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3  
4 Chairman Phil Mendelson  
5 at the request of the Mayor  
6

7 A BILL  
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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13 To amend Title 25 of the District of Columbia Official Code to permit licensees to  
14 ship and export alcoholic beverages outside of the District consistent with  
15 federal and state law; to clarify the Board’s authority to grant permits and  
16 endorsements; to allow for distillery collaborations; to allow a  
17 manufacturer to obtain a second location under its license for production  
18 and storage; to clarify that wholesalers are required to sell alcoholic  
19 beverages received from the primary American source; to fix various  
20 typographical errors contained in Title 25; to allow a location under the  
21 jurisdiction of the Washington Convention and Sports Authority with  
22 commercial street frontage to obtain a carry out and delivery license; to  
23 repeal the requirement that the gross annual food sales per occupant be  
24 adjusted for inflation every 5 years; to amend the “doggie bag” provisions  
25 to allow for the removal of securely resealed malt beverages; to apply the  
26 “doggie bag” provisions to taverns; to allow the holder of a  
27 manufacturer’s license class B to open a brew pub in Wards 5, 7 or 8, or  
28 downtown under certain conditions; to allow the holder of both a brewery  
29 license and brew pub endorsement to transport beer brewed at the brewery  
30 or brew pub between the two facilities; to clarify that a licensed  
31 wholesaler is not required to obtain an import permit, as long as all  
32 required taxes related to the importation are paid; to clarify the parameters  
33 of a distillery pub endorsement, to expand upon the types of alcoholic  
34 beverages that can be sold at a brewery, winery, or distillery that possesses  
35 an on-site sales and consumption permit; to clarify who is eligible to apply  
36 for and modify the parameters of a commercial lifestyle center license; to  
37 create a contract brewing license; to create Wards 5, 7 and 8 and  
38 Downtown Pop-Up and permanent restaurant license categories; to create  
39 an outdoor activation license; to clarify that the Board may refer alleged  
40 violations to the appropriate District agency; to amend the qualification  
41 requirements for Board members; to clarify the Board’s rulemaking  
42 review process; to modify the qualifications of applicants to expand upon  
43 the ability of returning citizens to work at and own licensed alcohol  
44 establishments; to amend the conflict of interest restrictions to include the  
45 newly created restaurant categories and address breweries opening a brew

46 pub in Wards 5, 7 or 8, or downtown; to clarify that restrictive land  
47 covenants and deeds are not to be considered by the Board in determining  
48 whether to issue an initial license or transfer a license to a new location; to  
49 clarify that the Board is required to make a licensee’s investigative history  
50 available to the public for review; to set the cap on class A retailer licenses  
51 at 275; to clarify that a 25% class B retailer’s license must be located  
52 inside of a hotel; to replace the term “Board of Zoning” with the term  
53 “Board of Zoning Adjustment”; to allow the Board to extend the  
54 expiration date of an existing moratorium by emergency rulemaking to  
55 allow an ANC to consider or vote upon a moratorium petition or  
56 resolution; to allow the Board to dismiss an individual protestant or deny a  
57 license application or prohibit participation by a person seeking to  
58 influence the application process in exchange for anything of value; to  
59 allow the Board to continue a hearing for good cause; to allow a party that  
60 requested a served subpoena to seek recourse in Superior Court if the  
61 subpoena recipient fails to honor the subpoena; to make clarifying changes  
62 to the existing settlement agreement process language and to provisions  
63 that can and cannot be included in a settlement agreement; to add a  
64 provision regarding unenforceable agreements; to add a provision  
65 regarding ANC redistricting and successor ANCs; to clarify the Board’s  
66 process regarding the non-payment of license fees; to clarify that the  
67 Board may amend permit and endorsement fees; to establish fees for  
68 contract brewing licenses, Wards 5, 7 and 8 and Downtown Pop-Up  
69 registrations, and class C/RB and D/RB retailer licenses; to waive  
70 application and annual license fees for art galleries that locate in Wards 5,  
71 7 and 8 and downtown for the first three years; to confer standing to  
72 successor ANCs as a result of redistricting; to consolidate provisions  
73 related to the hours off-premises retailers can sell and deliver alcoholic  
74 beverages; to add Juneteenth National Independence Day to the extended  
75 hour holiday schedule; to clarify the payment due date to a wholesaler or  
76 manufacturer when the due date occurs on a weekend or holiday; to clarify  
77 that the cost of a licensed wholesaler hosting a one-day or one-time event  
78 at a licensed retailer’s premises may exceed \$500; to allow an individual  
79 17 years of age who has completed an alcohol training and education  
80 certification program to sell or serve alcoholic beverages to patrons  
81 alongside a licensed and certified manager or owner on-duty at a  
82 restaurant, hotel, or tavern, that are not seated or standing at a bar; to  
83 establish procedures for cease and desist orders for catering sites; and to  
84 update and remove expired provisions from the civil penalty rulemaking  
85 review process.

86  
87 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
88 That this act may be cited as the “DC Hospitality Amendment Act of 2026”.

89  
90 Sec. 2. Title 25 of the District of Columbia Official Code is amended as follows:  
91

92 (a) Chapter 1 is amended as follows:

93

94 (1) The table of contents for Subchapter II is amended by adding new

95 section designations to read as follows:

96 “§ 25-132. Contract Brewing License.

97 “§ 25-133. Wards 5, 7 and 8 and Downtown Pop-Up Restaurant Registration.

98 “§ 25-134. Wards 5, 7 and 8 and Downtown Class C/RB and D/RB Restaurant

99 Retailer Licenses.

100 “§ 25-135. Outdoor Activation License.”.

101 (2) Section 25-101 is amended as follows:

102 (A) A new paragraph (7A) is added to read as follows:

103 “(7A) “Art gallery” means a building or part thereof where works of art

104 such as paintings, sculpture, pottery, glass, and weaving are displayed for public

105 viewing.”.

106 (B) Paragraph (8) is repealed.

107 (C) New paragraphs (15D) and (15E) are added to read as follows:

108 “(15D) “Contract brewing agreement” means a written contractual agreement

109 between the holder of a manufacturer’s license class B or of a brew pub endorsement and

110 the holder of a contract brewing license to brew malt beverages at the Board-approved

111 location of the licensed manufacturer class B or brew pub.

112 “(15E) “Contract brewing license” means a business (a “contract brewer”) that

113 is licensed by the Board to enter into a contract brewing agreement with a manufacturer’s

114 license class B or the holder of a brew pub endorsement to brew malt beverages at the

115 Board approved location of the licensed manufacturer class B or brew pub.”.

116 (D) A new paragraph (20A) is added to read as follows:

117 “(20A) “Electronic Signature” means an electronic sound, symbol, or  
118 process attached to or logically associated with a record and executed or adopted by a  
119 person with the intent to sign the record.”.

120 (E) Paragraph (37B) is amended by striking the phrase “under an  
121 on-premises restaurant license (R), as defined in § 25-113(b),” and inserting the phrase,  
122 “under an off-premises retailer’s license, as defined in § 25-112(d)(1), or an on-premises  
123 retailer’s license, as defined in § 25-113(a)(1),” in its place.

124 (F) A new paragraph (38C) is added to read as follows:

125 “(38C) “Primary American source” means the manufacturer, distiller,  
126 rectifier, vintner, or importer of the brand of alcoholic beverages at the time that the  
127 beverage became a marketable product in the United States, or its duly authorized  
128 agent.”.

