

**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
Page 2**

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
License No. 071793
Page 3

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

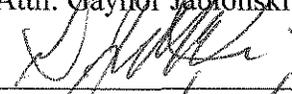
4. **Sidewalk Café.** Service at the sidewalk café shall end Sunday through Thursday no later than midnight and shall end on Friday and Saturday at 1am.
5. **Noise and Privacy.** Applicant will strictly comply with D.C. Official Code § 25-725 and to that end shall make architectural improvements to the 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.

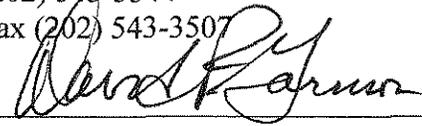
Applicant: Partners at 723 8th St SE, LLC
t/a The Ugly Mug Dining Saloon
Washington, DC 20003
Attn: Gaynor Jablonski



(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

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

<hr/>)	
In the Matter of:)	
Partners at 723 8 th ST SE, LLC)	
t/a The Ugly Mug)	
)	
Holder of a Retailer's)	License No. 71793
Class CR License)	Order No. 2008-241
at premises)	
)	
723 8th Street S.E.)	
Washington, D.C. 20003)	
<hr/>)	

Partners at 723 8th ST SE, LLC t/a The Ugly Mug, Licensee

Julie Olson, Chairperson, Advisory Neighborhood Commission 6B

BEFORE: Peter B. Feather, Chairperson
Judy A. Moy, Member
Mital M. Gandhi, Member
Nick Alberti, Member
Charles Brodsky, Member
Donald Brooks, Member
Herman Jones, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that Partners at 723 8th ST SE, LLC t/a The Ugly Mug (Licensee), holder of a Retailer's Class CR license, located at 723 8th Street S.E., Washington D.C., and Julie Olson, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 6B, (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated January 12, 2008 setting forth the terms and conditions that govern the operation of the Licensee's establishment. The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both the Applicant and Commissioner Olson are signatories to the Agreement.

Partners at 723 8th ST SE, LLC
t/a The Ugly Mug
License No. 71793
Page Two

Accordingly, it is this 31st day of July 2008, **ORDERED** that:

1. The above-referenced Voluntary Agreement between Partners at 723 8th ST SE, LLC t/a The Ugly Mug located at 723 8th Street, S.E., Washington, D.C., and ANC 6B to govern the operations of the Licensee's establishment is **APPROVED**;
2. This Agreement is **INCORPORATED** as part of this Order; and
3. Copies of this Order shall be sent to the Licensee and to ANC 6B.

District of Columbia
Alcoholic Beverage Control Board


Peter B. Feather, Chairperson

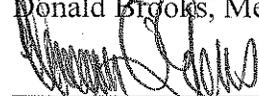

Judy A. Moy, Member

Mital M. Gandhi, Member


Nick Alberti, Member

Charles Brodsky, Member


Donald Brooks, Member


Herman Jones, 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

Cooperative (Voluntary) Agreement

AGREEMENT (Revised)

Made this 12th day of January, 2008, by and between The Ugly Mug t/a (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC, Collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's application to modify their Retailers' Class "CT" license for premises, 723 8th Street, SE., ABC License # 71973, to include sale of alcohol on an outdoor cafe, 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 "CT" Liquor License at the subject premises;

WHEREAS, the parties wish to state their mutual desire to promote the peace, order and quiet of the 700 block of 8th St. S.E. Both parties recognize the importance of blocks that are safe, clean and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, on a daily basis; and,
 - b. Sweeping the outside of the establishment on a daily basis; and,
 - c. Taking due diligence to prevent vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
2. Applicant may provide outdoor seating for patrons and will also agree to pick up trash, debris on a daily basis in this area.
3. Applicant will not have music speakers in the outdoor seating area.
4. Applicant will install sound blockage for the 2nd floor outside patio area to prevent sound from disturbing the neighbors on 7th Street.

Cooperative (Voluntary) Agreement

5. Applicant agrees that no music or TV sounds will be allowed on the outside roof patio area.
6. Applicant agrees to close the outside patio area on the 2nd floor by 10:30 p.m. Monday thru Thursday and Sunday, and 11:30 p.m. on Friday and Saturday.
7. Applicant will monitor the neighbors to make sure the outside roof patio area's use is not disturbing their peace and quiet.

In consideration of, and reliance upon, the commitments reflected in paragraphs 1 through 7, the ANC will not oppose the applicant's pending license application.

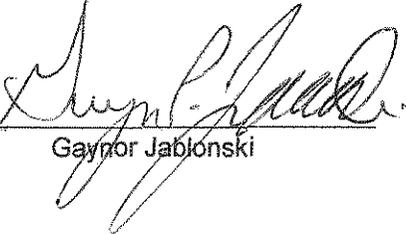
The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R.

1513.5

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

By:


Gaynor Jablonski

ANC 6B:

By:


Julie Olson, Chair

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

In the Matter of:)

Partners at 723 8th St. S.E., LLC)
t/a The Ugly Mug Dining Saloon)

Application for a Retailer's Class CT)
License – Substantial Change)
at premises)
723 8th Street, S.E.)
Washington, D.C.)

License no.: 71793
Application no.: 60895
Order no.: 2006-141

Scott Cernich, Chairman, on behalf of Advisory Neighborhood Commission 6B, and
Gaynor Jablonski, on behalf of Partners at 723 8th St. S.E., Signatories

BEFORE: Charles A. Burger, Chairperson
Vera M. Abbott, Member
Judy A. Moy, Member
Audrey E. Thompson, Member
Peter B. Feather, Member
Albert G. Lauber, Member
Eartha Isaac, Member

ORDER ON VOLUNTARY AGREEMENT

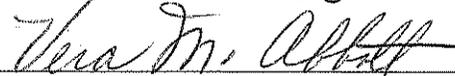
The official records of the Alcoholic Beverage Control Board ("Board") reflect that Scott Cernich, Chairman, on behalf of Advisory Neighborhood Commission 6B, and Gaynor Jablonski, on behalf of Partners at 723 8th St. S.E., have reached a voluntary agreement, dated July 11, 2006, which has been reduced to writing and has been properly executed and filed with the Board. Having determined that the July 11, 2006 agreement complies with all applicable laws and regulations, the Board does hereby, this 19th day of July, **APPROVE** the agreement and **INCORPORATE** the text of the same into this Order. Copies of this Order shall be sent to the Signatories to the agreement.

Partners at 723 8th St. S.E., LLC
t/a The Ugly Mug Dining Saloon
License no. 71793
Application no. 60895
Page two

District of Columbia
Alcoholic Beverage Control Board



Charles A. Burger, Chairperson

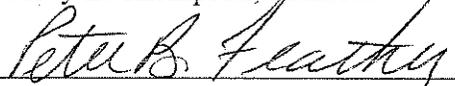


Vera M. Abbott, Member



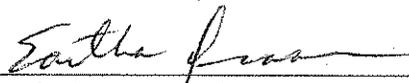
Judy A. Moy, Member

Audrey E. Thompson, Member



Peter B. Feather, Member

Albert G. Lauber, Member



Eartha Isaac, 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

Cooperative (Voluntary) Agreement

AGREEMENT

Made this 11th day of July, 2006, by and between The Ugly Mug t/a (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC, Collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's application to modify their Retailers' Class "CT" license for premises, 723 8th Street, SE., ABC License # 71973, to include sale of alcohol on an outdoor cafe, 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 "CT" Liquor License at the subject premises;

WHEREAS, the parties wish to state their mutual desire to promote the peace, order and quiet of the 700 block of 8th St. S.E. Both parties recognize the importance of blocks that are safe, clean and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, on a daily basis; and,
 - b. Sweeping the outside of the establishment on a daily basis; and,
 - c. Taking due diligence to prevent vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
2. Applicant will provide outdoor seating for patrons and will also agree to pick up trash, debris on a daily basis.
3. Applicant will not have music speakers in the outdoor seating area. *hm*

In consideration of, and reliance upon, the commitments reflected in paragraphs 1, 2 and 3, the ANC will not oppose the applicant's pending license application.

11 01 V 21
GOVT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION DIVISION
AUG 1 2006

Cooperative (Voluntary) Agreement

The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

By: *[Signature]*
4/11/06

ANC 6B:

By: *[Signature]*
Scott Cernich, Chair
7/11/06

ANC 6B

Capitol Hill / Southeast

921 Pennsylvania Ave SE
Washington, DC 20003
202.543.3344
FAX 202.543.3507

July 12, 2006

OFFICERS

Chairperson
Scott Cernich

Vice Chairperson
Will Hill

Secretary
Julie Olson

Treasurer
Kenan Jarboe

Parliamentarian
Neil Glick

Maria M. Delaney, Director
Alcoholic Beverage Regulation Administration
941 North Capitol Street, NE, Suite 7200
Washington, DC 20002

**RE: Ugly Mug
Application # 71973
723 8th Street. SE
Voluntary Agreement**

COMMISSIONERS

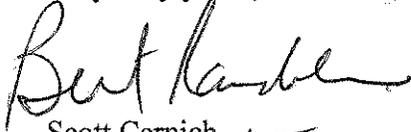
SMD 1 *David Garrison*
SMD 2 *Mary Wright*
SMD 3 *Julie Olson*
SMD 4 *Scott M. Cernich*
SMD 5 *Kenan Jarboe*
SMD 6 *Will Hill*
SMD 7 *Sandra Brown Thomas*
SMD 8 *Neil Glick*
SMD 9 *Antonette Russell*
SMD 10 *Francis Campbell*
SMD 11 *Vacant*

Dear Ms. Delaney:

At a Special Called and properly noticed meeting on July 11, 2006, with a quorum present, ANC 6B voted 7 to 0 to not oppose the Application to Substantial Change the Ugly Mug License to support a Sidewalk Café, pending the Applicant signing a Voluntary Agreement. To this end, enclosed is the Voluntary Agreement that has been executed by Ugly Mug and ANC 6B for your review and approval.

Please contact me should you have any questions regarding this matter.

Very truly yours,


Scott Cernich
Chair, ANC 6B