

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

In the Matter of:

C & B Incorporated)	
t/a Walter Johnson's Liquor Store)	
Application for a Retailer's)	
Class A License – renewal)	License no.: 70552
at premises)	Case no.: 1711-06/089P
1542 North Capitol Street, N.W.)	Order no.: 2007-017
Washington, D.C.)	

C & B Incorporated, Applicant

Advisory Neighborhood Commission 5C, Protestant

BEFORE: Charles A. Burger, Chairperson
Vera M. Abbott, Member
Judy A. Moy, Member
Audrey E. Thompson, Member
Peter B. Feather, Member
Albert G. Lauber, Member

ORDER ON VOLUNTARY AGREEMENT AND WITHDRAWN PROTEST

The renewal application for a Retailer's Class "A" License, having been protested, came before the Alcoholic Beverage Control Board ("Board") on June 21, 2006, in accordance with D.C. Official Code § 25-601 (2001). Advisory Neighborhood Commission ("ANC") 5C filed timely opposition by letter.

The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. The Board is approving the agreement with the following changes. The Board is amending provision 6 to read, "That the Licensee shall make reasonable efforts to discourage loitering in the front and the rear of the business, including the posting of "No Loitering" signs in a prominent place on the exterior of its establishment and contacting MPD for assistance and maintaining a log of such calls." The Board is amending provision 13 to read, "That the Licensee, in consultation with a committee to be formed by the protestant, shall make improvements regarding the appearance of the business. Specifically, the Licensee agrees to: 1) Improve lighting inside and outside of the establishment; 2) Make certain that exterior glass is clean and free from obstruction at

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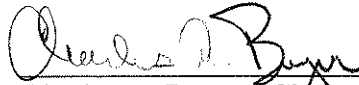
all times; and, 3) Erect security cameras on the exterior of the facility that would provide a view of loiterers and vagrants who might be inclined to congregate outside of the establishment. Such improvement shall be completed no later than May 1, 2007. Lastly, the committee will remain in place to work on recommended improvements to the appearance of the business with the Licensee and the owner of the building throughout this renewal period." The Board notes that the parties do not oppose these changes. Pursuant to the agreement, dated January 9, 2007, the Protestant has agreed to withdraw its protest, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

Accordingly, it is this 14th day of February 2007, **ORDERED** that:

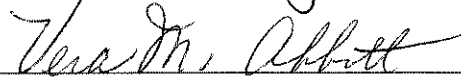
1. The protest of Advisory Neighborhood Commission 5C, is **WITHDRAWN**;
2. The renewal application of C & B Incorporated, t/a Walter Johnson's Liquor Store, for a Retailer's Class "A" License 1542 North Capitol Street, N.W., Washington, D.C., is **GRANTED**;
3. The above-referenced agreement is **INCORPORATED** as part of this Order;
and
4. Copies of this Order shall be sent to the Protestant and the Applicant.

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District of Columbia
Alcoholic Beverage Control Board



Charles A. Burger, Chairperson

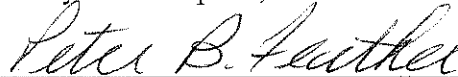


Vera M. Abbott, Member

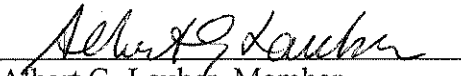


Judy A. Moy, Member

Audrey E. Thompson, Member



Peter B. Feather, Member



Albert G. Lauber, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5C**

POST OFFICE BOX 77761
WASHINGTON, D.C. 20013

TELEPHONE: (202) 832-1965/1966 - FAX: (202) 832-1969

www.anc5c.org

Cooperative Agreement

between

**Walter Johnson Liquors and Advisory Neighborhood Commission
5C
(ANC 5C)**

WHEREAS, C& B Incorporated., ("Licensee") has applied to renew an Alcoholic Beverage Control Retail Class A license for the business trading as *Walter Johnson Liquors*, located at 1542 North Capitol Street, N.W.; Ret. -Renewal Application No.: 1711-03/032P; and

WHEREAS, the Licensee and ANC 5C have discussed the concerns of the neighborhood and have reached an understanding relating to the operation of the Licensee's business, as well as the level of cooperation that shall exist between the Licensee and ANC 5C;

NOW, THEREFORE, in consideration of the Licensee's commitment to fully comply with the terms of this Cooperative Agreement, as set forth herein, ANC 5C agrees to withdraw its protest of the renewal of its license. Specifically, the Licensee agrees to the following:

