

COUNCIL OF THE DISTRICT OF COLUMBIA

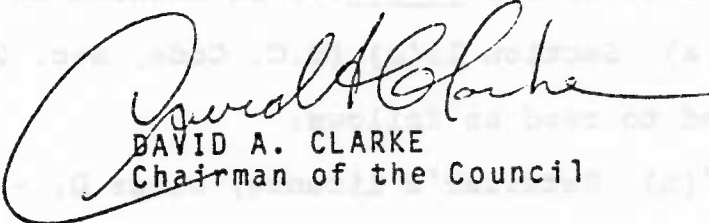
NOTICE

D.C. LAW 5-51

"Alcoholic Beverage Control Act Amendments Act
of 1983".

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. 5-248 on first and second readings, October 4, 1983 and October 18, 1983, respectively. Following the signature of the Mayor on November 9, 1983, this legislation was assigned Act No. 5-77, published in the November 18, 1983 edition of the D.C. Register, (Vol. 30 page 5927) and transmitted to Congress November 15, 1983 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 5-51, effective March 8, 1984.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

November 15,16,17,18

January 23,24,25,26,27,30,31

February 1,2,3,6,7,8,9,21,22,23,24,27,28,29

March 1,2,5,6,7

D.C. LAW 5 - 51

AN ACT

EFFECTIVE DATE MAR 08 1984

D.C. ACT 5 - 77

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOV 09 1983

To amend the District of Columbia Alcohol Beverage Control Act to permit the issuance of a retailer's license, class D, to delicatessens or restaurants located in pavilions, shopping malls, or shopping centers where patrons of these facilities use a common dining area approved by the Alcoholic Beverage Control Board and to return to the Mayor of the District of Columbia authority inadvertently given to the Council of the District of Columbia by the Alcoholic Beverage Control Amendments Act of 1982.

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

That this act may be cited as the "Alcoholic Beverage Control Act Amendments Act of 1983".

Sec. 2. The District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934 (48 Stat. 326; D.C. Code, sec. 25-101 et seq.), is amended as follows:

(a) Section 11(h) (D.C. Code, sec. 25-111(8)) is amended to read as follows:

D.C. Code,
sec. 25-111
(1981 ed.)

"(h) Retailer's license, class D. - Such a license shall be issued only for a bona fide restaurant, tavern, hotel, legitimate theater, Washington Convention Center, club, passenger-carrying marine vessel serving meals, light lunches, or sandwiches, club car or a dining car on a railroad, or a delicatessen or restaurant located within a pavilion, shopping mall, or shopping center, where the patrons from the restaurants and delicatessens use the same

common dining area within the pavilion, shopping mall, or shopping center where the common dining area has been approved by the Board. Such a license shall authorize the holder to sell beer and light wines at the place described for consumption only in that place, or a common dining area approved by the Board. Except in the case of clubs and hotels, no beer or light wines shall be sold or served to a customer in any closed container. In the case of

delicatessens and restaurants located in pavilions, shopping malls, and shopping centers whose patrons consume alcoholic beverages in the same common dining area, the license shall authorize the holder to sell beer and light wine in open containers clearly identifiable with the business where purchased. No license shall be issued to a club which has not been established for at least three months immediately prior to the making of the application for the license. The annual fee for such a license shall be \$495, except that in the case of a marine vessel the fee shall be \$45 per month or \$495 per annum, and in the case of each railroad dining car or club car \$2.25 per month or \$22.50 per annum:

PROVIDED, That such a license may be issued to any company engaged in interstate commerce covering all dining, club, and lounge cars operated by the company on railroads within the District of Columbia upon the payment of an annual fee of \$75. The Mayor shall determine the Washington Convention Center licensure fee under this subsection."

