

### COOPERATIVE AGREEMENT BETWEEN KEARNEY'S MARKET AND ANC 5C

WHEREAS Kearney's Market(licensee) has applied to renew an Alcoholic Beverage Control (ABC) Retail Class B license for the business trading as Kearney's Market located at 90 O Streets, NW Washington, DC 20001; and

WHEREAS licensee and ANC 5C have discussed the concerns of the neighborhood and have reached an understanding relating to the operation of the licensee and cooperation between the licensee and ANC 5C.

NOW, THEREFORE, in consideration of the agreements by licensee set forth herein, ANC 5C agrees to refrain from filing a protest to the renewal of the license and licensee agrees to comply fully with the terms of this cooperative agreement. Licensee agrees:

- ✓ A. To comply with all laws and regulations governing the operation of the establishment at 90 O Street, NW, in Washington, D.C., including the laws and regulations governing the Class B (retail) license to which this cooperative agreement applies, as applied for and approved by the District of Columbia in the name of the licensee.
- ✓ B. That the licensee and its officers and employees will cooperate with the Advisory Neighborhood Commission 5C ("ANC") to address any alleged violation of the laws and regulations referred to in Paragraph A above, and in any request that the appropriate enforcement agency investigate an alleged violation.
- ✓ C. That licensee will not sell or deliver alcohol after ABC regulated hours.
- ✓ D. That licensee will keep public space surrounding the business free of debris and trash.
- 17 points ✓ E. That licensee will take reasonable measures to ensure that the immediate environs of the location are kept free of litter and debris. The "immediate environs" is defined in Section 720.2 of the ABC regulations as including "all property on which the premises are located; all property used by the licensee to conduct business, whether part of the premises or not, including parking lots and the portions of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to the property used by the licensee to conduct business."
- ✓ F. That licensee will prohibit loitering in front of the business and take whatever actions are necessary to enforce such prohibition.
- ✓ G. That licensee will not provide "go-cups" to customers. A "go-cup is defined in Section 709.7 of the ABC regulations as a "drinking utensil provided at no charge or a nominal charge to customers for the purpose of consuming [alcoholic] beverages."
- ✓ H. That licensee will not sell or provide miniature bags of ice to customers.
- ✓ I. That licensee will not sell single cigarettes or drug paraphernalia to customers.

Initials: \_\_\_\_\_

- J. That licensee will not advertise alcoholic beverages on the exterior walls of the property used by the licensee to conduct business.
- K. That licensee will promptly remove or paint over any graffiti written on the exterior walls of the property used by the licensee to conduct business.
- L. That licensee will post signs in English advising its customers that the licensee will not sell to intoxicated persons.
- M. That licensee will not sell or deliver alcohol in any form to any intoxicated person, any person who appears to be intoxicated, or any person the licensee knows abuses alcohol.
- N. That licensee will not sell or deliver alcohol in any form to any person under 21 years of age.
- O. That licensee will take all precautions to avoid the sale of alcohol in any form to anyone accompanying a person who has been denied service if it appears that an attempt is being made to buy alcohol for the person who has been denied service.
- P. That in the event licensee decides to sell or transfer its business, licensee will provide the community at least ninety (90) days notice of any intention to place the business on the market.
- Q. That licensee will assure that all employees of licensee adhere to the provisions of this agreement, particularly with respect to ~~the sale of alcohol in any form~~.

The provisions of this Cooperative Agreement shall become part of the conditions of the ABC license and shall remain in force upon renewal or transfer of the liquor license. Violations of the Cooperative Agreement by the Licensee, or the Licensee's failure to implement the measures called for in this Cooperative Agreement, shall be just cause by the ABC Board to immediately suspend or revoke the ABC license of the establishment.

AGREED:

For Kearney's Market:

Bahi Abu

Date: Feb 2/01 - TA  
October 20/00

For the Advisory Neighborhood Commission:

James Robinson Paul

Date: Feb 2, 2001