

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

In the Matter of:)	
)	
Howard Theatre Entertainment, LLC)	
t/a Howard Theatre)	
)	
Applicant for a New)	License No. ABRA-088646
Retailer's Class CX Multipurpose License)	Order No. 2012-130
)	
at premises)	
620 T Street, N.W.)	
Washington, D.C. 20001)	

Howard Theatre Entertainment, LLC, t/a Howard Theatre (Applicant)

Myla Moss, Chairperson, Advisory Neighborhood Commission (ANC) 1B

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Howard Theatre Entertainment, LLC, t/a Howard Theatre, Applicant for a new Retailer's Class CX Multipurpose license, located at 620 T Street, N.W., Washington, D.C., and ANC 1B have entered into a Voluntary Agreement (Agreement), dated March 21, 2012, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Myla Moss, on behalf of ANC 1B, are signatories to the Agreement.

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t/a Howard Theatre
License No. ABRA-088646
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Accordingly, it is this 11th day of April 2012, **ORDERED** that:


1. The above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 1B.

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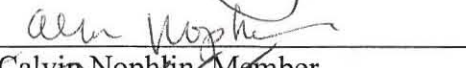
District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson

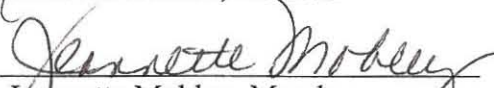

Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Calvin Nophlin, Member


Mike Silverstein, Member


Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

VOLUNTARY AGREEMENT
CONCERNING CHANGES TO LICENSE

Made the 21st day of March, 2012 by and between Howard Theatre Entertainment, LLC at 620 T Street, NW (hereinafter "Applicant"), and ANC (hereinafter "ANC").

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

2012 MAR 21 P 3:47

WHEREAS, Applicant filed with the District of Columbia Alcoholic Beverage Control (ABC) Board (hereinafter "the Board") a request for the issuance of a Retailer's License Class C for 620 T Street, NW; and,

WHEREAS, the parties subsequently have negotiated in an effort to address potential issues and/or concerns with regard to the issuance of the license; and,

WHEREAS, the parties desire to enter into a voluntary agreement, pursuant to DC Official Code Section 25-446 (2001 ed.), commemorating their agreements;

NOW, THEREFORE, the parties agree as follows:

1. **Hours.** Applicant's hours of operation will be Sunday 10am-2am, Monday through Thursday 11am-2am, Friday 11am-3am and Saturday 10am-3am and/or as designated by ABRA.
2. **Trash/Rodents.** Applicant will have trash/dumpster pickup by a commercial hauler no fewer than 4 times per week. Applicant will police the immediate environs of its premises daily and make its commercially reasonable efforts to keep said area clean of trash and debris. Applicant shall not dispose of recycling after 11pm. Applicant shall deposit trash and garbage only in rodent-proof dumpsters and shall see that dumpster covers fit properly and remain fully closed except for such times when trash and garbage is being added or removed. Applicant will make every reasonable effort to eliminate accessible food sources for rodents.
3. **Noise.** Applicants shall post placards in plain view inside the establishment near the exits advising patrons to be mindful of noise upon exiting.
4. **Maintenance of Public Space.** Applicant will maintain public space outside the premises, including disposal of trash and debris from the alley behind its premises and the area immediately in front its premises.
5. **Security.** All security personnel employed by applicant will undergo security training to be completed no later than 45 days from the date of hire.
6. **Failure to Adhere.** Applicant acknowledges that failure to adhere to the restrictions recited in paragraphs 1 through 5, inclusive, above, will constitute grounds for the designated representative ANC, whose signatures are affixed hereunto, to petition the Board for issuance of an Order to Show Cause, pursuant to DC Official Code Section 25-447 (2001 ed.), to ascertain Applicant's compliance with the terms of this Agreement and/or if necessary

to obtain compliance with these terms. Prior to so petitioning, however, the Designated representative ANC shall notify Applicant of any perceived violations and afford Applicant a minimum of fourteen (14) calendar days in which to address or rectify the perceived violation.

The terms of this Voluntary Agreement in its entirety shall become effective upon ratification of this agreement by the District of Columbia Alcoholic Beverage Control Board. The parties request that the text of the instant Agreement be incorporated in an order of the Board granting Applicant's request for issuance of its Retailer's license Class C.

In further consideration of, and reliance upon the forgoing commitments by ANC, the Applicant hereby request that its Application for Issuance of its Class C Retailer's License be issued.

In WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above written.

ANC,


THROUGH THEIR DESIGNATED REPRESENTATIVE ANC:

By:


ANC Chairman

APPLICANT

By:


Howard Theatre Entertainment, LLC