

ENROLLMENT(S)

(5)



COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-149

**"Moratorium on the Issuance of New Retailer's Licenses Class B
and Closing of a Public Alley in Square 5259, S.O. 92-45,
Applicant Extension Temporary
Amendment Act of 1998"**

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. 12-609 on first and second readings, April 7, 1998 and May 5, 1998, respectively. Following the signature of the Mayor on May 20, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-361 and published in the June 19, 1998, edition of the D.C. Register (Vol. 45 page 3869) and transmitted to Congress on June 16, 1998 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 12-149, effective September 18, 1998.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 16,17,18,19,22,23,24,25

July 14,15,16,17,20,21,22,23,24,27,28,29,30,31,

Sept. 8,9,10,11,14,15,16,17

AN ACT

D.C. ACT 12-361

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 1998

To amend, on a temporary basis, the Alcohol Beverage Control Regulations to impose a 3-year moratorium on the issuance of new retailer's licenses class B; and the Closing of a Portion of a Public Alley in Square 5259, S.O. 92-45, Act of 1996 to require that the covenant to be filed with the Recorded of Deeds be signed only by the property owner whose property abuts the alley to be closed, and to allow the applicant 4 years to file the covenant which incorporates the contingencies which allow the alley closing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Moratorium on the Issuance of New Retailer's Licenses Class B and Closing of a Public Alley in Square 5259, S.O. 92-45, Applicant Extension Temporary Amendment Act of 1998".

Sec. 2. Section 308 of Title 23 of the District of Columbia Municipal Regulations (Alcohol Beverage Control Regulations) (23 DCMR 308) is amended to read as follows:

DCMR

"308 NEW RETAILER'S LICENSE CLASS B MORATORIUM

"308.1 No new Retailer's class B license shall be issued for a period of three (3) years from the effective date of the moratorium of the issuance of New Retailers's Class B Amendment Act of 1998.

"308.2 The number of retailer's licenses class B shall be limited to four hundred (400), except as otherwise provided by this section.

"308.3 Nothing in this section shall prohibit the issuance of a license for any place for which a retailer's license class B has been issued or may be issued, if the license is in effect on the date the application is filed.

"308.4 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a retailer's license that was in effect, or for which an application was pending, prior to the effective date of the Moratorium on the Issuance of New Retailer's License Class B Amendment Act of 1998.

"308.5 Nothing in this section shall prohibit the Board from approving the transfer of a license from one location to another during the period of the moratorium.

ENROLLED ORIGINAL

"308.6 Nothing in this section shall prohibit a valid transfer or change of license class.

"308.7 The moratorium shall have a prospective effect and shall not apply to any license granted prior to the effective date of this section or to any application for licensure.

"308.8 This section shall expire three (3) years after the effective date of the Moratorium on the Issuance of New Retailer's Licenses Class B Amendment Act of 1998.

Sec. 3. The Closing of a Portion of a Public Alley in Square 5259, S.O. 92-45, Act of 1996, effective May 3, 1996 (D.C. Law 11-115;43 DCR 1027) is amended as follows:

(a) Section 2(b) is amended by striking the phrase "owners of the lots abutting the alley to be closed" and inserting the word "applicant" in its place.

(b) Section 4(b) is amended by striking the phrase "2 years" and inserting the phrase "4 years" in its place.

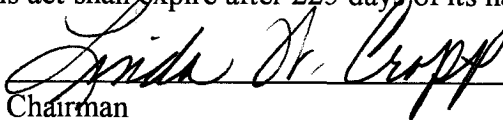
Sec. 4. Fiscal impact statement.

This act shall have no fiscal impact.

Sec. 5. Effective date.

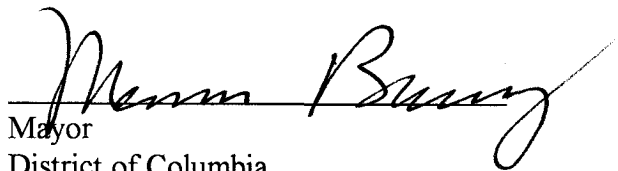
(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED: May 20, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-609

Docket No. _____

| | ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FIRST READING, 4-7-98

☒ VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

☒ ITEM ON CONSENT CALENDAR☒ ACTION & DATE

ADOPTED FINAL READING, 5-5-98

☒ VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Secretary to the Council

Date

| | ITEM ON CONSENT CALENDAR

| | ACTION & DATE

| | VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date