIRPERSON MILLER: Okay.

1 MR. JAMES: I appreciate it very
2 much.

3 CHAIRPERSON MILLER: All right.

4 MR. JAMES: My only comment was
5 that I'm in complete support of the regulation
6 you wrote --

7 CHAIRPERSON MILLER: Okay.

8 MR. JAMES: -- with regard to
9 growlers, the same of them from a brew pub
10 located in like a C -- well, wherever it's
11 located.

12 CHAIRPERSON MILLER: Okay.

13 MR. JAMES: We became aware of
14 this because a restaurant bought a license in
15 Adams Morgan and, you know, wanted to create
16 a restaurant and then added the brew pub idea.
17 And then, you know, as we grappled with the
18 voluntary agreement, we said, but wait, you
19 can't sell beer to take away after the regular
20 closing hours, so we put that in that
21 voluntary agreement. And we appreciated the
22 Board noticed --

1 CHAIRPERSON MILLER: Yes.

2 MR. JAMES: -- that sort of; I
3 don't know what the right word is , oddity
4 about that set up. And we just very much --
5 on behalf of KCA -- this time I can speak for
6 KCA because that was an action we took. We
7 protested and we came to a voluntary
8 agreement. But we appreciated the Board
9 writing that particular regulation.

10 CHAIRPERSON MILLER: Okay. Thank
11 you. Well, that's good to know.

12 MR. JAMES: Thank you very much.

13 CHAIRPERSON MILLER: Okay. So
14 we'll re-close that hearing on the Brew Pub
15 and wine Pub Hours Rulemaking and come back to
16 the hearing on the Technical Amendment
17 Rulemaking.

18 (Whereupon, the hearing was
19 concluded at 4:40 p.m.)

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A	4:12 complete 5:5 concluded 6:19 conduct 3:7 consider 4:4 consumption 3:16 Control 1:2,12,12 create 5:15 creates 3:9 C-O-N-T-E-N-T-S 2:10	idea 5:16 individuals 4:5 interested 3:22 4:11 INTRODUCTO... 2:12	okay 4:9,16,19,22 5:7,12 6:10,13 open 4:10 Operating 3:10 O-F 2:10	S
action 6:6 Adams 5:15 added 5:16 additional 4:4,11 address 3:20 advance 3:20 Agency 3:19 agreement 5:18,21 6:8 ALBERTI 1:20 Alcoholic 1:2,12,12 Amendment 6:16 appreciate 5:1 appreciated 5:21 6:8 audible 4:8 aware 5:13 a.m 3:17	D	J	P	sale 3:13,14 Section 1:8 3:5,9 3:12 sell 5:19 set 6:4 seven 3:17 short 4:19 sort 6:2 speak 4:2 6:5 Street 1:14 submit 4:11 support 5:5
B	days 3:17 DCMR 1:8 3:5 Denis 2:19 4:18 desire 3:20 District 1:1 3:11 DONALD 1:21 D.C 1:14 3:6	K	particular 6:9 parties 4:1,11 permit 3:14,15 present 1:17 4:19 presiding 1:15 proposed 3:8 protested 6:7 pub 1:6,6 3:4,4,13 3:15 4:7,7,17,18 5:9,16 6:14,15 public 1:3 2:17 3:7 4:7 pursuant 3:6 put 5:20 P-R-O-C-E-E-D-... 3:1 p.m 3:2 4:13,14,15 6:19	T
back 6:15 beer 3:13 5:19 behalf 6:5 Beverage 1:2,12,12 Board 1:2,12 3:21 4:3 5:22 6:8 bought 5:14 brew 1:6 3:4,13 4:7 4:17 5:9,16 6:14 BROOKS 1:21 Building 1:13	E	L	take 3:8 5:19 Technical 6:16 testimony 2:17 4:19 Thank 4:20 6:10,12 time 4:3,4 6:5 Title 3:11 today 3:6 T-A-B-L-E 2:10	
C	F	left 4:3 license 5:14 limited 3:16 located 5:10,11	R	
C 5:10 calling 3:18 Chairperson 1:14 1:18 3:3 4:9,16,22 5:3,7,12 6:1,10,13 Chapter 3:10 clear 3:12 closing 5:20 Code 3:7 Columbia 1:1 3:11 come 6:15 comment 3:8 5:4 comments 3:22	February 1:10 five 4:2 Friday 4:12	M	record 4:10,15,17 Reeves 1:13 regard 5:8 regarding 3:20 regular 5:19 regulation 5:5 6:9 Regulations 3:12 related 3:5 REMARKS 2:12 reopen 4:17 Requirements 3:10 response 4:8 restaurant 5:14,16 re-close 6:14 right 4:10 5:3 6:3 Room 1:13 rulemaking 1:6,7 3:4,5,9 4:18 6:15 6:17 Ruthanne 1:15,18 2:14	
D	G	March 4:12 MATTER 1:5 Member 1:20,21 1:22 met 1:12 midnight 3:17 Miller 1:15,18 2:14 3:3 4:9,16,22 5:3 5:7,12 6:1,10,13 minutes 4:2 Morgan 5:15 Municipal 3:11	V	
complete 5:5 concluded 6:19 conduct 3:7 consider 4:4 consumption 3:16 Control 1:2,12,12 create 5:15 creates 3:9 C-O-N-T-E-N-T-S 2:10	General 3:10 going 4:10,17 good 6:11 granting 4:4 grappled 5:17 growlers 3:13 5:9	N	voluntary 5:18,21 6:7	
E	H	new 3:9,12 NICK 1:20 noticed 5:22 notified 3:19 N.W 1:14	W	
entertain 3:22	heard 4:1 hearing 1:3,7,13 3:8,18 4:3,7 6:14 6:16,18 HERMAN 1:22 holders 3:14,15 hours 1:6 3:4,16 4:7,18 5:20 6:15	O	wait 5:18 wanted 5:15 Washington 1:14 week 3:17 we'll 6:14 We're 3:6 4:17 wine 1:6 3:4,14,14 4:7,18 6:15 wish 4:1 witnesses 3:19 word 6:3 writing 6:9 wrote 5:6	
F	I	oddy 6:3 Official 3:7 off-premises 3:15	P	
February 1:10 five 4:2 Friday 4:12			p 1:5,9	
G			1	

14th 1:13

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2000 1:13

2013 1:10 4:12

23 3:11

25-211(b) 3:7

28 1:10

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4

4 2:19

4:00 4:12

4:23 3:2

4:25 4:14

4:39 4:15

4:40 6:19

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7:00 3:17

705 1:8 3:5

705.13 3:9,12

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8th 4:12