

ENROLLMENT(S)

kwiktag®

062 313 899



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

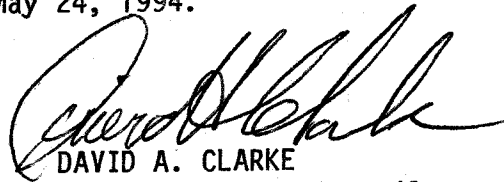
NOTICE

D.C. LAW 10-122

"Alcoholic Beverage Control Act and Rules Reform
Amendment Act of 1994".

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. 10-207 on first and second readings, February 1, 1994, and March 1, 1994, respectively. Following the signature of the Mayor on March 21, 1994, this legislation was assigned Act No. 10-214, and published in the April 1, 1994, edition of the D.C. Register (Vol. 41 page 1658) and transmitted to Congress on March 25, 1994 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 10-122, effective May 24, 1994.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

April	12,13,14,15,18,19,20,21,22,25,26,27,28,29
May	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20,23

AN ACT

Codification

D.C. ACT 10-214

District of Columbia Code

(1994 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 21, 1994

To amend the District of Columbia Alcoholic Beverage Control Act to reconfigure the ABC Board to consist of 7 members; to prohibit the issuance or transfer of nightclub and tavern licenses in Georgetown, except when the number is below 6; to require the Metropolitan Police Department to file incident reports regarding establishments with the ABC Board; to require the ABC Board to make food sale information available to protestants of an ABC license; to make it illegal for persons under 21 years of age to purchase or possess alcoholic beverages; and to add the penalty of suspension of driving privileges in the District for up to 1 year for minors violating provisions of the act; and to amend Title 23 of the District of Columbia Municipal Regulations to create a nightclub district, to authorize the ABC Board to enforce voluntary agreements, and to establish a 3-year moratorium for retailer's licenses class B in Advisory Neighborhood Commissions 2C and 2F of Ward 2 and Wards 1, 4, 6, 7, and 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994".

Sec. 2. The District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934 (48 Stat. 322; D.C. Code § 25-101 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Code § 25-103) is amended by adding a new paragraph (28) to read as follows:

Section
25-103

"(28) The word "keg" means any container capable of holding 4 gallons or more of beer, wine, or spirits, and which is designed to dispense beer, wine, or spirits directly from the container."

(b) Section 4(a) (D.C. Code § 25-104(a)) is amended to read as follows:

Section
15-104

"(a) The Mayor, with the advice and consent of the Council, shall appoint an Alcoholic Beverage Control Board to be composed of 7 persons. Each member shall be a resident of the District for at least 3 years immediately preceding his or her appointment and during that period have claimed residence nowhere else. No member of the Board shall hold any other full-time employment with the District government during his or her term of service on the Board. Each member shall have a demonstrated record of substantial involvement in issues related to the community

impact of ABC establishments prior to his or her appointment to the Board. The Mayor, with the advice and consent of the Council, shall appoint 1 member of the Alcoholic Beverage Control Board as chairperson. The chairperson shall have a demonstrated knowledge of the laws and rules and regulations relating to the sale and delivery of alcoholic beverages in the District of Columbia. Members may be reappointed. The Board shall meet in panels of 3 members for the purpose of hearing cases. Notwithstanding any other provision of law, members serving unexpired terms at the time of the effective date of the Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994 may continue to serve until the members of the new Board are confirmed. Of the 7 persons first appointed as members of the Board, 2 shall be appointed for 2 years, 3 for 3 years, and 2 for 4 years, and thereafter all appointments shall be for a term of 4 years, except appointments made for the remainder of unexpired terms. Vacancies caused by death, resignation, or otherwise shall be filled by the Mayor, with the advice and consent of the Council."

(c) Section 6(c)(7) (D.C. Code § 25-106(c)(7)) is amended to read as follows:

Section
25-106

"(7) All hearings held and all meetings, except administrative meetings, at which official action is taken by the Board shall be open to the public, and all deliberations pursuant to matters requiring official Board action shall be conducted at public meetings. The Board shall take reasonable steps to facilitate coverage of its meetings and hearings by the news media."

(d) Section 10 (D.C. Code § 25-110) is amended by designating the existing text as subsection (a) and adding a new subsection (b) to read as follows:

Section
25-110

"(b) The Board, in issuing licenses, may require that certain conditions be met if it determines that the inclusion of the conditions will be in the best interest of the locality, section, or portion of the District where the licensed establishment is to be located. The Board in setting such conditions must state in writing the rationale for such decisions."

