

COUNCIL OF THE DISTRICT OF COLUMBIA

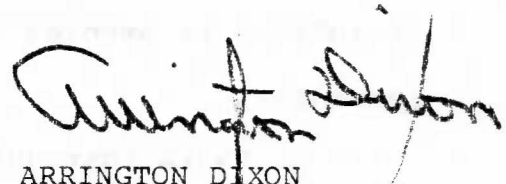
NOTICE

D.C. Law 3-157

"Alcoholic Beverage Control Amendments of 1980".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-256 on first and second readings, October 14, 1980 and October 28, 1980, respectively. Following the signature of the Mayor on November 10, 1980, this legislation was assigned Act No. 3-284, published in the November 21, 1980 edition of the D.C. Register, (Vol. 27 page 5117). This act was originally transmitted to Congress on November 19, 1980, and resubmitted on January 14, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 3-157, effective March 5, 1981.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	14,15,16,19,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,17,18,19,20,23,24,25,26,27,
March	2,3,4

D.C. LAW 3-157

EFFECTIVE DATE MAR 05 1981

AN ACT

D.C. ACT 3-284

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOV 10 1980

To repeal that portion of the District of Columbia Alcoholic Beverage Control Act which prohibits the sale of alcoholic beverages on the day of the presidential election in the District of Columbia during the hours the polls are open, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That that this act may be cited as the "Alcoholic Beverage Control Act Amendments of 1980".

Sec. 2. The Alcoholic Beverage Control Act, approved January 24, 1934 (48 Stat. 319; D.C. Code, sec. 25-101 et seq.), is amended as follows:

(a) Paragraph 2 of section 7 (D.C. Code, sec. 25-107(2)) is amended by striking the following sentence:

"Notwithstanding any other provision of this Act, the Council shall not authorize the sale by any licensee other than the holder of a retailer's license, class E, of any beverages on

CODIFICATION
D.C. Code,
sec. 25-107

the day of the presidential election in the District of Columbia during the hours when the polls are open, and any such sales are hereby prohibited.";

(b) Section 11 (D.C. Code, sec. 25-111) is amended as follows:

D.C. Code,
sec. 25-111

(1) subsection (c) (D.C. Code, sec. 25-111(c)) is amended by striking the figure "\$2,475" and inserting the figure "\$3,713" in lieu thereof;

(2) subsection (d) (D.C. Code, sec. 25-111(d)) is amended by striking the figure "\$1,250" and inserting the figure "\$1,875" in lieu thereof;

(3) subsection (e) (D.C. Code, sec. 25-111(e)) is amended by striking the figure "\$1,250" and inserting the figure "\$1,875" in lieu thereof;

(4) subsection (f) (D.C. Code, sec. 25-111(f)) is amended by striking the figure "\$165" and inserting the figure "\$248" in lieu thereof;

(5) subsection (g) (D.C. Code, sec. 25-111(g)) is amended by:

(A) striking the figure "\$825" each place it appears and inserting the figure "\$1,238" in lieu thereof;

(B) striking the figure "\$425" each place it appears and inserting the figure "\$638" in lieu thereof;

(C) striking the figure "\$1,650" and inserting the figure "\$2,475" in lieu thereof;

(D) striking the figure "\$100" and inserting the figure "\$150" in lieu thereof;

(E) striking the figure "\$3" and inserting the figure "\$4.50" in lieu thereof; and

(F) striking the figure "\$20" and inserting the figure "\$30" in lieu thereof;

(6) subsection (h) (D.C. Code, sec. 25-111(h)) is amended by:

(A) striking the figure "\$330" each place it appears and inserting the figure "\$495" in lieu thereof;

(B) striking the figure "\$30" and inserting the figure "\$45" in lieu thereof;

(C) striking the figure "\$1.50" and inserting the figure "\$2.25" in lieu thereof;

(D) striking the figure "\$15" and inserting the figure "\$22.50" in lieu thereof; and

(E) striking the figure "\$50" and inserting the figure "\$75" in lieu thereof;

(7) subsection (j) (D.C. Code, sec. 25-111(j)) is amended by striking the figure "\$7.50" and inserting the figure "\$50" in lieu thereof;

(8) subsection (k) (D.C. Code, sec. 25-111(k)) is amended by striking the figure "\$100" and inserting the figure "\$150" in lieu thereof;

(9) subsection (l) (D.C. Code, sec. 25-111(l)) is amended by striking the figure "\$100" and inserting the figure "\$150" in lieu thereof;
and

(10) insert a new subsection (m) to read as follows:

"(m) Inspection Fee. - The fee shall be \$25 for an amendment to an Alcoholic Beverage Control License which results in an inspection of the licensed premises by the Alcoholic Beverage Control Board or staff.";

(c) Section 13 (D.C. Code, sec. 25-114) is amended by adding the following sentences at the end thereof to read as follows:

"The Mayor is authorized to establish a date when applications for license renewal shall be filed. The fee for an application filed after

D.C. Code,
sec. 25-114

the date established by the Mayor shall be 15 per centum of the application fee.";

(d) Section 16 (D.C. Code, sec. 25-117) is amended by striking the figure "\$100" and inserting the figure "\$150" in lieu thereof.

