



Exhibit # 4

245 P 19920



Alcoholic Beverage Regulation Administration
Noise Enforcement Checklist

Date & Time of visit:	10/2/14 8:40	Investigator:	Vick
Establishment:	Dirty Martini	Complainant:	Susan Peck
License: #	053919	Address:	[Redacted]
SA/ Board Order:	Yes	Ph: #	[Redacted]
Address:	1223 Conn Ave NW	E-mail:	[Redacted]
Ward:	2	Complainant Zone:	

DC Code § 25-725 - Exemptions: (If yes to any of the below **NOT A VIOLATION** of DC Code § 25-725)

- If a residence is located within a C-1, C-2, C-3, C-4, C-M, or M zone and noise can be heard inside of a residence. (No violation)
- If a residence is located within the same building. This applies to residences built on top of establishments. (No violation)
- If the noise can be heard inside of a residence only through ingress and egress by the doors of the establishment. (No violation)
- If noise can be heard inside a residence from the unamplified voice. (No violation)
- If noise can be heard inside a residence from voices of patrons on an outdoor summer garden. (No violation)
- If noise can be heard from heating, ventilation, and air conditioning devices. (No violation)

In order to promote consistent enforcement, an ABRA Investigator shall have the discretion to not find that a noise or sound is in violation of § 25-725(a) in the following circumstances:

- (1) The noise is so faint that it may only be heard when standing within a foot of a wall or window;
- (2) The noise cannot be heard over normal ambient street sounds;
- (3) The noise cannot be heard over the ambient noise generated by the resident's HVAC system;
- (4) The noise cannot be heard when the windows and doors controlled by the resident are closed;
- (5) The noise is heard between the hours of 7 a.m. and 10:00 p.m.;
- (6) The noise cannot be heard over a conversation conducted at a normal volume;
- (7) The noise is not distinctly identifiable; and
- (8) The noise is not constant or does not occur in regular intervals during the monitoring period.

Nature of noise:

- Bass
- Live band
- DJ music/ Recorded music
- Patron Noise
- Other

Noise was Audible:

- Above conversation levels
- Below conversation levels
- Not Audible
- Other

Unable to determine source

Violation of:

- DC Code § 25-725
- Settlement Agreement
- Board Order

No Violation
 Other

Date notified establishment: 10/2/14

Comments:
Settlement Agreed. No violation

[Signature]
Investigator Signature

S/I Initials