

ENROLLED ORIGINAL

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

**2005 Fall
Supp.**

**West Group
Publisher**

To amend Title 25 of the District of Columbia Official Code to authorize the Chief of Police to close a licensed establishment for up to 96 hours if the Chief believes that continued operation of the licensed establishment presents an imminent danger to the health and safety of the public, subject to a hearing and disposition by the Board under section 25-826, and to provide for reimbursable details from the Metropolitan Police Department for licensed venues.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Emergency Suspension of Liquor Licenses Act of 2005”.

Sec. 2. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 7 is amended as follows:

(1) The table of contents is amended by adding a new subchapter designation to read as follows :

“Subchapter XII. Reimbursable Details.

“25-798. Reimbursable details.”.

(2) A new subchapter XII is added to read as follows:

“Subchapter XII. Reimbursable Details.

“§ 25-798. Reimbursable details.

“(a) For the purposes of this section, the term:

“(1) “Agreement” means a written contract, including provisions for the staffing requirement of the reimbursable details in accordance with subsection (c) of this section, and compensation of the MPD by the licensee when reimbursable details are requested by the licensee.

“(2) “MPD” means Metropolitan Police Department.

“(3) “Reimbursable detail” means an assignment of MPD officers to patrol the surrounding area of an establishment for the purpose of maintaining public safety, including the remediation of traffic congestion and the safety of public patrons, during their approach and departure from the establishment.

**New Section
§ 25-798**

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“(b) A licensee or licensees, independently or in a group, may enter into an agreement with the MPD to provide for reimbursable details.

“(c) Subject to adequate staffing of the police service areas and an assessment by the MPD of its staffing requirements, the MPD may staff reimbursable details as requested by the licensee. The MPD shall only use officers for this purpose who are overtime and would not otherwise be on duty at the time of the reimbursable detail.

“(d) The MPD shall establish policies and procedures to implement the provisions of this section.

“(e) The Mayor shall, in consultation with licensees, promulgate policies, rules and procedures to identify entertainment areas in the District, and establish security plans thereunder delineating the reimbursable detail deployment needs of those areas.”.

(b) Section 25-827 is amended as follows:

**Amend
§ 25-827**

(1) Subsection (b) is amended as follows:

(A) Strike the phrase “for the remainder of the business day” and insert the phrase “for up to 96 hours, subject to a hearing and disposition by the Board under § 25-826” in its place.

(B) Strike the phrase “if he or she believes that continued operation presents an imminent danger to the health, safety, or welfare of the public.” and insert the phrase “if he or she finds that:

“(1) There is an additional imminent danger to the health and welfare of the public by not doing so; and

“(2) There is no immediately available measure to ameliorate the finding in paragraph (1) of this subsection.” in its place.

(2) A new subsection (c) is added to read as follows:

“(c) The order of the Chief of Police to close an establishment under subsection (b) of this section shall terminate upon the disposition by the Board of the matter under § 25-826.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia