

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

<hr/>	)	
<b>In the Matter of:</b>	)	
	)	
Yong Kon & Yong Sun Ko	)	
t/a Yang's Market	)	
	)	
Application for a Retailer's Class	)	Case no. 12168-02/030P
B (renewal)	)	2002-100
at premises	)	
138 U Street, N.E.	)	
Washington, D.C.	)	
<hr/>	)	

James D. Berry, Jr., Chairperson, Advisory Neighborhood Commission 5C, Protestant

Yong Kon & Yong Sun Ko, Applicant

**BEFORE:** Roderic L. Woodson, Esquire, Chair  
Vera Abbott, Member  
Charles Burger, Member  
Laurie Collins, Member  
Judy A. Moy, Member  
Ellen Opper-Weiner, Esquire, Member  
Audrey E. Thompson, Member

**ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT**

The application, having been protested, came before the Board on February 13, 2002, in accordance with D.C. Official Code Section 25-601 (2000 Edition). James D. Berry, Jr., Chair, on behalf of the Advisory Neighborhood Commission 5C, filed opposition in a timely manner.

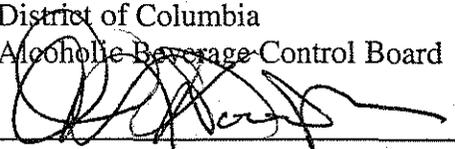
The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated May 1, 2002, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

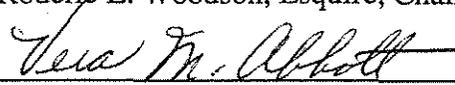
Yong Kon & Yong Sun Ko  
t/a Yang's Market  
Page two

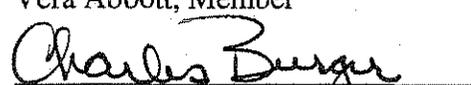
Accordingly, it is this 17<sup>th</sup> day of June 2002, **ORDERED** that:

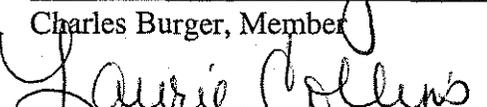
1. The opposition of James D. Berry, Jr., Chair, on behalf of the Advisory Neighborhood Commission 5C, is **WITHDRAWN**;
2. The application of Yong Kon & Yong Sun Ko t/a Yang's Market for a retailer's class B (renewal) license located at 138 U Street, N.E., Washington, D.C. is **GRANTED**;
3. The above-referenced agreement between the parties, is **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Protestant and the Applicant.

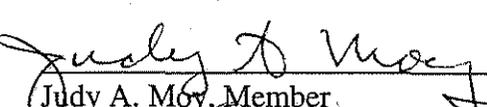
District of Columbia  
Alcoholic Beverage Control Board

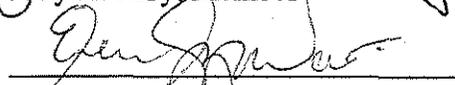
  
Roderie L. Woodson, Esquire, Chair

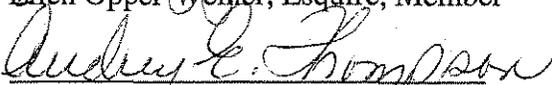
  
Vera Abbott, Member

  
Charles Burger, Member

  
Laurie Collins, Member

  
Judy A. Moy, Member

  
Ellen Opper-Weiner, Esquire, Member

  
Audrey E. Thompson, Member

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ADVISORY NEIGHBORHOOD COMMISSION 5C  
680 RHODE ISLAND AVENUE, N.E., SUITE H-4  
WASHINGTON, D.C. 20002

APP NO  
12168

TELEPHONE: (202) 832-1965/1966 - FAX: (202) 832-1969  
www.anc5c.org

**Cooperative Agreement**

between

**Yang's Market and Advisory Neighborhood Commission 5C  
(ANC 5C)**

WHEREAS, *Yong Kon & Yong Sun Ko* ("Licensees") have applied to renew an Alcoholic Beverage Control Retail Class B license for the business trading as *Yang's Market, located at 138 U Street, N.E.*; Ret. B -Renewal Application No.: 12168; and

