

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

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In the Matter of:	)		
	)		
Lindy Promotions LLC	)	Case No.:	N/A
Event: Leprechaun Lap Bar	)	License No:	N/A
Event Date: March 12, 2016	)	Order No:	2016-054
	)		
Application for a Pub Crawl	)		

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**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
Ruthanne Miller, Member  
James Short, Member

**ALSO PRESENT:** Lindy Promotions LLC, Applicant  
  
Christine Brenner, on behalf of the Applicant  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER DENYING PUB CRAWL APPLICATION**

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**INTRODUCTION**

The Alcoholic Beverage Control Board (Board) denies the Pub Crawl Application (Application) filed by Lindy Promotions LLC (Applicant) based on concerns regarding public safety and litter. The Board's reasoning is described in greater detail below.

***Procedural Background***

The Applicant filed a Pub Crawl Application on January 20, 2016. The Board held a fact finding hearing related to the Application on February 3, 2016. *Pub Crawl Application*, Project Events D.C., LLC (filed Jan. 14, 2016).

## FINDINGS OF FACT

The Board, having considered the evidence, the testimony of the witnesses, the arguments of the Applicant, and all documents comprising the Board's official file, makes the following findings:

1. The Applicant seeks to hold a pub crawl on March 12, 2016, titled the "Leprechaun Lap." *Pub Crawl Application*, at 1. The proposed pub crawl includes thirty four establishments, with seventeen establishments located in the Dupont Circle neighborhood, five establishments located in the U Street Corridor, and five establishments located in the Gallery Place-Chinatown neighborhood. *Id.* at 1, Addendum A1. The Application indicates no mechanism that limits participants to one neighborhood during the pub crawl. Furthermore, the map of participating establishments submitted by the Applicant shows that the geographic distribution of establishments may encourage patrons to walk through a number of neighborhoods. *Id.* at Addendum A2. The Applicant proposes a maximum capacity of 3,000 participants.
2. The Application does not include any signed contracts between the Applicant and a litter removal vendor for March 12, 2016. There is also no indication that the plans have been reviewed by the Department of Public Works.
3. The Board previously found that a pub crawl in October 2015 with a capacity of 3,500 in the Dupont Circle neighborhood, along with other pub crawls, led to excessive trash and damage, threatened the safety of officers engaging in crowd control, required officers on horseback to break up crowds, and required at least twenty-five officers from other districts to report to the neighborhood. *In re Project D.C. Events, Cupid's Bar Crawl, Board Order No. 2016-030, ¶¶ 2-3* (D.C.A.B.C.B. Jan. 27, 2016).
4. The Board previously approved a pub crawl application filed by Daniel Kramer on December 29, 2015 to hold a pub crawl, titled the "DC Leprecrawl" in the Gallery Place-Chinatown neighborhood on March 12, 2016. *Board Disposition's* (Jan. 14, 2016); *Pub Crawl Application, Daniel Kramer* (filed Dec. 29, 2015 [*Kramer Application*]). The Board notes that Mr. Kramer filed his application before the Applicant in this case. The DC Leprecrawl has a maximum capacity of 2,000 patrons. *Kramer Application*, at 1.

## CONCLUSIONS OF LAW

5. Under the new pub crawl regulations, "[A] 'pub crawl event' shall be defined as an organized group of establishments within walking distance which participate in the promotion of the event featuring the sale or service of alcoholic beverages during a specified time period." *Notice of Emergency and Proposed Rules, § 712.3* (Jan. 13, 2016) [*Emergency Rulemaking*]. A pub crawl event that involves 200 or more individuals requires the approval of the Board. *Id.* at § 712.26.
6. "The issuance of a pub crawl license shall be solely in the Board's discretion." *Id.* at § 712.18. The new pub crawl rule requires applicants to submit a "plan for litter prevention, control and removal . . . ." *Emergency Rulemaking*, at § 712.5(f). The regulations further

require the applicant to “(a) Include proof of signed contracts between the Promoter/Organizer and litter removal vendors; and (b) Set a timeframe, by no later than twelve (12) hours from the conclusion of the event, within which litter will be removed.” *Id.* at § 712.7. As part of the application, “The litter plan shall be approved, in writing, by the District Department of Public Works (DPW) within forty-eight (48) hours of the Promoter/Organizer filing the litter plan with DPW.” *Id.* at § 712.9. Finally, “The Board may place restrictions upon the hours, participating licensed establishments, and the number, nature or size of pub crawl events held under a pub crawl license in order to protect public safety.” *Id.* at § 712.19.

7. In this case, the Board denies the Application for the following reasons. First, the Applicant did not present an adequate or compliant litter control plan. *Supra*, at ¶ 2. Indeed, the plan did not specify the area that would be cleaned, the start and end times of the cleanup, and the type of trash that would be removed. Second, the Board is concerned that adding another pub crawl to Gallery Place neighborhood, when the DC Leprecrawl may have a capacity of 2,000 patrons, creates a likelihood of overcrowding and crowd control issues in that neighborhood. *Supra*, at ¶ 4. Third, the Board is concerned that the large geographic area between the various neighborhoods will encourage large crowds of patrons to walk through a large number of neighborhoods without adequate supervision and monitoring from the police or the Applicant’s security. *Supra*, at ¶ 5. Finally, in the recent past, pub crawls featuring 3,500 or more patrons caused a number of issues in the Dupont Circle neighborhood. *Supra*, ¶ 3. Because a vast majority of the establishments for this pub crawl are located in the same neighborhood and the proposed capacity of the event is 3,000 patrons, the Board has concerns that Dupont Circle will face similar issues if this pub crawl is approved. *Supra*, at ¶ 2.

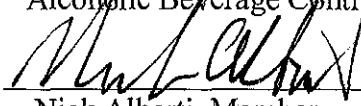
### **ORDER**

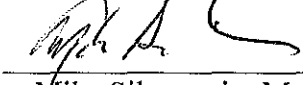
Therefore, the Board, on this 10th day of February 2016, **DENIES** the Pub Crawl Application filed by Lindy Promotions LLC for the reasons stated above. The Board notes that this denial does not prevent the Applicant from proposing additional events in the future.

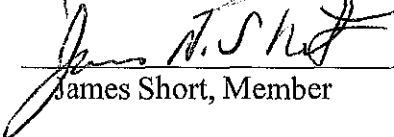
**IT IS FURTHER ORDERED** that the Board’s findings of fact and conclusions of law contained in this Order shall be deemed severable. If any part of this determination is deemed invalid, the Board intends that its ruling remain in effect so long as sufficient facts and authority support the decision.

The ABRA shall deliver copies of this Order to the Applicant.


District of Columbia  
Alcoholic Beverage Control Board

  
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Nick Alberti, Member

  
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Mike Silverstein, Member

  
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James Short, Member

I dissent from this order.

  
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Donovan Anderson, Chairperson

  
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Ruthanne Miller, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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) (2004).