129 (G) Paragraph (43)(C) is repealed.

130 (H) A new paragraph (55A) is added to read as follows:

131 “(55A) “Washington Convention and Sports Authority food and alcohol  
132 business” means a retailer with commercial street frontage at a location under the  
133 jurisdiction of the Washington Convention and Sports Authority that sells food and is  
134 approved by the Washington Convention and Sports Authority to sell alcoholic beverages  
135 for on-premises consumption.”.

136 (3) Section 25-102 is amended by adding new subsections (f) and (g) to  
137 read as follows:

138           “(f) A licensed manufacturer, or a licensed retailer holding a brew pub, wine pub,  
139 or distillery pub endorsement, may ship, export, or cause to be shipped or exported  
140 outside the District any alcoholic beverage they produce or are otherwise permitted to sell  
141 in closed containers as required by law so long as such action complies with the receiving  
142 state’s law and federal law.

143           “(g) A licensed wholesaler or any licensed off-premises retailer may  
144 ship, export, or cause to be shipped or exported outside of the District any alcoholic  
145 beverage they are permitted to distribute or sell by law so long as such action complies  
146 with the receiving state’s law and federal law.”.

147           (4) Section 25-104 is amended as follows:

148                   (A) Subsection (a) is amended by striking the phrase “issue  
149 licenses to” and insert the phrase “issue licenses, permits, or endorsements to” in its  
150 place.

151                   (B) Subsection (b) is amended by striking the phrase “All licenses  
152 issued” and inserting the phrase “All licenses, endorsements, and permits issued” in its  
153 place.

154                   (C) Subsection (c) is amended by striking the phrase “A license to”  
155 and inserting the phrase “A license, permit, or endorsement to” in its place.

156                   (D) Subsection (e) is amended by striking the phrase “licenses,  
157 may” and inserting the phrase “licenses, permits, and endorsements, may” in its place.

158           (5) Section 25-110 is amended as follows:

159                   (A) A new subsection (a-2) is added to read as follows:

160           “(a-2)(1) A holder of a manufacturer’s license, class A, may collaborate with  
161 another distillery, regardless of jurisdiction, to use spirits manufactured at the licensed  
162 premises or the licensee’s spirit recipe to produce a new spirit at another location, owned  
163 by the other distillery, that may be sold by the holder of the manufacturer’s license, class  
164 A, in sealed containers for off-premises consumption.

165           “(2) The sealed container containing the spirits produced by the holder of  
166 the manufacturer’s license, Class A, in collaboration with another distillery, shall contain  
167 the names of both distilleries.”.

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

169           “(e) A holder of a manufacturer’s license, class A, B, or C, may manufacture and  
170 store products, including malt beverages brewed under a contract brewing agreement,  
171 under its license at a second location that is not on or immediately adjacent to the  
172 manufacturer’s initial licensed premises, if:

173           “(1) The licensed manufacturer obtains Board approval;

174           “(2) The second location is within 1,800 feet of the initial licensed  
175 premises;

176           “(3) The second location is not open to the public; and

177           “(4) No on-premises or off-premises sales occur at the second  
178 location.”.

179           (6) Section 25-111(a) is amended by striking the phrase “beverages from”  
180 and inserting the phrase “beverages received from the primary American source from” in  
181 its place.

182           (7) Section 25-112 is amended as follows:

183 (A) Subsection (a-1)(2) is repealed.

184 (B) Subsection (h) is amended to read as follows:

185 “(h)(1) A Washington Convention and Sports Authority food and alcohol business  
186 may sell beer, wine, or spirits in closed containers to individuals for carry-out, or may sell  
187 or deliver beer, wine, or spirits in closed containers to consumer in the District, if it  
188 obtains a carry out and delivery license from the Board pursuant to §§ 25-113(a)(3)(C)  
189 and 25-113.01(g). Any carry-out or delivery pursuant to this section shall include one or  
190 more prepared food items.

191 “(2) Any carry-out or delivery authorized pursuant to paragraph (1) of  
192 this section may take place up to 7 days a week, but only between the hours of 6:00 a.m.  
193 and 1:00 a.m.”.

194 (8) Section 25-113 is amended as follows:

195 (A) Subsection (b) is amended as follows:

196 (i) Paragraph (2)(B) is amended to read as follows:

197 “(B) The Board shall make a licensee’s quarterly statements  
198 available to any protestant, and to any member of the public who requests it pursuant to  
199 the Freedom of Information Act of 1976 (“FOIA”), effective October 21, 1986 (D.C.  
200 Official Code § 2-531 et seq.), for the purpose of allowing a protestant of a license to  
201 determine the gross annual receipts of a licensee. The disclosure of a quarterly statement  
202 to a protestant under this subparagraph, or to a member of the public who requests it,  
203 shall be subject to the disclosure exemptions set forth in section 204 of FOIA (D.C.  
204 Official Code § 2-534).

205 (ii) Paragraph (3)(B)(iii) is repealed.

206 (iii) Paragraph (5) is amended to read as follows:

207 “(5)(A) Notwithstanding any other provision of this  
208 subchapter, the holder of a class C/R retailer’s license may permit a patron to remove one  
209 partially consumed bottle or other container of an alcoholic beverage for off-premises  
210 consumption. The holder of a class D/R retailer’s license may permit a patron to remove  
211 one partially consumed bottle or other container of wine or beer for off-premises  
212 consumption.

213 “(B) A partially consumed bottle or other container of an  
214 alcoholic beverage that is to be removed from the premises must be securely resealed by  
215 the licensee or its employee before removal from the premises.

216 “(C) The partially consumed bottle or container shall be placed  
217 in a bag or other closed container that is secured in such a manner that it is visibly  
218 apparent if the closed container has been subsequently opened or tampered with, and a  
219 dated receipt for the bottle or container of an alcoholic beverage shall be provided by the  
220 licensee and attached to the closed container.”.

221 (B) A new subsection (c)(5) is added to read as follows:

222 “(5)(A) Notwithstanding any other provision of this subchapter, the holder  
223 of a class C/T retailer’s license may permit a patron to remove one partially consumed  
224 bottle or other container of an alcoholic beverage for off-premises consumption. The  
225 holder of a class D/T retailer’s license may permit a patron to remove one partially  
226 consumed bottle or other container of wine or beer for off-premises consumption.

227 “(B) A partially consumed bottle or other container of an alcoholic  
228 beverage that is to be removed from the premises must be securely resealed by the

229 licensee or its employee before removal from the premises.

230           “(C) The partially consumed bottle or container shall be placed in a bag or  
231 other closed container that is secured in such a manner that it is visibly apparent if the  
232 closed container has been subsequently opened or tampered with, and a dated receipt for  
233 the bottle or container of an alcoholic beverage shall be provided by the licensee and  
234 attached to the closed container.”.

235                           (C) Subsection (d)(1) is amended to read as follows:

236           “(1) A nightclub license (N) shall be issued only to a nightclub.”.

237                           (D) Subsection (e)(7) is amended to read as follows:

238           “(7)(A) Notwithstanding any other provision of this subsection, a retailer class  
239 C/H licensee under this section may permit a patron to remove one partially consumed  
240 bottle or container of an alcoholic beverage for off-premises consumption. The holder of  
241 a class D/H retailer license may permit a patron to remove one partially consumed bottle  
242 or other container of beer or wine for off-premises consumption.

243                           “(B) A partially consumed bottle or other container of an alcoholic  
244 beverage that is to be removed from the premises shall be securely resealed by the  
245 licensee or its employee before removal from the premises.

