

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

In the Matter of:)	
)	
District Hardware, Inc.)	
t/a District Hardware and Bike)	
)	
Applicant for a New)	License No.: ABRA-104936
Retailer's Class CT License)	Order No.: 2018-390
)	
at premises)	
730 Maine Avenue, SW)	
Washington, D.C. 20024)	

District Hardware, Inc., t/a District Hardware and Bike (Applicant)

Meredith Fascett and Dr. Coralie Farlee, on behalf of Advisory Neighborhood Commission (ANC) 6D

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON SECOND AMENDMENT TO COOPERATIVE AGREEMENT


The official records of the Alcoholic Beverage Control Board (Board) reflect that District Hardware, Inc., t/a District Hardware and Bike (Licensee), and ANC 6D entered into a Cooperative Agreement (Agreement), dated December 12, 2016, and a First Amendment to Cooperative Agreement, dated May 14, 2018, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Second Amendment to Cooperative Agreement (Second Amendment), dated June 11, 2018, in accordance with D.C. Official Code § 25-446 (2001).

The Second Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Meredith Fascett and Dr. Coralie Farlee, on behalf of ANC 6D, are signatories to the Second Amendment.


Accordingly, it is this 13th day of June, 2018, **ORDERED** that:

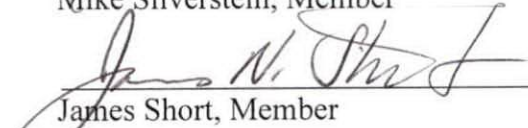
1. The above-referenced Second Amendment to Cooperative Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Agreement and the First Amendment, not amended by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

District of Columbia
Alcoholic Beverage Control Board


Donovan Anderson, Chairperson

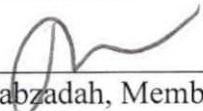

Nick Alberti, Member


Mike Silverstein, Member


James Short, Member


Donald Isaac, Sr., Member


Bobby Cato, Member


Rema Wahabzadah, 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 #2 TO COOPERATIVE AGREEMENT

THIS AMENDMENT TO COOPERATIVE AGREEMENT is made on this 11th day of June, 2018, by and between District Hardware Inc, 1/a ~~District Hardware and Bike~~, 730 Maine Avenue, SW, CT License #104936 (licensee) and Advisory Neighborhood Commission 6D (ANC6D) the ANC ("The ANC"), collectively, the Parties. This amendment modifies Amendment 1 of the Cooperative Agreement dated May 14, 2018 between District Hardware and Bike and ANC6D and finalized by ABC Boarder 2018-345 and the Cooperative Agreement dated December 12, 2016, finalized by ABC Board Order 2017-098, dated February 15, 2017.

RECITALS

WHEREAS, Licensee and ANC6D entered into new Cooperative Agreement dated December 12, 2016, and Amendment 1 dated May 14, 2018, for an establishment located at 730 Maine Avenue, SW, Washington, D.C. 20024, and

WHEREAS, Amendment 1 to the Cooperative Agreement dated May 14, 2018 provided the following:

Hours of operation in the indoor area shall not exceed:

Sunday:	10:00 a.m. to 7:00 p.m.
Monday, Tuesday, Wednesday:	8:00 a.m. to 9:00 p.m.
Thursday, Friday, Saturday:	8:00 a.m. to 10:00 p.m.

Hours of selling, serving, and consuming alcohol in the indoor space and summer garden shall not exceed:

Sunday:	11:00 a.m. to 7:00 p.m.,
Monday, Tuesday, Wednesday:	11:00 a.m. to 9:00 p.m.,
Thursday, Friday:	11:00 a.m. to 10:00 p.m.
Saturday:	11:00 a.m. to 8:00 p.m.

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this Amendment #2 to Cooperative Agreement conditioned upon the Licensee's compliance with the terms of this written Amendment and the previously executed Cooperative Agreement and referenced Board Order and ABRA License; and

NOW, THEREFORE, in consideration of the recitals set forth above, it is mutually understood and agreed by and between the undersigned Parties to amend the previously executed Agreement as follows:

1. *Recitals Incorporated.* The recitals set forth above are incorporated herein by reference.
2. The Cooperative Agreement is modified to reflect new hours, as follows:

Hours of operation in the indoor area and summer garden shall not exceed:

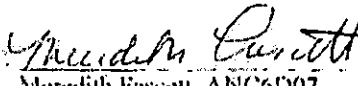

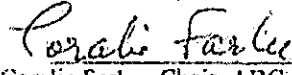
Sunday:	8:00 a.m. to 7:00 p.m.
Monday, Tuesday, Wednesday:	8:00 a.m. to 9:00 p.m.

Thursday, Friday, Saturday: 8:00 a.m. to 10:00 p.m.

Hours of selling, serving, and consuming alcohol in the indoor space and summer garden shall not exceed:

Sunday: 11:00 a.m. to 7:00 p.m.,
Monday, Tuesday, Wednesday: 11:00 a.m. to 9:00 p.m.,
Thursday, Friday, Saturday 11:00 a.m. to 10:00 p.m.

3. *Compliance with ABRA Regulations.* Licensee promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations and all other provisions applicable to liquor licenses.
4. *Agreement Otherwise Unamended.* Except as otherwise provided herein, the terms and conditions of the previously executed Cooperative Agreement, Amendment #1 to the Cooperative Agreement, Board Order, and License are expressly reaffirmed and remain in full force and effect.

FOR ANC6D	FOR LICENSEE
Chair, ANC6D:	District Hardware Inc. Va District Hardware and Bike
	
Meredith Fascett, ANC6D07	Jarrett Conway, Co-owner
	
Coralie Farlee, Chair, ABC Committee	
6/11/18 DATE	5/2/18 DATE