1. That the Licensee will comply with all laws and regulations governing the operations of the establishment at 1542 North Capitol Street, N.W., within the District of Columbia, including the laws and regulations governing the Class A (Retail) license to which this Cooperative Agreement applies, as applied for and previously approved by the District of Columbia in the name of the Licensee;
2. That the Licensee and its officers and employees will cooperate with Advisory Neighborhood Commission 5C ("ANC") to address any alleged violation of the laws and regulations referred to in Item One (1), and in any request by the ANC that the appropriate enforcement agency investigate any alleged violation.
3. That the Licensee will not sell alcohol before or after ABC regulated hours.
4. That the Licensee will keep the public space surrounding its business free of debris and trash.

5. That the Licensee will take reasonable measures to ensure that the immediate environs of the location are kept free of litter and debris. The "immediate environs" is defined in Section 720.2 of the ABC regulations as including "all property on which the premises are located; all property used by the licensee to conduct business, whether part of the premises or not; including parking lots and portions of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to the property used by the licensee to conduct business."
6. That the Licensee will prohibit loitering in front of the business and that they take whatever actions are necessary to enforce such a prohibition and will post No Loitering signs in a prominent place on the exterior of its establishment.
7. That the Licensee will not provide "go cups" to customers. A "go-cup" is defined in Section 709.7 of the ABC regulations as a "drinking utensil provided at no charge or a nominal charge to customers for the purpose of consuming (alcoholic) beverages."
8. That the Licensee will not sell or provide miniature bags of ice to customers. The Licensee will use clear plastic bags when making single sales of beer, malt or fortified wines and other alcoholic beverages.
9. That the Licensee will not sell single cigarettes; nor rolling paper, crack bags, or other drug paraphernalia to customers.
10. That the Licensee will not advertise alcoholic beverages on the exterior walls of the property used by the licensee to conduct business.
11. That the Licensee will promptly remove or paint over any graffiti written on the exterior walls of the property used by the licensee to conduct business.
12. That the Licensee will post signs in English, advising its customers that the licensee will not sell alcohol to intoxicated persons.
13. That the Licensee, in consultation with a committee to be formed by the protestant, shall make improvements regarding the appearance of the business. Appended, hereto, as "Attachment" is a preliminary list of suggested improvements. Such improvements shall be completed no later than May 1, 2007. Lastly the committee will remain in place to work on recommended improvements to the appearance of the business with the Licensee and the owner of the building throughout this renewal period.
14. That the Licensee will not sell or deliver alcohol in any form to any intoxicated person, any person who appears to be intoxicated, or to any person whom the Licensee knows to be an abuser of alcohol.
15. That the Licensee will not sell or deliver alcohol in any form to any person under 21 years of age.
16. That the Licensee will take all precautions to avoid the sale of alcohol in any form to anyone accompanying a person who has been denied service, if it appears that an attempt is being made to buy alcohol for the person who has been denied service.

18. That the Licensee will provide the community (via ANC 5C) at least ninety (90) days notice of any intention to place the business on the market, i.e., should the Licensee make a decision to sell or transfer its business.
19. That the Licensee agrees to post this Cooperative Agreement, alongside his ABC license.
20. That the Licensee give their assurance that all of its employees will adhere to the provisions of this agreement, particularly with respect to the sale of alcohol in any form.

The provisions of this Cooperative Agreement shall become part of the conditions of the ABC license and shall remain in force upon renewal or transfer of the liquor license. Violations of this Cooperative Agreement by the Licensee, or the Licensee's failure to implement measures called for in this Cooperative Agreement, shall be considered just cause for the ABC Board to immediately suspend or revoke the ABC license granted to its establishment.

AGREED:

For the Licensees:

Chong K. H. H.

Date: 1/9/07

For Advisory Neighborhood Commission 5C:

Com. James D. Berry, Sr., 5C01

Date: November 21, 2006

JDB

ATTACHMENT:

1. Replace flooring with new floor tiles.
2. Improve lighting inside and outside of the establishment.
3. Paint interior walls and counter faces with a light attractive color.
4. Improve retail display areas so that they are more inviting to customers..
5. Make certain that exterior glass is clean and free from obstructions at all times.
6. Erect security cameras on the exterior of the facility that would provide a view of loiterers and vagrants who might be inclined to congregate outside of the establishment.