246                           “(C) The partially consumed bottle or other container shall be  
247 placed in a bag or other closed container that is secured in such a manner that is visibly  
248 apparent if the closed container has been subsequently opened or that a person has  
249 tampered with the closed container.

250                               “(D) The licensee or its employee shall provide a dated receipt for  
251 the bottle or other container, which shall be attached to the bag or other closed  
252 container.”.

253                               (E) Subsection (g)(4) is repealed.

254                               (9) Section 25-113.01(g) is amended by striking the phrase “Convention  
255 Center food and alcohol business” wherever it appears and inserting the phrase  
256 "Washington Convention and Sports Authority food and alcohol business" in its place.

257                               (10) Section 25-116a is amended by adding new subsections (a-1), (a-2),  
258 and (a-3) to read as follows:

259                               “(a-1) Notwithstanding any other restrictions in this title, the holder of a  
260 manufacturer’s license class B (brewery) shall be permitted to apply for one (1) Class C  
261 or D retailer’s license with a brew pub endorsement under the following conditions:

262                               “(1) The proposed location is in Ward 5, Ward 7, Ward 8, or downtown,  
263 as defined in this section;

264                               “(2) The proposed location is constructed after the effective date of the DC  
265 Hospitality Amendment Act of 2026, introduced on \_\_\_\_\_ (Bill 26-\_\_\_), or renovated  
266 with a certificate of occupancy issued after October 1, 2024;

267                               “(3) A minimum of 250 barrels of malt beverages are brewed at the  
268 licensed location with the brew pub endorsement on an annual basis; and

269                               “(4) The holder of the Class C or D retailer’s license with the brew pub  
270 endorsement stocks and sells malt beverages produced by other producers to the public  
271 that are unaffiliated with the applicant or other entities with shared ownership of 5% or  
272 more in the location where the brew pub endorsement is located.

273           “(a-2) After the holder of a manufacturer’s license class B (brewery) has held a  
274 brew pub endorsement pursuant to subsection (a-1) of this section for 24 months, the  
275 holder may apply for one additional Class C or D retailer’s license with a brew pub  
276 endorsement at a location in Ward 1, 2, 3, 4, or 6, pursuant to the requirements of this  
277 section and § 25-117.

278           “(a-3) For purposes of this section:

279                   “(1) Ward 5, Ward 7 and Ward 8 means the election ward boundaries for  
280 Ward 5, Ward 7 and Ward 8 that were in effect from January 1, 2012, through December  
281 31, 2021; and

282                   “(2) The term “downtown” includes the Central Business District, as well  
283 as any area zoned D-2, D-3, D-4, D-5, D-6, D-7, or D-8, as defined in the District’s  
284 zoning regulations.”.

285           (11) Section 25-117 is amended by adding a new subsection (e-1) to read  
286 as follows:

287                   “(e-1) A licensee holding a brew pub endorsement and a manufacturer’s license  
288 class B (brewery) at separate locations in the District shall be permitted to transport beer  
289 brewed at either the brew pub facility or brewery to the brewery or brew pub facility for  
290 sale and consumption.”.

291           (12) Section 25-119 is amended by adding a new subsection (e) to read as  
292 follows:

293                   “(e) A licensed wholesaler may import alcoholic beverages without an import  
294 permit so long as all required taxes related to the importation of the alcoholic beverages  
295 being imported are paid in accordance with District laws and regulations.”.

296 (13) Section 25-125 is amended by adding a new subsection (j) to read as  
297 follows:

298 “(j) Notwithstanding any other restrictions in this section, alcohol infused  
299 confectionary food products manufactured at the establishment by the holder of a  
300 distillery pub endorsement shall be permitted to be sold to another licensee licensed  
301 under this title for resale”.

302 (14) Subsection 25-126(e-1) is amended to read as follows:

303 “(e-1)(1) In addition to the authorizations provided under subsections (a) and (a-  
304 1) of this section, a manufacturer with an onsite sales and consumption permit may sell  
305 the following products:

306 “(A) A class B brewery may sell or serve wine and spirits  
307 purchased from a licensed manufacturer or wholesaler to the public;

308 “(B) A Class A winery may sell and serve beer and spirits  
309 purchased from a licensed manufacturer or wholesaler to the public; and

310 “(C) A Class A distillery may sell and serve beer and wine  
311 purchased from a licensed manufacturer or wholesaler to the public.

312 “(2) The holder of a manufacturer’s license class A or B that holds an on-  
313 site sales and consumption permit may sell or serve beer, wine, and spirits purchased  
314 from a licensed manufacturer or wholesaler at private events not open to the public for  
315 on-premises consumption.”.

316 (15) Section 25-129(b) is amended by striking the phrase “suspended or”.

317 (16) Section 25-131 is amended as follows:

318 (A) Subsection (a) is amended by striking the phrase "lifestyle

319 center.” and inserting the phrase “lifestyle center, Arena C/X licensee, or Washington  
320 Convention and Sports Authority food and alcohol business that hosts sporting events.”  
321 in its place.

322 (B) Subsection (b) is amended by striking the phrase “a private  
323 club,” and inserting the phrase “an Arena C/X licensee, or a Washington Convention and  
324 Sports Authority food and alcohol business that hosts sporting events,” in its place.

325 (3) A new subsection (c-1) is added to read as follows:

326 “(c-1) An Arena C/X licensee or a Washington Convention and Sports  
327 Authority food and alcohol business that hosts sporting events may request Board  
328 approval to allow the sale, service, and consumption of beer, wine, or spirits on outdoor  
329 public space for a specific event that involves a street closure.”.

330 (17) New sections 25-132, 25-133, 25-134, and 25-135 are added to read  
331 as follows:

332 “25-132. Contract Brewing License.

333 “(a) A contract brewing license shall be valid for 3 years and authorize the  
334 licensee (the “contract brewer”) to enter into a written contract brewing agreement with  
335 the holder of a manufacturer’s license, class B, or a brew pub endorsement to brew malt  
336 beverages at the Board-approved location of the licensed class B manufacturer or brew  
337 pub.

338 “(b) A contract brewing license shall authorize the contract brewer to sell and  
339 deliver malt beverages brewed at the Board-approved location to licensed wholesalers  
340 and a dealer licensed under the laws of any state or territory of the United States for  
341 resale. The contract brewer may also sell and deliver up to 15,500 gallons of malt

342 beverages brewed at the Board-approved location annually to other retail licensees for  
343 resale purposes.

344 “(c) A contract brewer may sell and deliver malt beverages for off-premises  
345 consumption from the Board-approved brewing location.

346 “(d) A contract brewer may sell malt beverages for on-premises consumption at  
347 the brew pub or manufacturer’s license, class B, location where the malt beverages were  
348 brewed.

349 “(e) A written contract brewing agreement between a contract brewer and the  
350 holder of a manufacturer’s license, class B, or a brew pub endorsement may also include  
351 terms allowing the sale of malt beverages brewed at the Board-approved location for on-  
352 premises and off-premises consumption.