(b) By striking the phrase "Council of the District of Columbia" wherever it appears and inserting the word "Mayor"

in its place as follows:

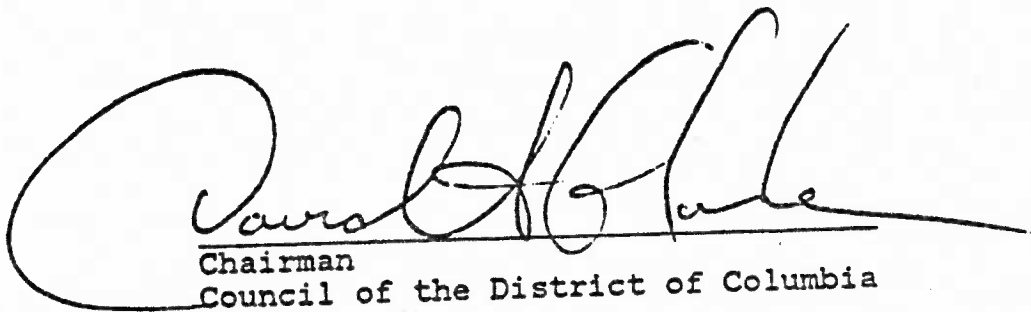
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|--|-----------------------------------|
| (1) In section 4 (D.C. Code, sec. 25-104); | D.C. Code, sec. 25-104 (1981 ed.) |
| (2) In section 6(a) (D.C. Code, sec. 25-106(a)); | D.C. Code, sec. 25-106 (1981 ed.) |
| (3) In the last sentence of section 7(d) (D.C. Code, sec. 25-107(d)); | D.C. Code, sec. 25-107 (1981 ed.) |
| (4) In section 14(a) and (d) (D.C. Code, sec. 25-115(a) & (d)); | D.C. Code, sec. 25-115 (1981 ed.) |
| (5) In the 1st paragraph of section 17 (D.C. Code, sec. 25-118(a)); | D.C. Code, sec. 25-118 (1981 ed.) |
| (6) In section 18 (D.C. Code, sec. 25-119); | D.C. Code, sec. 25-119 (1981 ed.) |
| (7) In section 19 (D.C. Code, sec. 25-120); | D.C. Code, sec. 25-120 (1981 ed.) |
| (8) In section 22(a) and (b) (D.C. Code, sec. 25-123(a) & (b)); | D.C. Code, sec. 25-123 (1981 ed.) |
| (9) In section 23(c)(1) and (f)(2) (D.C. Code, sec. 25-124)(c)(1) & (f)(2)); | D.C. Code, sec. 25-124 (1981 ed.) |
| (10) In section 31 (D.C. Code, sec. 25-131); and | D.C. Code, sec. 25-131 (1981 ed.) |
| (11) In section 40(a)(1) (D.C. Code, sec. 25-138(a)(1)). | D.C. Code, sec. 25-138 (1981 ed.) |

(c) Section 14(c) (D.C. Code, sec. 25-115(c)) is amended as follows:

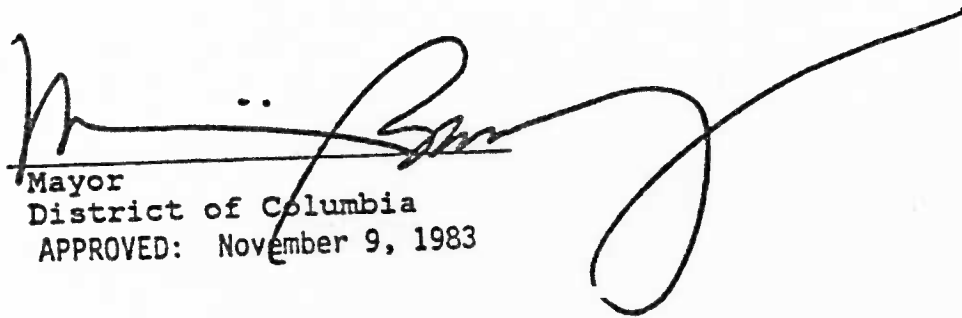
- (1) By striking the phrase "prescribed by the Council of the District of Columbia" and inserting the phrase "prescribed by the Mayor" in its place; and,
- (2) By striking the phrase "except that the Council of the District of Columbia" and inserting the phrase "except that the Mayor" in its place.

Sec. 3. This act shall take effect after a 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. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: November 9, 1983