WHEREAS, the Licensees and ANC 5C have discussed the concerns of the neighborhood and have reached an understanding relating to the operation of the Licensees' business, as well as the level of cooperation that shall exist between the Licensee and ANC 5C;

NOW, THEREFORE, in consideration of the Licensees' commitment to fully comply with the terms of this Cooperative Agreement, as set forth herein, ANC 5C agrees to withdraw its protest of the renewal of its license. Specifically, the Licensee agrees to the following:

1. That the Licensees will comply with all laws and regulations governing the operations of the establishment at 138 U Street, N.E. within the District of Columbia, including the laws and regulations governing the Class B (Retail) license to which this cooperative agreement applies, as applied for and previously approved by the District of Columbia in the name of the Licensees;
2. That the Licensees and their officers and employees will cooperate with Advisory Neighborhood Commission 5C ("ANC") to address any alleged violation of the laws and regulations referred to in Item One (1), and in any request by the ANC that the appropriate enforcement agency investigate any alleged violation.
3. That the Licensees will not sell alcohol before or after ABC regulated hours.
4. That the Licensees will keep the public space surrounding its business free of debris and trash.

Initials: Ko JS

5. That the Licensees will take reasonable measures to ensure that the immediate environs of the location are kept free of litter and debris. The "immediate environs" is defined in Section 720.2 of the ABC regulations as including "all property on which the premises are located; all property used by the licensee to conduct business, whether part of the premises or not; including parking lots and portions of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to the property used by the licensee to conduct business."
6. That the Licensees will prohibit loitering in front of the business and that they take whatever actions are necessary to enforce such a prohibition.
7. That the Licensees will not provide "go cups" to customers. A "go-cup" is defined in Section 709.7 of the ABC regulations as a "drinking utensil provided at no charge or a nominal charge to customers for the purpose of consuming (alcoholic) beverages."
8. That the Licensees will not sell or provide miniature bags of ice to customers.
9. That the Licensees will not sell single cigarettes; nor rolling paper, crack bags, or other drug paraphernalia to customers.
10. That the Licensees will not advertise alcoholic beverages on the exterior walls of the property used by the licensee to conduct business.
11. That the Licensees will promptly remove or paint over any graffiti written on the exterior walls of the property used by the licensee to conduct business.
12. That the Licensees will post signs in English, advising its customers that the licensee will not sell alcohol to intoxicated persons.
13. That the Licensees will not sell or deliver alcohol in any form to any intoxicated person, any person who appears to be intoxicated, or to any person whom the Licensees know to be an abuser of alcohol.
14. That the Licensees will not sell or deliver alcohol in any form to any person under 21 years of age.
15. That the Licensees will take all precautions to avoid the sale of alcohol in any form to anyone accompanying a person who has been denied service, if it appears that an attempt is being made to buy alcohol for the person who has been denied service.
16. That the Licensees will provide the community (via ANC 5C) at least ninety (90) days notice of any intention to place the business on the market, i.e., should the Licensees make a decision to sell or transfer its business.

Initials: Ko Bob

17. That the Licensees give their assurance that all of its employees will adhere to the provisions of this agreement, particularly with respect to the sale of alcohol in any form.

The provisions of this Cooperative Agreement shall become part of the conditions of the ABC license and shall remain in force upon renewal or transfer of the liquor license. Violations of this Cooperative Agreement by the Licensees, or the Licensees failure to implement measures called for in this Cooperative Agreement, shall be considered just cause for the ABC Board to immediately suspend or revoke the ABC license granted to its establishment.

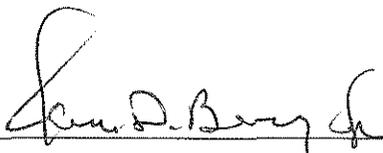
AGREED:

**For the Licensees:**

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 5/1/02

**For Advisory Neighborhood Commission 5C:**

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 5/1/2002

JDB