353 “(f) The following restrictions shall apply to a contract brewing license:

354 “(1) The contract brewer shall retain title to the malt beverages brewed at  
355 the Board-approved location and shall be the ultimate seller of the product;

356 “(2) The parties to the written contract brewing agreement shall maintain,  
357 for a period of 3 years, complete and accurate records of the list and quantities of malt  
358 beverages brewed at the Board-approved location and sales of the respective products;  
359 and

360 “(3) The contract brewer shall only sell malt beverages to a consumer  
361 under the following conditions:

362 “(A) Malt beverages shall only be sold for off-premises  
363 consumption,

364                   “(B) Malt beverages shall be sold in barrels, kegs, cans, including  
365 crowlers, and sealed bottles, including growlers, and

366                   “(C) Purchased malt beverages shall not be opened after sale, or  
367 the contents consumed, on the premises where sold.”.

368                   “25-133. Wards 5, 7 and 8 and Downtown Pop-Up Restaurant Registration.

369                   “(a) An applicant or an eligible retailer shall be permitted to  
370 register with the Board to open up a pop-up restaurant in Ward 5, Ward 7, Ward 8, or  
371 downtown, as defined in this section. For the purposes of this section, the term “eligible  
372 retailer” means a licensed on-premises retailer, a class B full-service grocery store, or a  
373 class A 25% grocery store.

374                   “(b) An applicant or an eligible retailer that registers with the Board may sell and  
375 serve alcoholic beverages for both on-premises and off-premises consumption.

376                   “(c) A registered applicant or registered eligible retailer operating a pop-up  
377 restaurant pursuant to this section may sell beer and wine in closed containers for off-  
378 premises consumption without being accompanied by one or more prepared food items.  
379 A registered new applicant or an eligible retailer may sell spirits for off-premises  
380 consumption in closed containers accompanied by one or more prepared food items.

381                   “(d) An applicant or an eligible retailer seeking to register as a pop-up restaurant  
382 pursuant to this section shall be required to submit a menu with food items to be offered,  
383 excluding snack items, with its registration application.

384                   “(e) A registered applicant, or a registered eligible retailer, that seeks to register as  
385 a pop-up restaurant pursuant to this section, shall have adequate kitchen and dining  
386 facilities and keep its kitchen facilities open, have a menu in use, and be ready, willing,

387 and able to prepare and serve food, other than just snack items, until at least 2 hours  
388 before closing. For purposes of this subsection, “snack items” includes potato chips,  
389 popcorn, pretzels, crackers, nuts, cookies, and candy.

390 “(f) The Board shall fine, suspend, cancel, or revoke the pop-up restaurant  
391 registration of an applicant, after a hearing, that is not in compliance with the  
392 requirements of this section. The Board shall give the registered applicant a minimum of  
393 five (5) calendar days’ notice prior to holding a hearing and rendering a decision, as  
394 permitted by the subsection.

395 “(g) A registration application for a pop-up restaurant in Ward 5, Ward 7, Ward 8,  
396 or downtown shall not be required to follow the restrictions set forth in §§ 25-314(b)(1)  
397 and 25-333.

398 “(h) An applicant or eligible retailer shall not apply for or operate more than three  
399 pop-up restaurants under this section at one time.

400 “(i) Board approval of the pop-up restaurant registration, beyond the approval  
401 described in this section, shall not be required provided that:

402 “(1) The applicant’s proposed location possesses a valid certificate of  
403 occupancy issued to either the prior tenant, building owner, or the applicant, unless the  
404 proposed location is only on outdoor private space;

405 “(2) The applicant has been authorized by the owner of the building or the  
406 property to utilize the space as a restaurant;

407 “(3) The applicant’s proposed location is located in a commercial or  
408 mixed-use zone as defined in the zoning regulations for the District; and

409                   “(4) The applicant agrees to follow all applicable Department of Licensing  
410 and Consumer Protection and Department of Health laws and regulations.

411                   “(j) The permitted hours of indoor operation for a pop-up restaurant shall be 6  
412 a.m. to 1 a.m., 7 days a week. A pop-up restaurant registrant may offer indoor  
413 entertainment, which may include a cover charge, between the hours of 8 a.m. and  
414 midnight, 7 days a week.

415                   “(k) The permitted hours of off-premises alcohol sales at the pop-up restaurant,  
416 including carry out and delivery shall be 6 a.m. to 1 a.m., 7 days a week.

417                   “(l) A pop-up restaurant registrant may operate under this section for no longer  
418 than 90 calendar days. The Board may approve a written request from a pop-up  
419 restaurant registrant to extend its operations for one additional 30 calendar day period. A  
420 pop-up restaurant registrant shall not operate for more than 120 days unless a completed  
421 application for a license pursuant to § 25-134 has been filed with the Board with notice  
422 provided to the public in accordance with § 25-421.

423                   “(m) The terms of a settlement agreement that an eligible retailer has in effect at  
424 its current licensed location shall not follow the licensee to its additional proposed pop-up  
425 restaurant registration location.

426                   “(n) For purposes of this section:

427                   “(1) Ward 5, Ward 7 and Ward 8 means the election ward boundaries for  
428 Ward 5, Ward 7 and Ward 8 that were in effect from January 1, 2012, through December  
429 31, 2021; and

430                   “(2) The term “downtown” includes the Central Business District, as well as  
431 any area zoned D-2, D-3, D-4, D-5, D-6, D-7, or D-8, as defined in the District’s zoning  
432 regulations.

433                   “25-134. Wards 5, 7 and 8 and Downtown Class C/RB and D/RB Restaurant  
434 Retailer Licenses.

435                   “(a) An applicant with a proposed location in Ward 5, Ward 7, Ward 8, or  
436 downtown, as defined in this section, shall be eligible to apply for a class C/RB or class  
437 D/RB restaurant retailer’s license. A class C/RB or class D/RB restaurant retailer’s  
438 license shall be a type of restaurant license pursuant to § 25-113(b), and shall authorize  
439 the holder to operate both a restaurant and a wine and beer store with on-premises and  
440 off-premises alcohol sales at the same location.

441                   “(b) A class C/RB restaurant retailer’s license shall authorize the holder to sell  
442 and serve spirits, wine, and beer for on-premises consumption and sell and deliver wine  
443 and beer in either sealed or closed containers for off-premises consumption without being  
444 accompanied by a prepared food item. The holder of a class C/RB restaurant retailer’s  
445 license may obtain a carry out and delivery endorsement to sell spirits for carry out and  
446 delivery in closed containers accompanied by one or more prepared food items for off-  
447 premises consumption.

448                   “(c) A class D/RB restaurant retailer’s license shall authorize the holder to sell  
449 and serve beer and wine for on-premises consumption and sell and deliver wine and beer  
450 in either sealed or closed containers for off-premises consumption without being  
451 accompanied by a prepared food item.

452                   “(d) An applicant for a class C/RB or class D/RB restaurant retailer’s license shall

453 be required to undergo a 45-day public comment period with notice provided to the  
454 public in accordance with the requirements set forth in § 25-421.

455 “(e) The holder of a class C/RB or class D/RB restaurant retailer’s license shall  
456 comply with the statutory restaurant requirements set forth in §§ 25-101(43) and 25-  
457 113(b).

458 “(f) An applicant for a class C/RB or class D/RB restaurant license for a location  
459 in Ward 5, Ward 7, Ward 8, or downtown shall be exempt from the restrictions set forth  
460 in §§ 25-314(b)(1) and 25-333.

461 “(g) After 24 months of operation in Ward 5, Ward 7 or Ward 8, the holder of a  
462 class C/RB or class D/RB restaurant retailer’s license shall be permitted to apply for one  
463 additional class C/RB or class D/RB restaurant retailer’s license at a location in Wards 1  
464 through 4 and 6.

465 “(h) A class C/RB or class D/RB restaurant retailer’s license shall be valid for 3  
466 years.