(e) Section 11(m-3) (D.C. Code § 25-111(a)(13)(D)) is amended by adding a new sentence at the end to read as follows:

Section
25-111

"The Board shall make this information available to a protestant of a license, under conditions to be determined by the Board, except that commercial or financial information deemed to be proprietary information or trade secrets, the disclosure of which would result in substantial harm to the competitive position of the licensed establishment from which the information was obtained, shall not be made available in the case of a protest."

(f) Section 14 (D.C. Code § 25-115) is amended as follows:

Section
25-115

(1) Subsection (b)(1)(D), (E), and (F) is repealed.

(2) A new subsection (b)(5) is added to read as follows:

"(5) CN-licensed establishments to be located in a nightclub district shall be presumed to be appropriate for such location."

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended by striking the period after the word "located" and adding the phrase ", except that in the case of CN-license applicants to a nightclub district, the Board shall give notice at least 20 calendar days prior to the hearing."

(B) Paragraph (2) is amended as follows:

(i) By striking the period after the word "hearing" and adding the phrase ", except that in the case of establishments to be located in a nightclub district, the Board shall post the notices for at least 20 calendar days prior to the hearing."; and

(ii) After the phrase "45-day" by adding the phrase "or 20-day".

(C) Paragraph (3) is amended after the phrase "45-day" by adding the phrase "or 20-day".

(4) Subsection (e) is amended as follows:

(A) Paragraph (3) is amended by striking the period after the fourth sentence and adding the phrase ", except in the case of an objection to an application for an establishment in a nightclub district, an ANC shall have 20 calendar days to vote."

(B) Paragraph (4) is amended after the word "days" by adding the phrase "or 15 days in the case of applicants to the nightclub zone,".

(5) New subsections (k) and (l) are added to read as follows:

"(k) The number CN, CT, DN, or DT license holders within the Georgetown historic district shall not exceed 6, and no new license class CN, CT, DN, or DT shall be issued, and no existing license class CN, CT, DN, or DT shall be transferred to any other person or to any other location within the Georgetown historic district, except when the number of such licensed establishments in the Georgetown historic district is below 6. Nothing in this subsection shall prevent the Board from allowing a licensee to transfer the license to a location outside the Georgetown historic district, provided the transfer is otherwise in accordance with this act and rules.

"(l) Any holder of a CN, CT, DN, or DT license within the Georgetown historic district as of the effective date of the Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994 may apply for a conversion to a CR or DR license for its present location, present owner, and for the duration of its present license. Such application shall not require a public hearing or the assessment of any fees for such a change by the ABC Board."

(g) Section 15(a) (D.C. Code § 25-116(a)) is amended to read as follows:

"(a) No retailer's licenses except class B or E shall be issued for any business conducted in a residential-use district as defined in the zoning regulations and shown in the official atlases of the Zoning Commission, except for a restaurant or tavern conducted in a hotel or apartment house, and then only when the entrance to such restaurant or tavern is entirely inside the hotel or apartment house, and no sign or display is visible from the outside of the building. The holder of a club license in effect prior to the effective date of the Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994 shall be permitted to renew the license or transfer it to a new owner, provided that the license shall not be transferred to a new location within a residential district."

(h) Section 17 (D.C. Code § 25-118) is amended by adding new subsections (f) and (g) to read as follows:

"(f) Whenever a licensed establishment is the subject of an incident report by the Metropolitan Police Department, the Department shall file

Section
25-116

Section
25-118

a copy of the incident report with the Board. The Board shall make such report available for public inspection upon request.

"(g)(1) If the Board determines, after investigation, that the operations of a licensee present an imminent danger to the health and safety of the public, the Board may summarily suspend or restrict, without a hearing, the license to sell alcoholic beverages in the District.

"(2) A licensee shall have the right to request a hearing within 72 hours after service of notice of the summary suspension or restriction of a license. The Board shall hold a hearing within 48 hours of receipt of a timely request, and shall issue a decision within 24 hours after the hearing.

"(3) Every decision and order adverse to a licensee shall be in writing and shall be accompanied by findings of fact and conclusions of law. The findings shall be supported by, and in accordance with, reliable, probative, and substantial evidence. The Board shall provide a copy of the decision and order and accompanying findings of fact and conclusions of law to each party to a case or to his or her attorney of record.

"(4) Any person aggrieved by a final summary action may file an appeal in accordance with title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*)."

(i) Section 20(d) (D.C. Code § 25-121(d)) is amended to read as follows:

Section
25-121

"(d)(1) A licensee shall refuse to sell, serve, or deliver an alcoholic beverage to any person who, upon request of the licensee, fails to produce a valid identification document displaying proof of legal drinking age as required by this section.

"(2) For the purpose of this subsection, the term "valid identification document" means an official identification issued by an agency of government (local, state, federal, or foreign) containing at a minimum the name, date of birth, signature, and photograph of the bearer."

(j) Section 30 (D.C. Code § 25-130) is amended to read as follows:

Section
25-130

"(a) No person who is under 21 years of age shall purchase, attempt to purchase, possess, or drink any alcoholic beverage in the District, except that a person who is under 21 years of age may temporarily possess an alcoholic beverage if the temporary possession is necessary to perform lawful employment responsibilities.

"(b) No person shall falsely represent his or her age, or possess or present as proof of age an identification document which is in any way fraudulent, for the purpose of procuring an alcoholic beverage in the District.

"(c) In addition to the penalties provided in section 33, any person who violates any provision of this section shall be subject to the following additional penalties:

"(1) Upon the first violation, shall have his or her driving privileges in the District suspended for a period of 90 consecutive days;

"(2) Upon the second violation, shall have his or her driving privileges in the District suspended for a period of 180 days; and

"(3) Upon the third violation and each subsequent violation, shall have his or her driving privileges in the District suspended for a period of 1 year."

Enrolled Original

(k) A new section 30a is added to read as follows:

"Sec. 30a. (a) No person who is not an ABC license holder pursuant to section 10 shall, within the District, purchase an alcoholic beverage for the purpose of delivering the alcoholic beverage to a person who is under 21 years of age.

"(b) No person who is not an ABC license holder pursuant to section 10 shall, within the District, offer, give, provide, or otherwise make available an alcoholic beverage to any person who is under 21 years of age, except when necessary to allow the person who is under 21 years of age to perform lawful employment responsibilities that require the person who is under 21 years of age to have temporary possession of alcoholic beverages, such as the lawful employment responsibilities set forth in section 20(j).

"(c) Any person who violates any provision of this section shall be fined not more than \$1,000 or imprisoned for not more than 180 days, or both."

(l) A new section 48 is added to read as follows:

"Sec. 48. Keg registration.

"(a) No licensee authorized by the Board to sell wine, beer, or spirits at retail for off-premises consumption shall sell any alcoholic beverage in a keg without having affixed a registration seal on the keg at the time of sale; provided, that if a purchaser takes possession of or purchases a keg at the premises of a wholesale licensee, then the wholesale licensee shall affix a registration seal on the keg. The licensee shall be responsible for affixing a registration seal to each keg container prior to the container leaving the premises of the seller.

"(b) For the purposes of this section, the keg "registration seal" shall be defined as any seal, decal, sticker, or other device approved by the Board, which is designed to be affixed to kegs, and which displays a registration number, name of the licensee offering the keg for sale to the consumer, and any other information required by the Board.

"(c) Prior to the sale of any alcoholic beverage in a keg, the licensee shall complete a keg declaration of receipt on a form provided by the Board, which shall contain the following information:

"(1) Keg registration seal number;

"(2) The name and address of the purchaser verified by a valid identification document as defined in section 20(d)(2);

"(3) The type and registration number of the identification presented by the purchaser;

"(4) A statement signed by the purchaser stating that:

"(A) The purchaser is 21 years of age or older;

"(B) The purchaser does not intend to allow persons under 21 years of age to consume any of the alcoholic beverage purchased; and

"(C) The purchaser will not remove or obliterate the keg registration seal affixed to the keg or allow its removal or obliteration; and

"(5) The specific address or location where the alcoholic beverage in the keg will be consumed and the date or dates on which it will be consumed.

"(d) Upon return of a registered keg from a consumer, the licensee shall remove or obliterate the keg registration seal on the keg and note that removal or obliteration on the keg declaration of receipt form to be

New
Section
25-130a

New
Section
25-148

Enrolled Original

retained by the licensee on the licensed premises. If a keg is made of disposable packaging that does not have to be returned by the consumer to the licensee, the licensee shall indicate on the keg declaration of receipt form that the keg is disposable.

"(e) Licensees shall maintain the keg declaration of receipt form on the licensed premises for a period of 2 years following the date of purchase. These records shall be open at all reasonable times for inspection by the Board or its authorized representatives, and other law enforcement officers.

