DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

REVISED NUISANCE ABATEMENT PLAN

Licensee: **EASTSIDE MARATHON, INC.**

Premises: **834 E. 79TH STREET**
CHICAGO, ILLINOIS 60619

License: **Filling Station, Retail Food, Retail Tobacco**

Account #: **252508**

The City of Chicago and the above-named Licensee have agreed to the following Revised Nuisance Abatement Plan that modifies the Nuisance Abatement Plan that was originally in effect beginning October 15, 2018, and was entered in response to a summary closure order issued by the Superintendent of Police on October 2, 2018, under Municipal Code of Chicago § 4-4-285 ("Summary Closure Order"):

1. Hours of Operation – The Licensee shall operate the business as follows: Monday through Sunday (6:00 a.m. – 1:00 a.m.). Outside of these hours the business shall be entirely closed and shall not operate in any fashion, including via a walk-up window.

2. Posting of Warning Sign – The Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-360 of the City of Chicago Municipal Code and will display no trespassing, no loitering signs in a conspicuous location inside and outside the Licensed Premises. Licensee will continue to participate in the CRIMINAL TRESPASS AFFIDAVIT PROGRAM.

3. Security Cameras – The Licensee shall, commensurate with its hours of operation, install and maintain a security camera system inside and outside of the premises (*see* **Exhibit A** for current camera locations). As it pertains to this security camera system:

    a. The cameras shall be sufficiently light sensitive and provide sufficient resolution to produce easily discernible images.

    b. The images recorded by the cameras shall be capable of being viewed through use of compact disc/ electronic file transfer and other digital media, and shall be

capable of being transferred to a variety of portable form of media including but not limited to compact disc and digital video disc.

c. The cameras shall view and shall be able to record images of persons and cars: 1) along the business' driveways; 2) outside the building within the area where gas pumps are located; 3) inside the licensed premises; 4) on the sidewalks adjacent to the business property; 5) in the parking area to the west of the main building; 6) in the fenced area to the east of the building; 7) in the fenced area to the rear of the building on the north side.

d. The cameras shall be able to record discernible images from a minimum distance of 15 feet in front of and on the sides of any business entrance.

e. The Licensee shall maintain video recordings for a minimum of 30 days and indexed by date and time. All recordings shall be stored at the licensed premises in a secured manner and shall be made immediately available upon request of any City of Chicago agency.

4. Outdoor Lighting – The Licensee shall maintain adequate lighting on all sides of the licensed premises including any alleyway accessible by the business to ensure the safety of patrons and employees. The lighting shall include 500 watt halogen or LED fixtures such that the security camera system is able to produce discernible images from a distance of 15 feet in front and on all sides of each entry and exit.

5. Unobscured Windows – The Licensee shall not cover or obstruct the store windows with signs, so that CPD officers have a clear view to the interior.

6. No Loitering Tolerated – The Licensee shall ban unauthorized people from loitering and trespassing and shall enforce the ban by instructing unauthorized people to leave and by calling the police if they do not obey. For purposes of this Plan, loiterers and trespassers are persons who are not purchasing products from the Licensee. The Licensee shall call 911 to report illegal activity including but not limited to loitering in or adjacent to the business premises, and also to sign complaints and to testify in court if required.

7. 911 & Incident Logs – The Licensee shall keep and maintain a Log of all calls to 9-1-1 and an Incident Log on which the owner and/or employees record any illegal activity observed inside or outside of the Licensed Premises. Both logs shall be kept on the licensed premises for a period of one year and made available to CPD or BACP upon request. These logs shall document the date, time, reason, and outcome of the event or phone call.

8. Cooperation with Chicago Police Department– The Licensee shall attend (or have a representative attend) C.A.P.S. meetings and any other similar CPD sponsored meetings to improve awareness with community concerns of problems within the neighborhood. The Licensee further shall cooperate with the CPD in any and all incident investigations.

The License or representative shall sign in at all meetings attended. Absence of a sign-in shall be prima facie evidence of non-attendance.

9. Community Participation – The Licensee shall work with the local alderman and community groups to address any issues with the operation of the business.

10. Trash and Garbage Disposal – The Licensee shall remove any trash and debris outside of the business including the front, side, and rear of the premises. The Licensee shall maintain a regular schedule of cleaning.

11. Security – The Licensee has retained United Protection Agency (State of Illinois # 122001353), or another independent licensed and bonded security firm as may subsequently be retained, to perform the following:

    a. Supply a trained and licensed guard, who shall patrol both the interior and the immediately exterior areas of the premises, between 3:00 pm through closing, seven days per week.

    b. The security guard shall be armed and wear a uniform while on duty.

    c. The security guard shall patrol within the premises to ensure customers conduct themselves in a lawful manner and do not loiter.

    d. The security guard shall take affirmative steps to move loiterers and trespassers outside the business away so that sidewalks, gas pump areas, and entrances to the store are not impeded.

    e. The security guard shall immediately, unless not practical, report any and all illegal activities occurring on or within sight of the licensed premises to 911.

    f. The security guards shall maintain an "incidents and activity log" that lists all events requiring their intervention and all calls to 911. This "log" shall document the date, time, reason, and outcome of the event or phone call.

    g. The security guards shall sign complaints and testify in court as necessary.

12. Sale of Outdated Food and Over-the-Counter Medications – The Licensee shall not offer for sale outdated or expired products nor shall the Licensee shelve or sell outdated or expired products with fresh products.

13. Receipts – The Licensee agrees that it is familiar with, and shall abide by the Rules and Regulations for Retailers, including Rule 32, which requires the Licensee to supply a written receipt for each transaction that contains at a minimum, the date and amount of the transaction, and the name and location of the retailer.

14. Periodic Review – The parties hereto agree, while all other provisions shall remain in effect, the Hours of Operation provided for in this agreement shall be reviewed periodically to determine if the hours can be extended to allow the Licensee to operate the business for an extended time period.

15. Drug Paraphernalia - The Licensee shall remove any tobacco rolling papers, glass tubes, small baggies measuring two inches or less, and any readily apparent suspect drug paraphernalia or related merchandise, if any, from inventory, and shall not sell or offer for sale such products.

The agreed conditions of this Nuisance Abatement Plan are legally binding and may be enforced by City of Chicago enforcement authorities. Violations of the above-stated agreed conditions may result in reinstatement of the Summary Closure Order, closure of the business under Municipal Code of Chicago § 4-4-285, the imposition of a fine, and / or suspension or revocation of all business licenses issued to the Licensee.

The agreed conditions of this Nuisance Abatement Plan shall apply to the business address and Licensee and to all officers, managers, members, partners and direct or indirect owners of the entity of which is licensed. The sale of the business to other persons purchasing the stock of the licensed entity, any change of officers of the Licensee, and any person or entity who is a successor, assign, or transferee of the business, shall be subject to the same conditions set forth in this Nuisance Abatement Plan.

It shall be the duty of the Licensee to post this Nuisance Abatement Plan next to the business license certificates in a conspicuous place at the business address

Licensee: EASTSIDE MARATHON, INC
834 E. 79TH STREET
CHICAGO, ILLINOIS 60619

By: KASSIM ALI Date: 1/8/19

KASSIM ALI, President

-and-

By: Barbara Gressel Date: Jan. 8, 2019

Barbara Gressel, Deputy Commissioner
Business Affairs and Consumer Protection