

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

_____ )	
<b>In the Matter of:</b> )	
)	
H & J Spirits, Inc. )	
t/a Congressional Liquors )	
)	
Application for Renewal of a )	License No. ABRA-071157
Retailer's Class A License )	Order No. 2012-232
)	
at premises )	
404 1 <sup>st</sup> Street, S.E. )	
Washington, D.C. 20003 )	
_____ )	

H & J Spirits, Inc., t/a Congressional Liquors (Applicant)

Andrew Jared Critchfield, Chairperson, Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member  
Jeannette Mobley, Member

**ORDER ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that H & J Spirits, Inc., t/a Congressional Liquors (Applicant), and ANC 6B have entered into a Voluntary Agreement (Agreement), dated April 10, 2012, that governs 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 Andrew Jared Critchfield, on behalf of ANC 6B, are signatories to the Agreement.

Accordingly, it is this 23rd day of May, 2012, **ORDERED** that:

1. The above-referenced Voluntary Agreements submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modifications:

Section 2 (g) (Nature of the Business) – The following sentence shall be modified to read as follows: “Any change from this model concerning hours of sales will be of great concern to nearby residents.”

Section 3 (f) (Hours of Operation and Sales) – The following sentence shall be modified to read as follows: “Applicant's log shall be provided to the Board during hearings involving future renewals of contested proceedings involving the Applicant's license.”

The parties have agreed to these modifications.

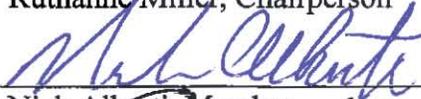
2. Copies of this Order shall be sent to the Applicant and ANC 6B.

**H & J Spirits, Inc.**  
**t/a Congressional Liquors**  
**License No. ABRA-071157**  
**Page 3**

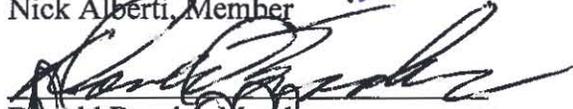
District of Columbia  
Alcoholic Beverage Control Board



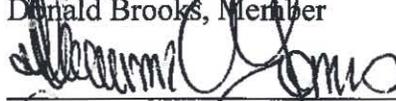
Ruthanne Miller, Chairperson



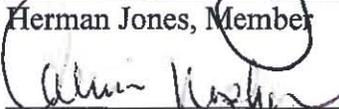
Nick Alberti, Member



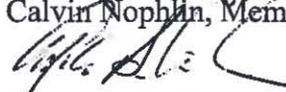
Donald Brooks, Member



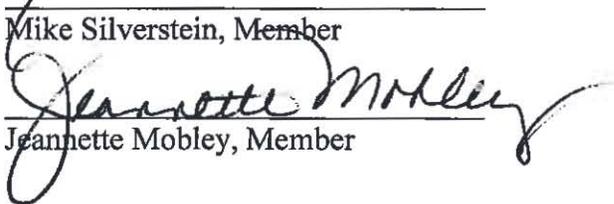
Herman Jones, Member



Calvin Nophin, Member



Mike Silverstein, Member



Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.



DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE  
REGULATION ADMINISTRATION

2012 APR 26 P 4: 23

REC'D BY \_\_\_\_\_

April 13, 2012

921 Pennsylvania Avenue SE  
Suite 305  
Washington, DC 20003  
202.543.3344  
fax 202.543.3507  
office@anc6b.org

Ruthanne Miller, Chairperson  
ABC Board  
2000 14th Street NW  
Ste 400S  
Washington, DC 20009

#### OFFICERS

Chairperson  
*Andrew Jared Critchfield*

Vice Chairperson  
*Ivan Frishberg*

Secretary  
*Brian Pate*

Treasurer  
*Carol Green*

Parliamentarian  
*Brian Flahaven*

**RE: Congressional Liquors  
License # ABRA-071157**

Dear Ms. Miller:

At a regularly called and properly noticed meeting on April 10, 2012, with a quorum present, ANC 6B voted 9-0 to approve a new Voluntary Agreement and support the renewal of this license. Enclosed is the Voluntary Agreement executed by Congressional Liquors and ANC 6B for your review and approval. This resolves our Protest of the renewal of this license.

Additionally, ANC 6B requests the Board allow Congressional Liquors 30 days from the date of the Board Order to sell off its existing stock.

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

Sincerely,

A handwritten signature in black ink that reads "Jared".

