



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B**

September 10, 2009

Mr. Peter B. Feather, Chairman
Alcoholic Beverage Control Board
941 North Capitol Street NE, Suite 7200
Washington, DC 20002

RE: Regulations on Food Sales Requirement Enforcement

Dear Chairman Feather:

At its regular meeting on August 12, 2009, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) considered the above-referenced matter. With eight of nine Commissioners present, a quorum at a duly-noticed public meeting, the Commission approved the following motion by a unanimous vote (8-0):

Whereas the economic downturn has made it difficult for some establishments licensed as CR (restaurant) to meet the minimum food sales requirement set forth in the ABRA regulations; and

Whereas in recent months, ANC 2B has had to consider the difficult choice between potential substantial changes from CR (restaurant) to CT (tavern) and potential license revocations or other serious penalties as part of ABRA regulatory enforcement; and

Whereas a multi-tiered non-compliance regime helps to eliminate such harsh choices by providing additional flexibility in ABRA enforcement; and

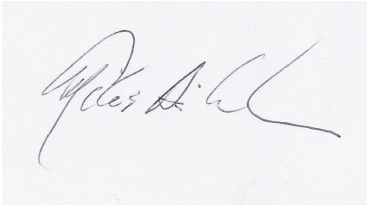
Whereas the Alcoholic Beverage Control (ABC) Board held a hearing earlier today to discuss a proposed rule which would clarify two levels of non-compliance with the minimum food sales requirements—“minimal” and “substantial”;

Therefore be it resolved that ANC 2B supports the general concept of multiple levels of non-compliance with different enforcement penalties for establishment that previously had complied with the minimum food requirements; and

Be it further resolved that the Chairman send a letter to the ABC Board to supplement the hearing record with this resolution.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Silverstein", is centered below the word "Sincerely,". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mike Silverstein
Chairman

cc: Fred Moosally
Martha Jenkins