

Corrected Copy – Please note the reference to the Penn Quarter Neighborhood Association was inadvertently included in this release and has been removed.

See Update below

Originally sent November 13, 2012, Updated November 15.

For immediate release: ANCs, Citizens Groups Fight Anti-resident ABC Bill.

ANC commissioners and citizen association representatives are taking their case against Council Bill 19-824, the ABC Omnibus Bill, directly to City Councilmembers as the Bill moves to first reading Thursday November 15.

Councilmember Jim Graham, Chairman of the Human Services Committee, which has oversight of the ABC Board and the agency, ABRA, the Alcoholic Beverage Regulation Administration, formed a working group that developed 43 legislative proposals.

Most troubling to ANCs and citizen groups are provisions which will weaken resident involvement in the ABC licensing process; reducing the distance for potential protestants to just 400' from an establishment where there is currently no distance requirement; requiring that the ABC Board dismiss the protest of individuals when it accepts an agreement from an ANC; adding the further hurdle that citizens associations must invite the ABC applicant, giving 7 days notice of a meeting where the association will vote to protest, both to the applicant and the voting body; a long list of items that may be included in voluntary agreements that will stifle innovative approaches to resolutions; a proposal that, instead of having the Board revoke a license upon a 4th primary tier violation within 4 years or less, which is current law, would allow a licensee to avoid that penalty by paying a \$30,000 fine and serving a 30 day closure; and a provision requiring MPD or ABRA to order windows and doors closed before determining whether a noise violation exists at an establishment.

Numerous ANC's either gave testimony or passed resolutions against some or all of these provisions in the three hearings held to date, including: ANC 2 E (Georgetown), ANC 2B (Dupont Circle), ANC 2F (Logan Circle), ANC 3B, ANC 4B, ANC 4C, ANC 5B, ANC 6D and ANC 7C. Citizens groups include the Citizens Association of Georgetown, the Cleveland Park Citizens Association, the Kalorama Citizens Association, the Reed-Cooke Neighborhood Association and the DC Federation of Civic Associations. Even the General Manager of the Hilton Garden Hotel in NOMA complained about the noise provisions.

Longtime Ward 5 activist and newly re-elected ANC 5B commissioner-elect Kathy Henderson said that "Bill 19-824 forecloses upon the rights of citizens to protect the peace, order and quiet of our neighborhoods. We can expect citizens to lose a voice in government if this bill passes."

Update: November 15, 2012, 12:04 pm:

At today's Committee of the Whole meeting, the Council asked Mr. Graham numerous questions about the Bill, including expressing concern about the 400' restriction on individual protests, and individual protests being dismissed upon the acceptance by the Board of ANC voluntary agreement. Other questions were raised about the sufficiency of the noise provisions, new voluntary agreement rules, and how civic groups may protest.

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