

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

In the Matter of:)		
)		
Project D.C. Events LLC)	Case No.:	N/A
Event: The Shamrock Crawl)	License No:	N/A
Event Date: March 12, 2016)	Order No:	2016-053
)		
Application for a Pub Crawl)		

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

ALSO PRESENT: Project D.C. Events LLC, Applicant

Michael Bramson and Alex Lopez, on behalf of the Applicant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING PUB CRAWL APPLICATION

INTRODUCTION

The Alcoholic Beverage Control Board (Board) denies the Pub Crawl Application (Application) filed by Project D.C. Events LLC (Applicant) based on concerns regarding litter and overcrowding.

Procedural Background

The Applicant filed a Pub Crawl Application on January 14, 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 parties, 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 Shamrock Crawl." *Pub Crawl Application*, at 1. The Applicant proposed including various establishments in the Dupont Circle neighborhood, which include: The Front Page, Rumours, The Mad Hatter, Ozio, Public Bar, Kabin, 1831, Blackfinn, The Bottom Line, Irish Whiskey, Café Citron, Eden, Recessions. *Id.* The Applicant indicated in the Application that the maximum number of participants would be 3,200 people. *Id.*
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 various pub crawls hosted by the Applicant and others in the Dupont Circle neighborhood in October 2015 attracted crowds of at least 3,500 people, which 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).

CONCLUSIONS OF LAW

4. 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.
5. "The issuance of a pub crawl license shall be solely in the Board's discretion." *Id.* at § 712.18. "When reviewing an application for a pub crawl license, the Board may consider the Applicant's conduct and management of previous pub crawl events." *Id.* at § 712.21. 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.

6. In this case, the Board finds that the Applicant's request for a pub crawl with a maximum capacity of 3,200 people is too high, in light of the experience with the prior pub crawls in October 2015. *Supra*, at ¶ 2. Furthermore, the Applicant did not present an adequate or compliant litter control plan. *Supra*, at ¶ 3. 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.

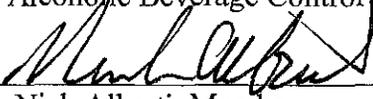
ORDER

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

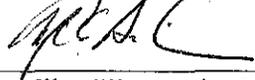
IT IS FURTHER ORDERED that the Board's findings of fact and conclusions of law contained in this Order shall be deemed severable. If any part of this determination is deemed invalid, the Board intends that its ruling remain in effect so long as sufficient facts and authority support the decision.

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

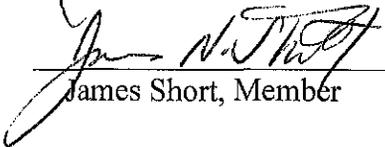
District of Columbia
Alcoholic Beverage Control Board



Nick Alberti, Member

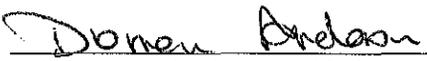


Mike Silverstein, Member



James Short, Member

I dissent from this order.



Donovan Anderson, Chairperson



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).