

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

In the Matter of:)	
)	
Partners At 723 8th St SE, LLC)	
t/a The Ugly Mug Dining Saloon)	
)	
Applicant for Renewal of a)	License No. 071793
Retailer's Class CR License)	Order No. 2010-454
at premises)	
723 8 th Street, S.E.)	
Washington, D.C. 20003)	

Partners At 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon, Applicant

Dave Garrison, Chairperson, Advisory Neighborhood Commission (ANC) 6B

BEFORE: Charles Brodsky, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Partners At 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon, Applicant for Renewal of a Retailer's Class CR License located at 723 8th Street, S.E., and Chairperson Dave Garrison, on behalf of ANC 6B, have entered into a Voluntary Agreement (Agreement) dated May 15, 2010, that govern the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Dave Garrison, on behalf of ANC 2B, are signatories to the Agreement.

**Partners At 723 8th St SE, LLC
t/a The Ugly Mug Dining Saloon
License No. 071793
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Accordingly, it is this 8th day of September 2010, **ORDERED** that:

1. The Application filed by Partners At 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon, for renewal of a Retailer's Class CR License located at 723 8th Street, S.E., Washington, D.C., is **GRANTED**;
2. The above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
3. Copies of this Order shall be sent to the Applicant and ANC 6B.

Partners At 723 8th St SE, LLC
t/a The Ugly Mug Dining Saloon
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District of Columbia
Alcoholic Beverage Control Board

Charles Brodsky, Chairperson



Mital M. Gandhi, Member



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 1250 U Street, N.W., Third Floor, Washington, DC 20009.

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT is made on this 15th day of May, 2010 by and between Partners at 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon (“Applicant”), and Advisory Neighborhood Commission 6B, (Collectively, the “Parties”).

WITNESSETH

WHEREAS, Applicant’s license renewal for premises, 723 8th Street SE, Washington, DC, 20003, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC, and,

WHEREAS, the Parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers’ Class “C” Restaurant Liquor License with an entertainment endorsement at the subject premises; and,

WHEREAS, the Parties are desirous of entering into a Voluntary Agreement pursuant to D.C. Official Code § 25-446 for the operation and maintenance of the Establishment in such a manner as to promote the peace, order and quiet of the neighborhood. Both parties recognize the importance of business neighborhoods that are safe, clean, and “pedestrian friendly”.

NOW, THEREFORE, the parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference.
2. ***Nature of the Business.*** The Applicant will manage and operate a CR license at the listed address.
3. ***Hours of Operation and Sales.*** The Applicant’s hours of operation shall be as follows:

Sunday 12pm – 1:30am,
Monday through Thursday 11:30am – 1:30am
Friday and Saturday 11:30am - 3am

Service will be provided at the Upstairs Patio

Sunday through Thursday until 10:30pm
Friday and Saturday until 11:30pm.

RECORDED
2010 AUG 19 A 10:37
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATORY ADMINISTRATION

Service will be provided at the Sidewalk Café

Sunday through Thursday until midnight
Friday and Saturday until 1:00am

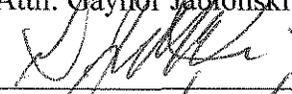
4. **Sidewalk Café.** Service at the sidewalk café shall end Sunday through Thursday no later than midnight and shall end on Friday and Saturday at 1am.
5. **Noise and Privacy.** Applicant will strictly comply with D.C. Official Code § 25-725 and to that end shall make architectural improvements to the property and take all necessary actions to ensure that music, noise and vibration from the Establishment are not audible outside the establishment at any time. ~~Applicant agrees to keep its doors and windows closed when music is being played at the establishment.~~ If necessary, Applicant will take reasonable steps to reduce noise emanating from the Establishment from the opening of the entry or exit doors. Applicant will post numerous signs inside the restaurant, including on the front door, to ask patrons to please respect the neighbors as they leave and to keep the noise down when standing outside or leaving to go home.
6. **Public Space and Trash.** Applicant shall keep the sidewalk (up to and including the curb), tree box(es), curb, and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed. Applicant shall ensure that the area around the dumpster is kept clean at all times and the dumpster is placed such that it does not encroach on the abutting property owners and that no garbage is placed on the abutting property. Commercial trash pick up in residential areas will only take place between 7 a.m.-7 p.m.
7. **Rats and Vermin Control.** The Applicant shall provide rat and vermin control for its property. Applicant shall provide proof of its rat and vermin control contract upon the request of the Board. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure that there are not garbage and odors present the following morning.
8. **Security Cooperation in Stemming Illegal Drugs and Public Drinking.** Applicant agrees that it shall take all necessary steps to minimize such problems, including, without limitation, designating a sufficient number of employees to assure adequate security and to control unruly patrons, whether inside or in the immediate outside area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur. Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises. This will include providing an appropriate number of security officers, at all times when the Establishment is open to the public, who shall be responsible for ensuring that any individuals who are simply loitering are asked to move along.



Signatures of both Parties on this Voluntary Agreement and approval by the ABC Board constitutes withdrawal of the ANC's Protest of the Applicant's license renewal.

IN WITNESS WHEREOF, the parties have affixed hereunto their signatures.

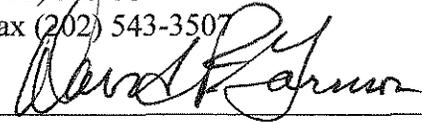
Applicant: Partners at 723 8th St SE, LLC
t/a The Ugly Mug Dining Saloon
Washington, DC 20003
Attn: Gaynor Jablonski



(signature)
Date: 7/29/10

ANC:

Advisory Neighborhood Commission
703 D Street, SE
Washington, DC 20003
Dave Garrison, Chairperson
(202) 543-3344
Fax (202) 543-3507



(signature)
Date: 8/12/10