

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

_____)	
In the Matter of:)	
)	
La Goulu, Inc.)	
t/a Montmartre/7th Hill)	
)	License No. ABRA-060422
Holder of a)	Order No. 2016-345
Retailer's Class CR License)	
)	
at premises)	
327 7 th Street, S.E.)	
Washington, D.C. 20003)	
_____)	

La Goulu, Inc., t/a Montmartre/7th Hill (Licensee)

Kirsten Oldenburg, Chairperson, Advisory Neighborhood Commission (ANC) 6B

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

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that La Goulu, Inc., t/a Montmartre/7th Hill (Licensee), located at 327 7th Street, S.E., Washington, D.C. and ANC 6B entered into a Settlement Agreement (Agreement), dated October 12, 2010, that governs the operation of the Licensee's establishment.

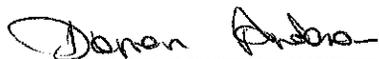
This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated May 10, 2016, in accordance with D.C. Official Code § 25-446 (2001).

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

Accordingly, it is this 25th day of May, 2016, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated May 10, 2016, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Settlement Agreement not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

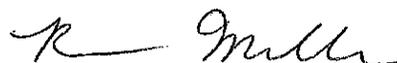
District of Columbia
Alcoholic Beverage Control Board



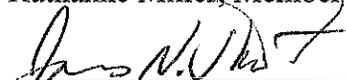
Donovan Anderson, Chairperson

Nick Alberti, Member

Mike Silverstein, Member



Ruthanne Miller, Member



James Short, 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, 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, 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 (2008) 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).

AMENDMENT TO SETTLEMENT AGREEMENT

This amendment to Settlement Agreement (“Agreement”) is made this 10th day of May, 2016 by and between La Goulu, Inc. d/b/a Montmartre/7th Hill (“Applicant”) and Advisory Neighborhood Commission 6B (“ANC6B”).

WITNESSETH

WHEREAS, ANC6B and Applicant previously entered into a Settlement Agreement dated October 12, 2010 which agreement was approved by the Alcoholic Beverage Control Board (“ABC Board”) by Order dated January 8, 2014;

WHEREAS, Applicant as the current holder of the License, is bound by the terms of the Agreement;

WHEREAS, the Agreement, section 7 addresses “Public Space and Trash”;

WHEREAS, the ANC6B and Applicant seek to update the Agreement to reflect the current best practices for trash management;

WHEREAS, the Applicant currently does not use any exterior dumpster and exclusively disposes of all waste, recycling, and grease into an interior trash space.

NOW, THEREFORE, the parties agree as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Hours of Operation and Sales.** The applicant’s hours of operation and sales shall be as follows:

Applicant’s hours of operation and alcoholic beverage sales may be changed from time to time in Applicant’s discretion, as may be otherwise permitted by its License, but in no event shall exceed or extend beyond the following:

Applicant’s hours of Operation shall be as follows:

Sunday through Thursday: 10:00 a.m. – 11:30 p.m.
Friday and Saturday: 10:00 a.m. – 11:30 p.m.

Applicant’s sale of alcohol within and operation of the Sidewalk Cafe shall be as follows:

Sunday through Thursday: 10:00 a.m. – 11:30 p.m.
Friday and Saturday: 10:00 a.m. – 11:30 p.m.

Provided, however, that (1) on days designated by the DC ABC Board as "extended Hours for ABC Establishments," Applicant may serve alcoholic beverages for one additional hour; (2) in the event the Council of the District of Columbia or the ABC Board grant licenses in general extended operating hours for particular event(s), Applicant may avail itself of such extended hours; and, (3) on January 1 of each year Applicant may serve alcoholic beverages and provide entertainment until 3 a.m. Applicant must submit, as required by regulation, any forms or document to the authorizing agency for such extended hours. These extended hours are for inside the establishment.

3. Public Space and Trash.

Applicant shall operate its Sidewalk Café consistent with the terms and conditions of its Public Space Management Branch Certification for such space, and shall cause its employees to maintain the Sidewalk Café in a clean and orderly manner, and not to cause or permit storage of any refuse, foodstuffs, perishable or odiferous materials in or adjacent to the Premises. Applicant shall cause the area extending from the front door(s) to the curb in front of the Establishment to be regularly swept, power-washed, and shall remove litter and debris on not less than a daily basis, weather permitting. Applicant shall provide exterior receptacles for extinguishing and disposing of smoking materials, and such supplemental refuse disposal receptacles as may be reasonably required to contain and minimize public disposal of waste and litter originating from the Premises.

Applicant shall exclusively utilize an interior trash storage room to store all grease, recyclable trash, and non-recyclable trash (garbage). The interior trash storage room will have direct access from the dining, hallway, and/or kitchen area. The interior trash storage room will be constructed in compliance with DC Department of Health requirements for indoor trash storage.

4. Agreement Otherwise in Full Force and Effect.

Except as otherwise explicitly provide herein, the agreement from 2014 shall remain in full force effect and the Agreement as this Amendment shall constitute the agreement between the parties. This Amendment may only be modified by written agreement of the parties or their successors, or otherwise in accordance with law.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first written above.

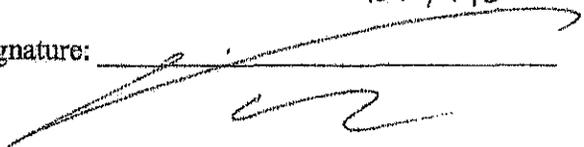
Applicant:

La Goulu, Inc. d/b/a Montmartre/7th Hill
ABRA# 060422
327 7th St. SE
Washington, DC 20003
Phone: 202-355-5915
Email: montmartredc@hotmail.com
Name of Person Authorized to Sign: Christopher Raynal

Amendment to Settlement Agreement

ANC 6B

Title: Managing Member *v. P. Christopher*
R77492

Signature: 

Date: *5/9/16*

ANC:

Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, SE
Washington, DC 20003
Kirsten Oldenburg, Chairperson
Phone: (202) 543-3344

Signature: 

Date: *5-10-16*

ANC 6B

Capitol Hill / Southeast

May 18, 2016

921 Pennsylvania Avenue SE
Washington, DC 20003-2141
6B@anc.dc.gov
202-546-8542

Donovan Anderson, Chair
Alcoholic Beverage Control Board
2000 14th Street NW, Suite 400S
Washington, DC 20009

OFFICERS

Chair
Kirsten Oldenburg

Vice-Chair
Nick Burger

Secretary
Daniel Chao

Treasurer
Diane Hoskins

Parliamentarian
Denise Krepp

VIA E-MAIL: abra.legal@dc.gov

RE: ABRA-060422—Montmartre/7th Hill, 327 7th Street SE, renewal of Class C Restaurant license

Dear Mr. Anderson:

At its regularly scheduled, properly noticed meeting of May 10, 2016, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 10-0-0 to support the above-referenced ABC license renewal.

For your review and approval, please find attached an Amendment to the existing Settlement Amendment, which was executed by both parties.

Please contact Commissioner Chander Jayaraman, ANC 6B's Alcohol Beverage Control Committee Chair, at 202-546-2609 or chander6b08@anc6b.org if you have questions or need further information. Thank you.

Sincerely,



Kirsten Oldenburg
Chair

COMMISSIONERS

- SMD 1 *Jennifer Samolyk*
- SMD 2 *Diane Hoskins*
- SMD 3 *James Loots*
- SMD 4 *Kirsten Oldenburg*
- SMD 5 *Steve Hagedorn*
- SMD 6 *Nick Burger*
- SMD 7 *Daniel Chao*
- SMD 8 *Chander Jayaraman*
- SMD 9 *Daniel Ridge*
- SMD 10 *Denise Krepp*

Attachment