467 “(i) For purposes of this section:

468 “(1) Ward 5, Ward 7 and Ward 8 means the election ward boundaries for  
469 Ward 5, Ward 7 and Ward 8 that were in effect from January 1, 2012, through December  
470 31, 2021; and

471 “(2) The term “downtown” includes the Central Business District, as well as  
472 any area zoned D-2, D-3, D-4, D-5, D-6, D-7, or D-8, as defined in the District’s zoning  
473 regulations.

474 “25-135. Outdoor Activation License.

475           “(a) An outdoor activation license shall authorize a BID corporation to sell, serve,  
476 and permit the consumption of alcoholic beverages at an outdoor space named on the  
477 license that is owned, controlled, or managed by the District.

478           “(b) An outdoor activation license shall be issued for a period of one year. A BID  
479 corporation may request in writing that the Board renew the license for an additional  
480 year, subject to the payment of an annual fee.

481           “(c) The issuance of an outdoor activation license shall be based upon the  
482 applicant’s compliance with § 25-301.

483           “(d) The Board may deny the renewal of an outdoor activation license application  
484 if the applicant has failed to control the environment during the previous year or has  
485 sustained police action or substantiated community complaints.

486           “(e) There shall be 2 classes of outdoor activation licenses:

487                   “(1) Class O (beer and wine); and

488                   “(2) Class N (spirits, beer, and wine).

489           “(f) The annual fee for a Class O license shall be \$130. The  
490 annual fee for a Class N license shall be \$300.”.

491           (b) Chapter 2 is amended as follows:

492                   (1) Section 25-201 is amended as follows:

493                           (A) Subsection (c) is amended as follows:

494                                   (i) Paragraph (6) is amended by striking the phrase “title;”  
495 and inserting the phrase, “title, where appropriate;” in its place.

496                                   (ii) Paragraph (8) is amended to read as follows:

497                                   “(8) Refer evidence of criminal misconduct or other violations of law to

498 the Inspector General of the District of Columbia, the Attorney General for the District of  
499 Columbia, the United States Attorney for the District, an appropriate District agency, or  
500 other law enforcement agency for investigation and prosecution.”.

501 (2) Section 25-206 is amended as follows:

502 (A) Subsection (c) is amended by striking the phrase “licensed  
503 establishments” and inserting the phrase “licensed alcohol establishments and medical  
504 cannabis facilities” in its place.

505 (B) Subsection (f)(2) is amended by striking the phrase “alcoholic  
506 beverages in” and inserting the phrase “alcoholic beverages and medical cannabis in” in  
507 its place.

508 (C) Subsection (g) is amended as follows:

509 (i) Strike the phrase “alcoholic beverages, or” and insert the  
510 phrase “alcoholic beverages or medical cannabis, or” in its place.

511 (ii) Strike the phrase “alcoholic beverages;” and insert the  
512 phrase “alcoholic beverages or medical cannabis;” in its place.

513 (3) Section 25-211 is amended as follows:

514 (A) Subsection (a) is repealed.

515 (B) Subsection (b) is amended to read as follows:

516 “(b)(1) The Mayor shall submit proposed regulations to the Council for a  
517 60-day period of review, excluding days of Council recess.

518 “(2) The Council may approve the proposed regulations in whole or in  
519 part. If the Council has not approved the regulations upon expiration of the 60-day  
520 review period, the regulations shall be deemed approved.”.

521 (c) Chapter 3 is amended as follows:

522 (1) Section 25-301 is amended as follows:

523 (A) Subsection (a) is amended as follows:

524 (i) Paragraph (3) is amended to read as follows:

525 “(3)(A) Except as provided in subparagraph (B) of this paragraph, the  
526 applicant has not been convicted of a felony for a crime of violence, a gun offense, tax  
527 evasion, fraud, as defined in § 22-3221, or credit card fraud within the 3 years preceding  
528 the date the application is filed with ABCA;

529 “(B) A applicant for a solicitor’s license or manager’s license has  
530 not been convicted of a felony for a crime of violence, a gun offense, tax evasion, fraud,  
531 or credit card fraud within the 3 years preceding the date the application is filed with  
532 ABCA.

533 (ii) Paragraph (4) is repealed.

534 (B) Subsection (c-1) is amended by striking the phrase “within 5  
535 years” and inserting the phrase “for a crime of violence, a gun offense, tax evasion, fraud,  
536 or credit card fraud within 3 years” in its place.

537 (2) Section 25-303(a) is amended by adding new paragraphs (6) and (7) to  
538 read as follows:

539 “(6) Notwithstanding any other provisions in this subsection, the holder of  
540 a retailer’s license class C or Class D, a full-service grocery store class B, or a 25%  
541 grocery store class A may hold one or more class C/RB or class D/RB restaurant retailer  
542 licenses, as permitted by this title.

543                   “(7) Notwithstanding the restrictions set forth in subsection (a)(1A) of this  
544 section, the holder of a manufacturer’s license, class B, may apply for a class C or class D  
545 retailer’s license with a brew pub endorsement subject to the requirements of § 25-  
546 116a.”.

547                   (3) Section 25-314 is amended as follows:

548                               (A) Subsection (b) is amended as follows:

549                                       (i) The lead-in language is amended by striking the phrase  
550 “through (11)” and inserting the phrase “through (12)” in its place.

551                                       (ii) A new paragraph (12) is amended to read as follows:

552   “(12) Pursuant to § 25-134(f), the 400-foot restriction shall not apply to  
553 the holder of a class C/RB or class D/RB restaurant license for a location in Ward 5,  
554 Ward 7, Ward 8, or downtown as defined in this title.”.

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

556                               “(d) In determining the appropriateness of an establishment for initial issuance of  
557 a license or a transfer of a license to a new location, the Board shall not consider any  
558 restrictive land covenant, deed, or other use restriction of any type, excluding a property’s  
559 zoning designation, that bans, restricts, or in any way prohibits the placement and use of  
560 an alcoholic beverage license at an applicant’s proposed location. Nothing in this  
561 subsection shall prohibit a protest of an application for the initial issuance of a license or  
562 the transfer of a license to a new location from being filed pursuant to the requirements  
563 set forth in chapter 4 of this title.”.

564                   (4) Section 25-315(b) is amended as follows:

565 (A) Paragraph (1) is amended by striking the period at the end of  
566 the sentence and inserting the phrase “or Board Order.” In its place.

567 (B) Paragraph (2) is amended to read as follows:

568 “(2) The Board shall make the licensee’s investigative history, which shall  
569 consist of the licensee’s record of alcoholic beverage violations, available to  
570 the public for review.”.

571 (5) Section 25-331(a) is amended by striking the word “250” and inserting  
572 the word “275” in its place.

573 (6) Section 25-332(e) is amended by striking the phrase, “class B, for the  
574 sale of alcoholic beverages in an establishment if the;” and inserting the phrase “class B,  
575 located inside of a hotel, for the sale of alcoholic beverages in an establishment if the:” in  
576 its place.

577 (7) Section 25-336(g)(1) is amended by striking the phrase, “Board of  
578 Zoning” and inserting the phrase “Board of Zoning Adjustment” in its place.

579 (8) Section 25-351 is amended by adding a new subsection (h) to read as  
580 follows:

581 “(h) The Board may adopt emergency rules to extend the expiration date of an  
582 existing moratorium to allow an ANC where the moratorium is located to consider or  
583 vote on a moratorium petition or resolution at a noticed ANC meeting.”.

