

AN ACT

*Codification
District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 3 of Title 25 of the District of Columbia Official Code to prohibit the sale of single containers of alcoholic beverages by off-premises retailers located in Ward 7, to prohibit the sale of single containers of alcoholic beverages by off-premises retailers located in Ward 8, and to eliminate the sunset date on the prohibition on the sale of individual containers of beer, malt liquor, or ale in targeted areas of Ward 4.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Wards 4, 7, and 8 Anti-Sale of Single Containers of Alcoholic Beverages Act of 2008”.

Sec. 2. Chapter 3 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Subchapter III is amended by adding 2 new section designations to read as follows:

“25-342. Special restrictions for off-premises retailer’s license in Ward 7.

“25-343. Special restrictions for off-premises retailer’s license in Ward 8.”.

New
§ 25-342

(b) New sections 25-342 and 25-343 are added to read as follows:

“§ 25-342. Special restrictions for off-premises retailer’s license in Ward 7.

“(a) For the purposes of this section, the term “Ward 7” means the area defined as Ward VII in § 1-1041.03(a) on the effective date of this section.

“(b) A licensee under an off-premises retailer's license in Ward 7, class A or B, shall not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounces or less.

“(c) A licensee under an off-premises retailer's license in Ward 7, class A or B, shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less.

“§ 25-343. Special restrictions for off-premises retailer’s license in Ward 8.

New
§ 25-343

“(a) For the purposes of this section, the term “Ward 8” means the area defined as Ward VIII in § 1-1041.03(a) on the effective date of this section.

“(b) A licensee under an off-premises retailer's license in Ward 8, class A or B, shall not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounces or less.

“(c) A licensee under an off-premises retailer's license in Ward 8, class A or B, shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less.”.

(c) Section 25-341(d) is repealed.

Sec. 3. Rulemaking.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act. The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within the 30-day review period, the proposed rules shall be deemed approved.

Sec. 4. Fiscal impact statement.

The Council adopts the June 3, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia