

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

_____)	
In the Matter of:)	
)	
Backdoor, Inc.)	
t/a Bachelor's Mill/Back Door Pub)	
)	
Holder of a)	License No. ABRA-011277
Retailer's Class CT License)	Order No. 2014-365
)	
at premises)	
1104 8th Street, S.E.)	
Washington, D.C. 20003)	
_____)	

Backdoor, Inc., t/a Bachelor's Mill/Back Door Pub (Licensee) ~

Brian Flahaven, Chairperson, on behalf of Advisory Neighborhood Commission (ANC)
6B

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Backdoor, Inc., t/a Bachelor's Mill/Back Door Pub, (Licensee), and ANC 6B have entered into a Settlement Agreement (Agreement), dated November 27, 2013, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Brian Flahaven, on behalf of ANC 6B, are signatories to the Agreement.

Accordingly, it is this 1st day of October, 2014, **ORDERED** that:

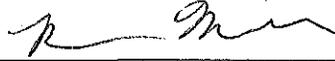
1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Section 3 (Hours of Operation and Sales) – The last paragraph shall be modified to read as follows: “Provided that: (a) with the exception of January 1 of every year, on days designated by the ABC Board as “Extended Hours for ABC Establishments”, Applicant may operate [including sale and consumption] for one hour later than the hours listed above; and (b) in the event that the Council of the District of Columbia or the ABC Board grants licensees in general extended operating hours [such as for the Inauguration], Applicant may avail itself of such extended hours.”

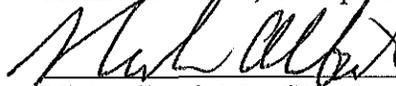
The parties have agreed to this modification.

2. This Settlement Agreement replaces and supersedes previous Settlement Agreements between the parties; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

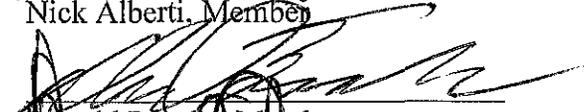
District of Columbia
Alcoholic Beverage Control Board



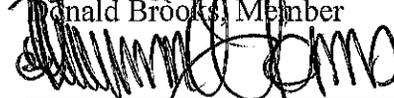
Ruthanne Miller, Chairperson



Nick Alberti, Member



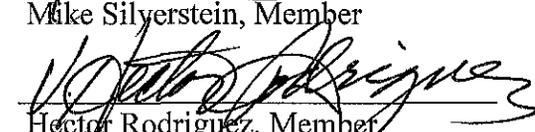
Donald Brooks, Member



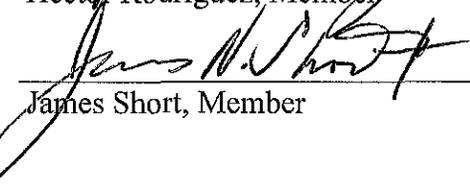
Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433, 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, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b).

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is made on this 27th day of ~~November~~, 2013 by and between Backdoor Inc. ("Applicant"), and Advisory Neighborhood Commission 6B, (Collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's application for a license for premises, 1104 8th Steet 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" Tavern Liquor License at the subject premises; and,

WHEREAS, the Parties are desirous of entering into a Settlement 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 shall manage and operate at the address a place that is regularly used for the sale and service of snacks and alcoholic beverages. The license shall have limited indoor standing capacity of 195 on the first floor and limited indoor seating of 100 on the first floor and limited indoor seating of 110 on the second floor and limited standing on the second floor of 190. There is no sidewalk café or summer garden.
3. ***Hours of Operation and Sales.*** The Applicant's hours of operation shall be as follows:
 - Inside Services
 - Sunday through Thursday 4:00 PM to 2:00 AM
 - Friday and Saturday 4:00 PM AM to 3:00 AM

Entertainment Endorsement

Sunday 8:00 PM to 12:00 AM

Monday through Wednesday 6:00 PM to 1:00 AM

Thursday 10:00 PM to 2:00 AM

Friday and Saturday 10:00 PM to 3:00 AM

Provided that: (a) on days designated by the ABC Board as "Extended Hours for ABC Establishments" Applicant may operate (including sale and consumption) for one hour later than the hours listed above; (b) in the event that the Council of the District of Columbia or the ABC Board grants licensees in general extended operating hours (such as for the inauguration), Applicant may avail itself of such extended hours; and (c) on January 1 of each year, Applicant may operate (including sale and consumption) until 3:00 a.m.

4. ***Floors Utilized and Occupancy.*** The Applicant will operate its establishment according to the occupancy indicated on the Certificate of Occupancy issued by the Department of Consumer and Regulatory Affairs.

6. ***Noise, Odor, and Privacy.*** No objectionable odors will be created by the Applicant. Applicant will strictly comply with D.C. Official Code § 25-725, which may include the need to make architectural improvements to the property. Applicant agrees to keep its doors closed when music is being played inside the establishment but may open its window panels during such times, provided that the music is not audible beyond the street curbside. If necessary, Applicant will take reasonable steps necessary to reduce noise emanating from the opening of entry or exit doors. Applicant will take all reasonable steps to strictly comply with D.C. Regulations concerning noise emanating from the establishment's mechanical equipment.

7. ***Public Space and Trash.***
 - a. Applicant shall keep its entire property and 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.

 - b. Applicant shall continue its practice of storing all trash inside the premises until it is picked up from inside the establishment by a commercial trash firm, three to four times a week.

 - c. Applicant shall ensure that all grease is placed in a secure well-maintained container inside the property where possible. Any grease leak shall be cleaned up promptly and all containers shall be properly maintained and replaced when damaged or leaking.

 - d. Applicant will ensure timely trash disposal that is the least disruptive to the

neighbors. To that end, no glass shall be recycled or otherwise disposed after 10 p.m. or before 7 a.m. Any glass material needing to be recycled or otherwise disposed between 10 p.m. and 7 a.m. shall be stored inside the Applicant's establishment until 7 a.m.

- e. Commercial trash pick up in residential areas takes place between 7 a.m.-7 p.m. Applicant shall not allow for its trash to be picked up outside of those hours.
8. **Rats and Vermin Control.** The Applicant shall provide rat and vermin control for its property. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure that there are no garbage and odors present the following morning.
9. **Security Cooperation in Stemming Criminal Activity and Public Drinking.** Applicant agrees that it shall take all reasonable steps to minimize such problems, including, without limitation, providing 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 criminal activity 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.
10. **Compliance with ABRA Regulations.** Applicant promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations regarding the ownership of the license and all other provisions applicable to liquor licensees.
11. **Cancellation of previous Agreements.** Except as otherwise explicitly provided herein, this Agreement shall have full force effect and shall constitute the agreement between the parties. This agreement may only be modified by written agreement of all the parties or their successors, or otherwise in accordance with law. All other previous Voluntary or Settlement agreements are rendered null and void.

Applicant: Backdoor Inc., t/a Bachelor's Mill/Back Door Pub
 ABRA-011277
 1104 8th Street SE
 Washington, DC 20003
Aziz Aziz Managing Member Aziz
916 782 2155, phone

Signature: Aziz Aziz

Date: 11/27/13

Advisory Neighborhood Commission 6B
Washington, DC 20003
Brian Flahaven, Chairperson
(202) 543-3344
Fax (202) 543-3507

Signature: 

Date: 12/2/13