

VOLUNTARY AGREEMENT

This agreement, entered into this 11th day of March, by and between *BEN MALL LIQUORS*
1700 U STREET NW

(hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B")

RECITALS

WHEREAS, the District of Columbia has enacted legislation banning the sale of certain sizes of malt liquor or ale, and including half pints or less of spirits in Wards 2 and 6; and

WHEREAS, there are provisions in that legislation to allow licensees to seek a waiver; and

WHEREAS, the applicant has come before ANC 2B with an exemplary record, seeking a waiver, and the parties desire to enter into a Voluntary Agreement in order to facilitate a waiver, and

NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements set forth, the parties agree as follows:

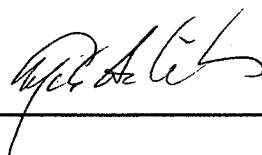
1. The Applicant will manage and operate an establishment which includes the sale of, malt liquor or ale, and including half pints or less of spirits. Applicant is authorized to sell, give, offer, expose for sale or deliver or deliver beer, malt liquor or ale with a capacity of 70 ounces or less, and to sell spirits, including half pints or less of spirits. Any change from this model shall be considered by both Parties to be a substantial change in operation of great concern to residents and requires prior approval by the Board.
2. The Applicant and the ANC agree with the Council's aim to curtail public drunkenness, antisocial behavior, and public urination. But they also agree that some products that would be affected by the single sales ban are generally not associated with unsocial behavior. This agreement is an application to waive the single sales ban to allow the Applicant to sell products of a high quality that do not impact negatively the quality of life in the neighborhood. The applicant agrees to work with the ANC on joint efforts to curtail public drunkenness and associated anti-social behavior..
3. After one year from the effective date of the law, the ANC may petition the Board to no longer allow the Applicant to sell beer, malt liquor or ale with a capacity of 70 ounces or less and half pints or spirits. The Board shall hold a hearing with both the ANC and the licensee to consider ANC 2B's request.

IN WITNESS WHEREOF, the parties have executed this Voluntary Agreement as of this day and year first above written

APPLICANT:

ADVISORY NEIGHBORHOOD
COMMISSION 2B

By: Goutman Zerezhghia

By: 
Mike Silverstein, Chairman