Andrew Jared Critchfield, Ph.D.  
Chair

Enclosure: Voluntary Agreement

#### COMMISSIONERS

- SMD 1 *David Garrison*
- SMD 2 *Ivan Frishberg*
- SMD 3 *Norman Metzger*
- SMD 4 *Kirsten Oldenburg*
- SMD 5 *Brian Pate*
- SMD 6 *Andrew Jared Critchfield*
- SMD 7 *Carol Green*
- SMD 8 *Neil Glick*
- SMD 9 *Brian Flahaven*
- SMD 10 *Francis Campbell*

## VOLUNTARY AGREEMENT

This Voluntary Agreement is made on the 10<sup>th</sup> day of April, 2012 by and between H & J Spirits, Inc, t/a Congressional Liquors and Advisory Neighborhood Commission 6B.

WHEREAS, Applicant's renewal for a Retailer's Class A license is now pending before the District of Columbia Alcoholic Beverage Control Board; and,

WHEREAS, the premises located at 404 1<sup>st</sup> Street SE, is within the boundaries of the ANC; and

WHEREAS, the Parties desire to enter into an agreement governing certain understandings regarding the issue of license number ABRA-071157; 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 Retailer's Class A license under the following provisions:
  - a. The Applicant will comply with all laws and regulations governing the operations of the establishment at 404 1<sup>st</sup> Street SE.
  - b. The Applicant will not divide a manufacturer's package of more than one container of beer, malt liquor or ale to sell an individual container of the package if the container is less than 70 ounces.
  - c. The Applicant will not sell, give, offer, expose for sale, or deliver an individual container, a two pack or three pack of beer, malt liquor, or ale if the container is 70 ounces or less, and will not sell spirits in half-pints or smaller volumes.
  - d. The Applicant will not allow the illegal public consumption of alcohol in or around its immediate area and will participate in an ABC Board-approved course in alcoholic beverage sales management.
  - e. The Applicant will not sell or provide cups or single servings of ice.

- f. The Applicant agrees to post this Voluntary Agreement alongside his ABC license.
- g. Any change from this model concerning hours of sales will be considered by both parties to be a substantial change in operations, and of great concern to nearby residents.

**3. Hours of Operation and Sales.** The hours of operation shall be as follows:

Monday - Friday 8:30 a.m. – 9:00 p.m.

Saturday 11:00 a.m - 8:00 p.m.

- a. **Signage, Noise and Privacy.** Applicant will strictly comply with D. C. Official Code and will prohibit and prevent loitering, rowdiness, panhandling and criminal activity within 100 feet of the establishment, to the best of its ability by:
  - b. Maintaining a “No Loitering/Panhandling” sign on the outside of the establishment, and
  - c. Posting a notice kept in good repair and visible from point of entry, a sign which states
    - i. the minimum age requirement for purchase of alcohol,
    - ii. the obligation of the patron to produce a valid identification document in order to purchase alcohol, and
  - d. Requesting loiterers to move on whenever they are observed outside of the establishment, and
  - e. Calling MPD to remove loiterers if they refuse Applicant’s request to move on or if illegal activity is observed, and
  - f. Keeping a written record of dates and times when MPD is called for assistance. Applicant’s log shall be provided to the Board and to any protestant during hearings involving future renewals of contested proceedings involving the Applicant’s license, and
  - g. Applicant will ensure timely disposal of trash that is the least disruptive to the neighbors and that commercial trash pick up will only take place between 7:00 a.m and 7:00 p. m.

**4. Public Space Cleanliness and Maintenance.** Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:

- a. Exercising due diligence to prevent and or rid vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
- b. Picking up trash, including beverage bottles and cans, and all trash on a regularly basis.
- c. Maintaining regular trash removal service and ensuring the area around the trash can is kept clean at all times.
- d. Removing snow and ice from sidewalks fronting the establishment within the time limits set by the District of Columbia.
- e. Planting, watering and generally tending to tree boxes in front of the premises, if any.

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

Applicant

H & J Spirits, Inc  
t/a Congressional Liquors  
404 1<sup>st</sup> Street SE  
Washington, DC 20003  
Phone 202-547-1600

President Jung S Kim

 Mar 29/12

ANC

Advisory Neighborhood Commission 6B  
921 Pennsylvania Ave SE  
Ste 305  
Washington, DC 20003  
202-543-3344

Andrew Jared Critchfield, Chair