"(f) The requirements of this section shall not apply to the wholesale sale of any keg between a wholesaler and a retailer or to the import of any keg by a retailer pursuant to the laws and regulations of the District."

Sec. 3. Section 10(b)(1) of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Code § 40-716(b)(1)), is amended by adding the following sentence after the first sentence: "No individual under 21 years of age shall, when the individual's blood, breath, or urine contains any measurable amount of alcohol, operate or be in physical control of any vehicle in the District."

Section
40-716

Sec. 4. An Act To provide for regulation of motor vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes, approved March 3, 1925 (43 Stat. 1121; D.C. Code § 40-301 *et seq.*), is amended by adding a new section 13b to read as follows:

New
Section
40-302.2

"Sec. 13b. Suspension of minor's motor vehicle operator's permit for alcohol violation.

"(a) The Mayor shall suspend the motor vehicle operator's permit of a person under 21 years of age convicted of violating, or adjudicated in violation of, section 30 of the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934 (48 Stat. 322; D.C. Code § 25-101 *et seq.*). The suspension shall be for the duration required by section 30 of the District of Columbia Alcoholic Beverage Control Act. A copy of the conviction or adjudication shall be forwarded to the Mayor by the court or the administrative body authorized to adjudicate violations under the District of Columbia Alcoholic Beverage Control Act.

"(b) Any person found guilty of operating a motor vehicle in the District during the period for which the person's license or privilege is suspended, shall, for each offense, be fined not more than \$1,000, imprisoned for not more than 180 days, or both."

Sec. 5. Section 37(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 130; D.C. Code § 40-437(a)), is amended by adding the phrase ", or an individual under 21 years of age operating a motor vehicle when the individual's blood, breath, or urine contains any measurable amount of alcohol" after the phrase "consumption of intoxicating liquor".

Section
40-437

Sec. 6. The District of Columbia Implied Consent Act, approved October 21, 1972 (86 Stat. 1016; D.C. Code § 40-501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Code § 40-502) is amended by adding the phrase ", or while that person's blood, urine, or breath contains any measurable amount of alcohol if the person is under 21 years of age" after the phrase "consumption of intoxicating liquor" wherever it appears.

Section
40-502

(b) Section 5(a) (D.C. Code § 40-505(a)) is amended by adding the phrase "or while that person's blood, urine, or breath contains any measurable amount of alcohol if the person is under 21 years of age," after the phrase "consumption of intoxicating liquor,".

Section
40-505

Sec. 7. Title 18 of the District of Columbia Municipal Regulations (Vehicles and Traffic) is amended as follows:

Title 18
DCMR

(a) Subsection 301.1 is amended as follows:

(1) By striking the word "or" at the end of paragraph (d);

(2) By striking the period and inserting the phrase "; or" in its place at the end of paragraph (e); and

(3) By adding a new paragraph (f) to read as follows:

"(f) If the person is under 21 years of age, operating a motor vehicle while the person's blood, breath, or urine contains any measurable amount of alcohol."

(b) Subsection 303.1 is amended by adding a new paragraph (o) to read as follows:

"(o) If the person is under 21 years of age, operating a motor vehicle while the person's blood, breath, or urine contains any measurable amount of alcohol."

Sec. 8. The Alcoholic Beverage Control Regulations (23 DCMR) are amended as follows:

Title 23
DCMR

(a) New sections 307, 710, and 711 are added to read as follows:

"307 WARDS 1, 2, 4, 6, 7, and 8 MORATORIUM

"307.1 No new retailer's license class B, shall be issued for a period of three (3) years, from the effective date of the Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994, for the entire area of Wards 1, 2 (ANCs 2C and 2F only), 4, 6, 7, and 8 as defined in section 4 of the Redistricting Procedure Act of 1981, effective August 17, 1991 (D.C. Law 9-26; D.C. Code § 1-1333), except that no such moratorium shall apply to any class B application which was pending prior to the effective date of the Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994 and shall not prohibit the Board from approving the transfer of ownership or the transfer of location of a class B license within such wards.

"307.2 All hotels, whether present or future, shall be exempt from the Wards 1, 2, 4, 6, 7, and 8 Moratorium.

"307.3 This section shall expire three (3) years after the effective date of this section.

