

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS

Resolution Recommending Changes in ABC Omnibus Legislation Bill

Whereas, the ABC Omnibus Legislation Bill 19-824 is still open for comment and ANC 3B has concerns about several proposed changes this bill makes to current law, ANC 3B resolves to recommend that the following deletions and/or substitutions be included in the final mark-up of the legislation:

1. Section 25-601 has been written to limit non-ANC protests of applications for new liquor licenses, renewals, and substantial changes to only those residents who live within 400 feet of the applicant's establishment. ANC 3B believes that the 400-foot radius is too restrictive, particularly when neighbors who live outside a 400-foot radius can be equally affected by the protestable issues of peace, order, quiet, parking, litter and housing values. We recommend deleting the 400-foot limitation.
2. Section 25-609 changes the law so that any non-ANC protest, by either a citizens' association or a group of residents, will be dismissed if a settlement is reached between an ANC and the protested establishment. ANC 3B believes this is unfair given that some residents may view the ANC as failing to represent their interests. If residents believe that the ANC does not represent their interests appropriately, they should retain the right to do so themselves. ANC 3B recommends deleting this change.
3. Section 25-725(2)(d) instructs those investigating noise complaints at a licensed establishment to only make sound assessments when the doors and windows of the establishment are closed. This change does not take into account the reality that many establishments – in ANC 3B and in other parts of the city – often operate with doors and windows open. ANC 3B recommends deleting this change or rewording it to require noise assessment to be taken during all circumstances of operation allowed by license, including operation with doors and windows open.
4. In addition to the above specific recommendations, ANC 3B also endorses the Resolution passed by the Federation of Citizens' Associations, which objects to these

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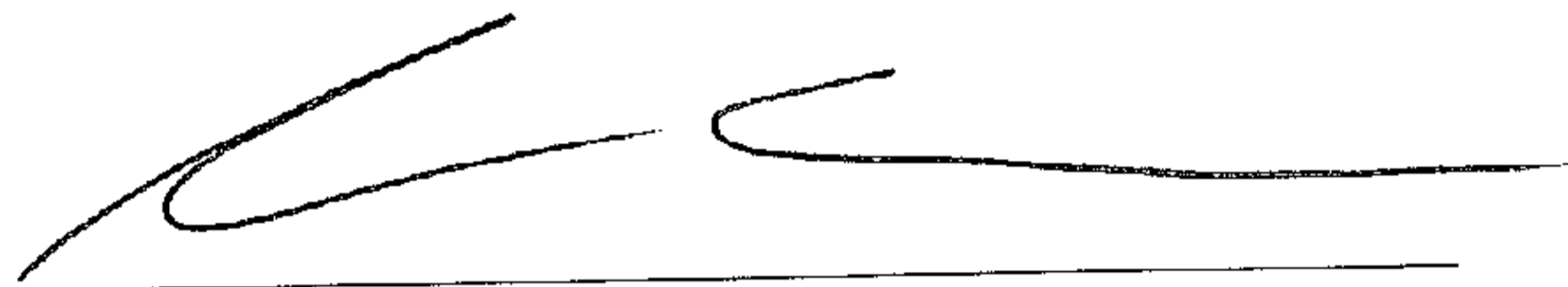
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and other aspects of the proposed Omnibus legislation, including the onerous 7-day notice requirement placed on citizens' groups.

ANC 3B discussed and voted on this Resolution at an official meeting of the ANC at which a quorum was present and residents were duly notified of the meeting and its agenda at least one-week in advance.

This Resolution was passed by a vote of 4 yes, 0 no, 0 abstain.



Brian A. Cohen, Chairman



Ben Thielen, Secretary

October 18, 2012