

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

**2006 Spring
Supp.**

**West Group
Publisher**

To amend section 25-314(b) of the District of Columbia Official Code to provide for an exception from the distance-to-a-school requirement for certain full service grocery stores that apply for an off-premises retailer’s license, Class B.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Full Service Grocery Store Alcohol License Exception Act of 2005”.

Sec. 2. Section 25-314(b) of the District of Columbia Official Code is amended by adding a new paragraph (4) to read as follows:

**New
§ 25-314**

“(4) The 400-foot restriction shall not apply if:

“(A) The applicant applies for an off-premises retailer’s license, Class B;

“(B) The primary business and purpose of the establishment is the sale of a full range of fresh, canned, and frozen food items, and the sale of alcoholic beverages is incidental to the primary purpose;

“(C) The sale of alcoholic beverages constitutes no more than 15% of the total volume of gross receipts on an annual basis;

“(D) The establishment is located in a C-1, C-2, C-3, C-4, or C-5 zone;

“(E) The establishment is a full service grocery store which is newly constructed with a certificate of occupancy issued after January 1, 2000, or is an existing store which has undergone renovations in excess of \$500,000 (i) after January 1, 2000 and prior to the effective date of this paragraph, or (ii) during the preceding 12 months in which an application is made;

“(F) The opinion of the ANC in which the establishment is located has been given great weight as specified in Chapter 4; and

“(G) The applicant does not hold a manufacturer’s or wholesaler’s license.”.

ENROLLED ORIGINAL

Sec. 3. The Council adopts the fiscal impact statement in the committee report 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. 4. 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 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