"710 NIGHTCLUB DISTRICT

"710.1 For the purposes of this chapter, the nightclub district is defined as follows, and shall include both sides (either north and south or east and west), of the streets listed: Beginning at the intersection of 19th and L Streets, N.W.; continuing east on L Street to 17th Street, N.W.; south on 17th Street to K Street, N.W.; east on K Street to Massachusetts Avenue, N.W.; east on Massachusetts Avenue to Louisiana Avenue, N.E.; southwest on Louisiana Avenue to Constitution Avenue,

N.W.; west on Pennsylvania Avenue to 6th Street, N.W.; north on 6th Street to E Street, N.W.; west on E Street to 9th Street, N.W.; south on 9th Street to Pennsylvania Avenue, N.W.; west on Pennsylvania Avenue to 15th Street, N.W.; north on 15th Street to I Street, N.W.; west on I Street to 19th Street, N.W.; north on 19th Street to L Street, N.W.

"710.2 For purposes of this section, all of the premises known as the Washington Convention Center and Union Station shall be included in the nightclub district.

"710.3 The Board may, from time to time, on its own motion or upon request from any individual or group, establish additional nightclub districts within the District of Columbia. Additional districts, if any, shall be established by rule, after notice and public hearing, as required by the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Code § 1-1501 *et seq.*). Any proposed rules establishing additional nightclub districts shall be submitted to the Council for a 45-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 this 45-day review period, the proposed rules shall be deemed disapproved. Nothing in this subsection shall affect any requirements imposed upon the Mayor by title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*).

(b) Subsection 904.5 is amended by designating the existing text as paragraph (a) and adding a new paragraph (b) to read as follows:

"(b) After the effective date of the Alcoholic Beverage Control Act and Rules Reform Amendment Act of 1994, no holder of a Retailer's License Class CN or DN may permit nude dancers pursuant to paragraph (a) of this subsection, provided that a licensee who regularly provided entertainment by nude dancers prior to December 15, 1994, may continue to do so at that establishment."

(c) Subsection 1513.3 is amended to read as follows:

"1513.3 The Board, if it determines that the agreement complies with all applicable laws and regulations and the applicant otherwise qualifies for licensure, shall approve the license application conditioned upon the licensee's compliance with the terms of the written agreement. In doing so, the Board shall incorporate the text of the agreement in its order, and the voluntary agreement shall be enforceable by the Board."

(d) Section 1513 is amended by adding a new subsection 1513.6 to read as follows:

"1513.6 Upon finding that a licensee has violated meeting certain conditions required by the Board as authorized by this section, the Board shall do the following:

"(a) Upon the first violation, fine the licensee not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500);

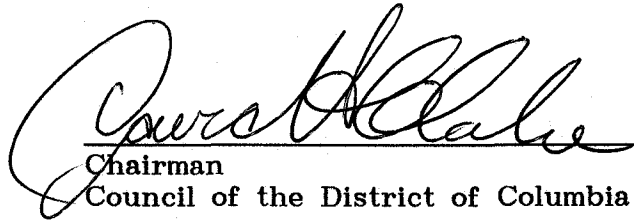
"(b) Upon the second violation for the same offense and any other offenses, fine the licensee not less than five hundred (\$500) and not more than one thousand dollars (\$1,000) and suspend the license for 7 consecutive days;

"(c) Upon the third violation for the same offense and any additional offenses, fine the licensee not less than one thousand (\$1,000)

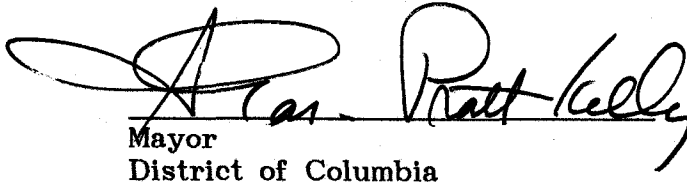
and not more than two thousand dollars (\$2,000) and suspend the license for 14 consecutive days; and

"(d) Upon the fourth violation for the same offense, the Board may revoke the license."

Sec. 9. 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 § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: March 21, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

Bill 10-207

DOCKET NO: _____

Item on Consent Calendar

ACTION & DATE: Adopted First 2-1-94

VOICE VOTE: Approved, Thomas voted no

Recorded vote on request

Absent: all present

ROLL CALL VOTE: -- RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X -- Indicates Vote A.B. -- Absent N.V. -- Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

March 4, 1994
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 3-1-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Brazil and Thomas

ROLL CALL VOTE: -- RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X -- Indicates Vote A.B. -- Absent N.V. -- Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

March 4, 1994
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: -- RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X -- Indicates Vote A.B. -- Absent N.V. -- Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date