584 (d) Chapter 4 is amended as follows:

585 (1) The table of contents is amended by adding new section designations  
586 to read as follows:

587 “§ 25-446.03 Unenforceable Agreements Generally.”

588 “§ 25-446.04 ANC Redistricting and Successor ANC.”.

589 (2) Section 25-434 is amended by adding a new subsection (c) to read as  
590 follows:

591 “(c) If an applicant or protestant is convicted of violating subsection (a) of this  
592 section, after final entry of judgment of conviction the Board may:

593 “(1) Dismiss the individual protestant or deny the license application; or

594 “(2) Bar the applicant or protestant, for up to 5 years, from protesting or  
595 filing a license application.”.

596 (3) Section 25-441(a) is amended by striking the phrase “for good cause.”

597 And inserting the phrase “for good cause, by the Board *sua sponte*, or by a motion filed  
598 by any party.” in its place.

599 (4) Section 25-443(c) is amended by striking the phrase “The Board” and  
600 inserting the phrase “The party seeking the subpoena” in its place.

601 (5) Section 25-446 is amended to read as follows:

602 “§ 25-446. Settlement agreements; approval process; penalties for violations.

603 “(a) The applicant, any protestant, and any person or entity who would otherwise  
604 have standing to protest an application pursuant to § 25-601 may, at any time, negotiate a  
605 settlement and enter into a written settlement agreement setting forth the terms of the  
606 settlement.

607 “(b)(1) The signatories to the agreement shall submit the agreement to the Board  
608 for approval.

609 “(2) Except as provided in § 25-446.02, all provisions of a settlement  
610 agreement approved by the Board shall be enforceable by ABCA or the Board.

611           “(c) If it determines that the settlement agreement complies with all applicable  
612 laws and regulations and the applicant otherwise qualifies for licensure, the Board, in its  
613 discretion, may condition its approval of the license application upon the licensee’s  
614 compliance with the terms of the agreement. The Board shall incorporate the text of the  
615 settlement agreement in its order and the settlement agreement shall be enforceable by  
616 the Board.

617           “(c-1) The Board shall reject any settlement agreement that is not in accordance  
618 with the law and may reject any settlement agreement that requires compliance with  
619 statutory or regulatory requirements enforced by another agency.

620           “(d)(1) Unless a shorter term is agreed upon by the parties, a settlement agreement  
621 approved by the Board shall run for the term of a license, including renewal periods,  
622 unless it is terminated or amended in writing by the parties and the termination or  
623 amendment is approved by the Board.

624           “(2) The Board may accept an application to amend or terminate a  
625 settlement agreement by fewer than all parties in the following circumstances:

626                           “(A) During the licensee’s renewal period; and

627                           “(B) After 4 years from the date of the Board’s decision initially  
628 approving the settlement agreement.

629           “(3) Notice of an application to amend or terminate a settlement  
630 agreement shall be given both to the parties of the agreement and to the public at the time  
631 of the applicant’s renewal application according to the renewal procedures required under  
632 §§ 25-421 through 25-423.

633                   “(4) The Board may approve a request by fewer than all parties to amend  
634 or terminate a settlement agreement for good cause shown if it makes each of the  
635 following findings based upon sworn evidence:

636                   “(A)(i) The applicant seeking the amendment or termination has  
637 made a diligent effort to locate all other parties to the settlement agreement; or

638                   “(ii) If non-applicant parties are located, the applicant has  
639 made a good faith attempt to negotiate a mutually acceptable amendment or termination  
640 of the settlement agreement;

641                   “(B) The need for an amendment or termination is either caused by  
642 circumstances beyond the control of the applicant or is due to a change in the  
643 neighborhood where the applicant’s establishment is located; and

644                   “(C) The amendment or termination will not have an adverse  
645 impact on the neighborhood where the establishment is located as determined under §§  
646 25-313 or 25-314, if applicable.

647                   “(5) To fulfill the good faith attempt criteria of paragraph (4)(A)(ii) of this  
648 subsection, a sworn affidavit from the applicant shall be filed with the Board at the time  
649 that an application to amend or terminate a settlement agreement by fewer than all parties  
650 is filed stating that either:

651                   “(A) A meeting occurred between the parties which did not result  
652 in an agreement; or

653                   “(B) The non-applicant parties refused to meet with the applicant.

654                   “(6) For the purposes of this subsection, the term “license’s renewal  
655 period” means the 60-day period before the expiration date of a license.

656                   “(7) Upon the filing of a valid petition for termination or amendment by  
657 the applicant under this section, and the subsequent petition of the applicant that any  
658 signatory party has not filed a valid protest during the public comment period, that  
659 signatory party shall automatically be removed from the agreement.

660                   “(e) If the Board determines, following a show-cause hearing as provided in § 25-  
661 447, that a licensee has violated a settlement agreement, the Board may penalize the  
662 licensee according to the provisions set forth for violations of a license in Chapter 8 of  
663 this title.

664                   “(f) A settlement agreement shall automatically terminate if the Board finds, upon  
665 petition of the applicant, that the Board has approved a transfer of the license to a new  
666 location at least 1,200 feet away from the prior location after the approval of the  
667 agreement.”.

668                   (6) Section 25-446.01 is amended to read as follows:

669                   “§ 25-446.01. Settlement agreements – Enforceable provisions

670                   A settlement agreement enforceable by the Board under this subchapter may  
671 include provisions that:

672                   “(a) Allow or prohibit amplified or recorded music or other amplified sounds and  
673 live entertainment; set maximum decibel limits on sound amplification devices; or restrict  
674 the location of entertainment and use of sound equipment or the hours that amplified or  
675 recorded music, amplified sound, or live entertainment that may be provided;

676                   “(b) Require specific methods, including specific architectural features, to  
677 mitigate sound or noise disturbances, such as: requiring doors and windows to remain  
678 closed except for the case of ingress and egress; requiring sound barriers and other sound

679 proofing elements; requiring the use of sound limiters and other equipment; and  
680 restricting the placement of sound equipment;

681 “(c) Require cleanliness, litter and trash control inside of and in the immediate  
682 area surrounding the premises by, for example, specifying the frequency with which the  
683 immediate area is cleaned, specifying trash removal times, requiring efforts to limit rat  
684 and vermin infestation, and requiring trash and recycling management;

685 “(d) Require specific parking arrangements;

686 “(e) Require the use of valet parking through a valet service, but only through a  
687 service that is properly approved and has all licenses, permits, and other approvals  
688 required by law;

689 “(f) Require that the applicant or existing licensee maintain an incident log and  
690 that the incident log be made available to ABCA and the Board, upon request;

691 “(g) Require filing and compliance with a security plan in accordance with this  
692 title, to the extent that the Board is authorized to require the filing of a security plan in  
693 accordance with this title;

694 “(h) Contain notice to cure provisions;

695 “(i) Restrict the hours of operation, alcohol consumption, alcohol sales, alcohol  
696 service, or alcohol possession, outdoor facilities, and entertainment on the premises or  
697 specific parts of the premises;

698 “(j) Prohibit or restrict the utilization of floors, prohibit or restrict the utilization  
699 of outdoor areas, or limit the occupancy and the number of seats;

700 “(k) Address the prevention of intoxication, public intoxication, public urination,  
701 public defecation, and underage drinking by patrons;

702           “(l) Require the use of security cameras, minimum identification checking  
703 procedures, minimum security personnel staffing, crowd control measures, the use of  
704 various doors as exits and entrances, the hiring of the Metropolitan Police Department  
705 (MPD) Reimbursable Detail, restricting the consumption of alcohol by the owners or its  
706 agents at the premises, and other security policies and procedures;

707           “(m) Require minimum training for managers and staff;

708           “(n) Require the posting of signage or information on the establishment’s  
709 website;

710           “(o) Provide minimum kitchen hours, require the service or availability of food  
711 and non-alcoholic beverages, and restrictions on the location of alcohol consumption and  
712 service on the premises;

713           “(p) Require the sale or service of alcohol in tempered glass, paper, plastic or  
714 other soft materials, otherwise designed to break without sharp edges; and

715           “(q) Mandate that the establishment comply with existing District law and all  
716 licenses, endorsements, and permits, granted by the District.”.

