

*ABLA*  
*rec'd 9/17/03*  
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**ADVISORY NEIGHBORHOOD COMMISSION 3F  
NORTH CLEVELAND PARK/FOREST HILLS**

**VOLUNTARY AGREEMENT**

Made this 15<sup>th</sup> day of September 20003 by and between **BUCK'S FISHING AND CAMPING RESTAURANT** (Applicant) and Advisory Neighborhood Commission 3F

**WHEREAS**, pending before the District of Columbia Alcoholic Beverage Control Board, is the Applicant's application for a Retailer's Class "CR" (restaurant) liquor license for its premises at 5031 Connecticut Avenue, NW, Application #7671, license #60769; and

**WHEREAS**, both the Applicant and the ANC ("the parties") desire to enter into an agreement commemorating certain understandings regarding Applicant's operating plans;

**NOW, THEREFORE**, in consideration of the premises above recited, and the mutual covenants and promises set forth below, the parties agree as follows:

1. Applicant shall operate a bona fide restaurant on its premises.
2. The restaurant shall have a maximum of 100 seats for the exclusive use of dining patrons.
3. Applicant's hours of operation will be 5:00-10:30 P.M. Monday-Thursday, and 5:00-11:00 PM Friday - Saturday, *service will be from 10 am to 11 pm* Sunday brunch will be served *from 10 am to 11 pm* and dinner will be ~~5:00-10:00 P.M.~~ *from 10 am to 11 pm*
4. Alcoholic beverages will be served in conjunction with full meal service. At no time shall a patron be able to purchase an alcoholic beverage from the Applicant and not be able to purchase a food item from the Applicant.
5. Applicant shall not present any form of live entertainment and no form of recorded music other than soft background music for dining.
6. Applicant shall permit no form of dancing.
7. Applicant shall not install or utilize any juke boxes or video games.
8. Applicant shall be prohibited from displaying banner, neon signs, outside sinage, or overt posters in the windows advertising a special event.
9. Permitted smoking and smoking areas are to be determined by current District of Columbia code.
10. Applicant shall comply with all aspects of the Civil Infractions Act and the Litter Control Administration Act. Applicant shall ensure that its trash is removed in a timely manner. Applicant shall ensure that trash receptacles remain closed and free of vermin at all times. Applicant will limit noise after closing when disposing of trash and bottles in the receptacles.

11. Applicant shall maintain its ventilating system in proper working order at all times and shall immediately address any neighborhood concerns regarding odor.
12. Applicant shall comply with Section 5(d)(3) of the D.C. Noise Control Act as it pertains to businesses and ensure that noise from all mechanical equipment (air-conditioning, refrigerator, heat pump, fan, or other mechanical equipment regardless of location) shall be prohibited in excess of sixty (60)dB.
13. An ABC licensed manager, conversant with all aspects of this agreement shall be on site at Applicant's premises during all hours of operation during which alcoholic beverages are sold and consumed.
14. Any and all contemplated changes to Applicant's operation, as set forth herein or otherwise, will be brought to the attention of the ANC prior implementation. In accordance with the law, Applicant will give great weight to the concerns of the ANC.
15. In consideration of, and reliance upon, the commitments reflected in paragraphs 1 through 14 above, the ANC will advise the ABC Board that it does not oppose Applicant's pending application for Retailer's Class C license.
16. The parties further agree that any failure of Applicant to the foregoing commitments will constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause to gain the Applicant's compliance with the terms of this Agreement.

**IN WITNESS WHEREOF**, the parties have affixed hereunto their hands and seals on the year and day first above written.

BY:   
Applicant

James Alefantis for  
M.M. Big Bucks, LLC

BY: Catherine J. Wiss  
Chair, ANC3F

Catherine J. Wiss