D.C.Code,
sec. 25-117

Sec. 3. The Alcoholic Beverage Control Regulations, effective July 1, 1964 (Title 3, DCRR) is amended as follows:

D.C.M.R.

(a) Section 2.4 is amended by adding a new subsection (c) to read as follows:

"(c) The fee for processing an application which has been denied or withdrawn shall be \$100.00 for a proprietorship, \$165.00 for a partnership, and \$275.00 for a corporation.";

(b) Section 3.5 is amended as follows:

(1) subsection (a) is amended by adding the following sentence at the end thereof to read as follows: "The fee for change of officer shall be \$75.00.";

(2) subsection (b) is amended to read as follows:

"(b) where a licensee has designated a person to manage the business licensed, each such manager shall be the holder of a valid

manager's permit which shall be renewable as prescribed by the Mayor. The fee for said permit shall be \$100.00. Said permit shall remain valid until surrendered, suspended, or revoked. An applicant for a manager's permit (i.e., one who has not been approved by the Board) shall be investigated and shall be subject to the approval of the Board. Prior to issuance of the permit, an applicant shall obtain a copy of the Act (D.C. Code, sec. 25-101 et seq.) and these Rules and Regulations. All managers who hold permits at the time of the effective date of this subsection shall be required to obtain a reissued permit according to the terms of this subsection within 180 days of the effective date of this subsection.";

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

"(c) Managers holding a valid permit according to the terms of subsection (b) may be employed by one or more licensees without further investigation subject to compliance by the licensee with subsection (d).";

(4) A new subsection (d) is added to read as follows:

"(d) In the event a licensee designates a person to manage the business licensed, said licensee shall notify the Board in writing within 7 days of the employment, setting forth the name and permit number of said manager.";

(5) A new subsection (e) is added to read as follows:

"(e) In the event a licensee has designated a person to manage the business licensed and the employment of such manager shall terminate, the licensee shall notify the Board thereof, and shall designate a new manager within 7 days after the termination of the previous manager (unless such time be extended by the board). The licensee shall set forth the name and permit number of the designated manager. In the event that a licensee designates a person who does not hold a valid manager's permit, said person shall apply for a permit according to the provisions of subsection (b). If no manager is employed within 7 days or no applicant acceptable

to the Board is designated within 7 days, the license may, in the discretion of the Board, be revoked.";

(6) A new subsection (f) is added to read as follows:

"(f) A holder of a manager's permit shall notify the Board within 7 days of his or her arrests and convictions other than those for minor traffic violations.";

(7) A new subsection (g) is added to read as follows:

"(g) A holder of a manager's permit shall notify the Board within 7 days of any change of home address.";

(8) A new subsection (h) is added to read as follows:

"(h) The holder of a manager's permit shall surrender said permit to the Board within 7 days, whenever the use of said permit is discontinued for any reason whatsoever. The Board shall hold said permit until the permit holder resumes employment as a manager. Should the permit holder not resume employment as a manager for 12 consecutive months, said person shall be

required to file a new application, be investigated, pay the required application fee, and be approved by the Board.";

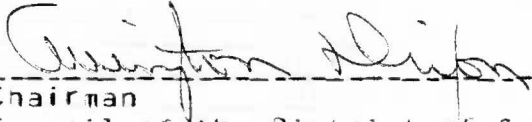
(c) Section 8.1 is amended by adding the following sentence at the end thereof to read as follows: "The annual fee for such permit shall be \$25.00.".

(d) Section 7 of Appendix A is amended by striking the following sentence:

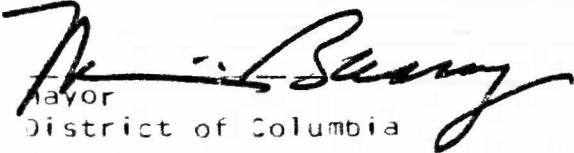
"Notwithstanding any other provision of this Act, the Council shall not authorize the sale by any licensee other than the holder of a retailer's license, class E, of any beverages on the day of the presidential election in the District of Columbia during the hours when the polls are open, and any such sales are hereby prohibited.".

Sec. 4. This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental

Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).



Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: November 10, 1980

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: B 3-256

ACTION: Adopted First Reading, 10/14/80

VOICE VOTE: Majority

Absent: Hardy

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TADWIS					ROTARK									

K—Unanimous Vote A—By Absence N.Y.—By Voice

CERTIFICATION OF RECORD

John O. Brown
Secretary to the Council

ACTION: Adopted Final Reading, 10/28/80

VOICE VOTE: Unanimous

Absent: Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TADWIS					ROTARK									

K—Unanimous Vote A—By Absence N.Y.—By Voice

CERTIFICATION OF RECORD

John O. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TADWIS					ROTARK									

K—Unanimous Vote A—By Absence N.Y.—By Voice

CERTIFICATION OF RECORD

Secretary to the Council