717           (7) Section 25-446.02 is amended to read as follows:

718           “§ 25-446.02 Settlement agreements – Unenforceable provisions.

719           The Board shall not enforce, if included in a settlement agreement covered by this  
720 subchapter, provisions that:

721           “(a) Require approval from a signatory or third party to file an application or  
722 request with the Board;

723           “(b) Require additional or specific notice to a signatory or third party outside of  
724 the notice required by law;

725           “(c) Restrict the sale or transfer of the business to new or different owners or  
726 require or restrict a change in the class or type of license;

727           “(d) Prohibit the act of filing an application or a request with the District;

728           “(e) Mandate the purchase, service, or sale of specific types of food, non-  
729 alcoholic beverages, and alcoholic beverages, the type of cuisine, the use of brands or  
730 types of alcohol and other products, and alcohol pricing;

731           “(f) Restrict customers based upon age, gender, national origin, status as a  
732 student, or other criteria prohibited by the Human Rights Act of 1977, effective  
733 December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et. seq.*);

734           “(g) Require the use of specific businesses, or the hiring of specific persons or  
735 categories of persons;

736           “(h) Create additional administrative procedures in addition to those required by  
737 ABCA or the District;

738           “(i) Require licensee or their agents to attend ANC or community meetings or  
739 otherwise require them to appear or communicate with the signatories or third parties;

740           “(j) Require the establishment to provide money, buy specific goods or services,  
741 or provide financial or other benefits to the community; provide the payment of fees or  
742 restitution to lawyers, consultants, and other third parties; or provide discounts, free  
743 goods and services, or other promotions to the community;

744           “(k) Require that contracts, incident logs, or similar documents be made available  
745 to the signatories or third parties;

746           “(l) Require a minimum level of food, non-alcoholic beverage, or alcoholic  
747 beverage sales to the public; and

748           “(m) Require future negotiation or create probationary periods that alter the terms  
749 of the license, settlement agreement, or the operation of the establishment after approval  
750 of the agreement.”.

751           (8) A new section 25-446.03 is added to read as follows:

752           “§ 25-446.03. Unenforceable Agreements Generally.

753           “(a) A settlement agreement not approved by the Board shall not be  
754 enforced by ABCA or the Board.

755           “(b) Any promise by a person, in a contract, settlement agreement, or  
756 other agreement, not to exercise that person’s rights to object to, or petition against, a  
757 license application or to withdraw a filed objection shall be void if made in exchange for  
758 money or other compensation to any individual or entity.”.

759           (9) A new section 25-446.04 is added to read as follows:

760           “§ 25.446.04. ANC Redistricting and Successor ANC.

761           “After the approval of a settlement agreement between the licensee and an ANC  
762 or the filing of a protest by that ANC, if the Council amends the boundaries of ANCs and  
763 the licensed establishment is located in a new ANC’s boundaries, the new ANC shall be  
764 deemed the successor-in-interest and replace the original ANC as a party to the  
765 agreement and any filed protest.”.

766           (e) Chapter 5 is amended as follows:

767           (1) The table of contents is amended by adding the following section  
768 designations:

769           “§ 25-514. Minimum fees for contract brewing license.”

770           “§25-515. Wards 5, 7 and 8 Downtown Pop-Up Restaurant Registration”

771 “§25-516. Minimum fees for Class CRB and DRB licenses.”

772 “§25-517. Minimum fees for Art Galleries for Multipurpose Facility Licenses.”.

773 (2) Section 25-501(c) is amended to read as follows:

774 “(c)(1) A licensee’s failure to timely remit the annual fee shall be cause  
775 for the Board to suspend the license until the licensee pays the fee and any additional fees  
776 imposed by the Board for late payment. The licensee shall have 14 calendar days to  
777 respond to the Board’s order suspending its license. If the licensee fails to respond or  
778 demonstrate good cause why the fees and additional fees have not been remitted, the  
779 Board shall cancel the license.

780 “(2) A license that has been suspended by the Board for the non-payment  
781 of license fees and additional fees shall automatically be reinstated by ABCA once all of  
782 the imposed fees have been paid.

783 (3) Section 25-502 is amended as follows:

784 (A) The heading is amended by striking the phrase “license fees” and  
785 inserting the phrase “license, permit, and endorsement” in its place.

786 (B) Strike the phrase “license fees established by this chapter or to create  
787 additional license” and insert the phrase “license, permit, or endorsement fees established  
788 by this chapter or to create additional license, permit, or endorsement” in its place.

789 (4) New sections 25-514, 25-515, 25-516, and 25-517 are added to read as  
790 follows:

791 “§ 25-514. Minimum fees for contract brewing license.

792 “The minimum application fee for a contract brewing license shall be \$300. The  
793 minimum annual fee for a contract brewing license shall be \$500.”.

794           “§ 25-515. Wards 7 and 8 and Downtown Pop-Up Restaurant  
795 Registration.

796           “The minimum fee for a Wards 7 and 8 and Downtown Pop-up Restaurant  
797 registration shall be \$300.

798           “§ 25-516. Minimum fees for Class C/RB and Class D/RB licenses.

799           “The Board shall establish the minimum annual fees for the Class C/RB and Class  
800 D/RB retailer license categories by regulation based upon the capacity of the restaurant.

801           “§ 25-517. Minimum fees for Art Galleries for Multipurpose Facility  
802 Licenses.

803           “If an art gallery or bookstore applies for a new multipurpose facility retailer’s  
804 license Class C/X or D/X for a proposed location in Ward 5, Ward 7, Ward 8, or  
805 downtown, the art gallery or bookstore shall not be required to pay an application fee and  
806 shall not be required to pay a licensing fee for its initial license or for its first two  
807 subsequent annual license periods. For purposes of this section:

808           “(a) Ward 5, Ward 7 and Ward 8 means the election ward boundaries for Ward 7  
809 and Ward 8 that were in effect from January 1, 2012, through December 31, 2021; and

810           “(b) The term “downtown” includes the Central Business District, as well as any  
811 area zoned D-2, D-3, D-4, D-5, D-6, D-7, or D-8, as defined in the District’s zoning  
812 regulations.

813           (f) Chapter 6 is amended as follows:

814           (1) Section 25-601 is amended by adding a new subsection (c) to read as  
815 follows:

816           “(c) If the boundaries of an ANC are redrawn in a manner that an

817 applicant is located in the boundaries of a new ANC, the new ANC, upon the filing of a  
818 written request for standing with the Board, shall be entitled to standing as a party and  
819 participate as a protestant in any pending protest active on the date the applicant's  
820 existing or proposed location was officially located within the new ANC's boundaries  
821 unless the protest is resolved before the filing of the ANC's motion for standing.".

