



District of Columbia Government
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



September 14, 2013

Ms. Ruthanne Miller, Chairperson
Alcoholic Beverage Control Board
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Dear Ms. Miller,

At its regularly scheduled and publicly announced¹ monthly meeting of September 12, 2013, Advisory Neighborhood Commission 6A (the "ANC") voted (4-0-2) to grant a limited exemption to the following section of the Settlement Agreement for Vendetta (1220-1212 H Street NE, License Number 072734) regarding the use of music on its outdoor spaces: Section 2 of the May 28, 2007 Addendum. Nicholas Alberti did not participate in the discussion.

The ANC supports an exemption of these provisions solely for the time period of the H Street Festival, from 12:00pm to 7:00pm on Saturday, September 21, 2013, and only if Vendetta agrees to comply with the rules and regulations set by the H Street Festival, as it has agreed to do. For the Board's convenience, I have copied the relevant sections of the H Street Festival regulations below:

NOISE/QUIET ENJOYMENT

1. Live music on H Street is restricted to the authorized stages or authorized street performers, including "second-line" groups and ad hoc parades.
2. Live music may not be performed at or on any merchant food or patio vendor location in any form whatsoever.
3. Any "DeeJay" booth authorized by the Festival must not compete with any musical or performance stage and must be at least 100 feet from the nearest such performance or music stage and, in any event, may not generate more than a max noise level of 70 dB.
4. Any merchant, vendor, food merchant, or patio merchant or vendor who has speakers of any sort located on the public sidewalk or patio must turn the speakers at a 90-degree angle toward the building nearest its placement.
5. No speakers of any sort shall be permitted in an extended patio. Music or other audio shall comply with the Disorderly Conduct Amendment Act of 2010 and, in addition, the noise control provisions of 20 DCMR 2700 et seq.
6. No vendor or merchant of any sort shall emit any noise, including music or "DeeJay" audio in such fashion as to drown out or unfairly compete with any adjoining music or entertainment stage or its neighbor.

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com and the [ANC-6a@yahoogroups.com](mailto:6a@yahoogroups.com) (not controlled by the ANC) email groups, on its website ANC6A.org, and through print advertisements in the *Hill Rag*.

DISORDERLY OR OFFENSIVE CONDUCT

1. The H Street Festival is a neighborhood, cultural and family-oriented event, and you agree not to incite or provoke violence through behavior or language or music, you agree not to disrupt a lawful public gathering, and not to do anything likely to annoy or disturb other persons in their residences; this includes profanity of any sort.
2. No vendor, merchant, food vendor or patio vendor shall do anything to interfere with any approved performance art, including, but not limited to, the stages, Joy of Motion, Baltimore Rock Opera, or competitions from time to time on the authorized stages.

Should you have any questions regarding this matter, please contact me (Chair of the ANC's Alcoholic Beverage Licensing Committee) at williamsanc6a05@gmail.com or 202.906.0657. Myself and Commissioner David Holmes are authorized to represent the ANC in this matter.

On behalf of the Commission,



Jay Williams
Commissioner, ANC 6A05
Chair, ANC 6A ABL Committee