822 (g) Chapter 7 is amended as follows:

823 (1) The table of contents is amended by adding the following section  
824 designation:

825 "§ 25-741. Go-cups prohibited."

826 (2) Section 25-722 is amended as follows:

827 (A) Subsection (a) is amended to read as follows:

828 "(a) A licensee under an off-premises retailer's license, class A or  
829 B, may sell and deliver alcoholic beverages to District residents, or provide alcoholic  
830 beverages to customers by curbside delivery, only between the hours of 6:00 a.m. and  
831 1:00 a.m., 7 days a week.

832 (B) Subsection (b) is repealed.

833 (3) Section 25-723 is amended as follows:

834 (A) Subsection (c)(1) is amended as follows:

835 (i) Subparagraph (E) is amended as follows:

836 (I) Strike the phrase "Christmas Day," and insert the  
837 phrase "Christmas Day, Juneteenth National Independence Day, and" in its place.

838 (4) Section 25-731(b) is amended by striking the phrase "purchase or

839 delivery” and inserting the phrase “purchase or delivery unless the 16<sup>th</sup> day falls on a  
840 weekend or public holiday, in which case payment shall be made on the next calendar  
841 day that does not fall on a weekend or public holiday” in its place.

842 (5) Section 25-736(a-1) is amended to read as follows:

843 “(a-1)(1) Notwithstanding subsections (a), (b), and (c) of this section, with the  
844 Board’s prior approval, a licensed wholesaler may rent a retailer’s licensed premises for  
845 more than \$500 to host a one-day or a one-time event.

846 “(2) The Board shall not grant a wholesaler’s request pursuant to  
847 paragraph (1) of this subsection more than one time in a calendar year.”.

848 (6) Section 25-762(b)(17) is repealed.

849 (7) Section 25-784 is amended to read as follows:

850 “§ 25-784. Sale or distribution of beverages by minor prohibited.

851 “(a) Except as provided in subsections (b) and (c) of this section, a licensee shall  
852 not allow any person under 21 years of age to sell, give, furnish, or distribute an alcoholic  
853 beverage.

854 “(b) A licensee may allow an employee who is 18 years of age or older to sell,  
855 serve, deliver, or pour an alcoholic beverage; provided, that no employee under 21 years  
856 of age shall serve as a bartender.

857 “(c) Notwithstanding subsections (a) and (b), a licensed on-premises retailer class  
858 C/R, D/R, C/H, D/H, C/T, or D/T may allow an individual who is 17 years of age to sell  
859 or serve alcoholic beverages, except to patrons seated or standing at a bar, if both of the  
860 following conditions are met:

861                   “(1) The individual has completed an alcohol training and education  
862 certification program from a Board-approved provider as set forth in § 25-121; and

863                   “(2) During the individual’s shift, the retailer has a licensed manager or  
864 owner on-duty who is 21 years of age or older and has completed an alcohol training and  
865 education certification program from a Board-approved provider.”.

866           (h) Chapter 8 is amended as follows:

867                   (1) The table of contents is amended to add a new section designation  
868 under Subchapter II to read as follows:

869                   “§ 25-829a. Cease and desist orders for catering sites”.

870                   (2) Section 25-826(c) is amended by striking the phrase “request a hearing  
871 within” and inserting the phrase “request a hearing in writing within” in its place.

872                   (3) A new section 25-829a is added to read as follows:

873                   “§ 25-829a. Cease and desist orders for catering sites.

874                   “(a) If the Board, after investigation but before a hearing, has cause to believe that  
875 a licensed caterer is engaged in a use or activity not permitted by its caterer’s license at  
876 an event site that is causing immediate harm to the public, the Board may issue an order  
877 requiring the caterer to cease using the property for catered events or under such  
878 restrictions as the Board may impose in accordance with § 25-104(e).

879                   “(b) The order shall be served on the caterer, either by certified mail or delivery in  
880 person.

881                   “(c) The caterer may, within 15 calendar days after the service of the order,  
882 submit a written request to the Board to hold a hearing on the alleged violation.

883           “(d) Upon receipt of a timely request, the Board shall conduct an expedited  
884 hearing within 10 days after the date of receiving the request.

885           “(e) The Board may prohibit the licensed caterer from utilizing its license at a  
886 specific property for catered events if it finds any of the following after reviewing the  
887 investigative report:

888                   “(1) The caterer engaged in a primary tier violation at the event site;

889                   “(2) At the time of the event, the premises or event were in violation of the  
890 Building Code or the Fire Code; or

891                   “(3) One or more catered events at the location had a negative impact  
892 upon the peace, order, and quiet of the section of the neighborhood, as defined in § 25-  
893 101(46), where the event was held if it is shown that:

894                           “(A) The caterer produced amplified noise at the catered event that  
895 was heard in a dwelling between 10:00 p.m. and 7:00 a.m.;

896                           “(B) The caterer permitted the event site to exceed the maximum  
897 occupancy permitted by the premise’s certificate of occupancy; or

898                           “(C) During the event, a crime of violence or other felony occurred  
899 or a weapon was used or unlawfully displayed at the event site.

900           “(f)(1) The caterer of the event may, within 10 days after the service of an order,  
901 submit a written request to the Board for an expedited hearing on the alleged violation.

902                   “(2) Upon receipt of a timely request for an expedited hearing, the Board  
903 shall conduct a hearing within 10 days after the date of receiving the request and shall  
904 deliver to the caterer of the event at the individual’s or owner’s last known address a

905 written notice of the hearing by any means guaranteed to be received at least 5 days  
906 before the hearing date.

907                   “(3) The Board shall issue a decision within 30 days after an expedited  
908 hearing.

909                   “(g) If a request for a hearing is not made under subsection (c) of this section, the  
910 order of the Board shall be final.

911                   “(h) If, after a hearing, the Board determines that the alleged violator is not in  
912 violation of this title, the Board shall rescind the order.

913                   “(i) If a person fails to comply with a lawful order of the Board under this section,  
914 the Board may petition the Superior Court of the District of Columbia for an order  
915 compelling compliance or take any other action authorized by this subchapter.

916                   “(j) The Board may lift or modify its order if the property owner demonstrates to  
917 the satisfaction of the Board that it will take adequate steps to address the misuse of the  
918 event site.”.

919                   (4) Section 25-830 is amended as follows:

920                   (A) Subsection (a) is amended to read as follows:

921                   “(a) The Board may submit amendments to the schedule of civil  
922 penalties (“schedule”) for violations of this title to the Council for a 90-day period of  
923 review, including Saturdays, Sundays, holidays, and periods of Council recess. If the  
924 Council does not approve, in whole or in part, the proposed regulations by resolution  
925 within the 90-day period of review, the regulations shall be deemed approved. The  
926 schedule, which shall be consistent with this title, shall replace all civil penalties, except  
927 as expressly provided in this title.

928 (B) Paragraphs (e)(2) and (3) are repealed.

929 Sec. 3. Fiscal impact statement.

930 The Council adopts the fiscal impact in the committee report as the fiscal impact  
931 statement required by section 4a of the General Legislative Procedures Act of 1975,  
932 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

933 Sec. 4. Effective date.

934 This act shall take effect following approval by the Mayor (or in the event of veto  
935 by the Mayor, action by the Council to override the veto), a 60-day period of  
936 congressional review as provided in section 602(c)(1) of the District of Columbia Home  
937 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-  
938 206.02(c)(1)), and publication in the District of Columbia Register.