



CITY OF CHICAGO



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION

NUISANCE ABATEMENT PLAN

Licensee: Dhuwan, Inc., d/b/a Samah Hookah Lounge

Premises: 1219 W. Devon Avenue, Chicago IL 60660

IRIS #: 314398, Site 2

License: Tobacco

The City of Chicago ("City"), the Department of Business Affairs & Consumer Protection ("BACP") and the above-named Licensee have agreed to the following Nuisance Abatement Plan ("Nuisance Abatement Plan" or "Plan") in response to a summary closure order issued by the Superintendent of the Chicago Police Department ("CPD") July 30, 2023, under Municipal Code of Chicago § 4-4-285 ("Summary Closure Order").

This Nuisance Abatement Plan is submitted to the City and the CPD. It is purposefully focused on safety and security in order to address the more critical concerns expressed to the Licensee by the City and the CPD relative to a recent incident that occurred outside of the licensed premises. The Plan (as applied herein) is intended to effectively reduce, or in many cases eliminate, public safety concerns. The City and the Licensee hereby agree to this Nuisance Abatement Plan in a good faith collaborating effort to provide a safer, more secure business and community environment and heightened enforcement of rules on the licensed premises to be applied immediately upon reopening.

1. **Effective Date** – This Nuisance Abatement Plan is effective beginning **December 12, 2023**.
2. **Hours of Operation** – For the first 30 days Licensee is open following the Department of Buildings closure being lifted, Licensee shall close the Premises each day at 1:00 a.m. Once 30 days has lapsed, Licensee shall close the Premises at 2:00 a.m., Sunday through Thursday, and at 3:00 a.m., on Friday and Saturday. Upon closing, no patrons shall be permitted inside the Premises, and only the owners and/or the employees, agents, vendors and contractors of the Licensee shall be allowed inside the premises after closing.
3. **Entry One (1) Hour Prior to Closing** - Licensee shall not permit the entry of additional patrons into the Premises one hour prior to closing time. Notwithstanding the foregoing, any patrons inside the Premises one hour prior to closing time may remain inside the Premises until closing time.

4. Security – Licensee shall retain Illinois Department of Financial and Professional Regulation (“IDFPR”) licensed security personnel at all times of operation, up to and at least 30 minutes after closing to perform the following services, at minimum:
 - a. Supply at least one (1) trained and licensed security guard during all hours of operation at the Premises, Sunday thru Thursday, and at least two (2) trained and licensed security guards, Friday and Saturday;
 - b. All security guards shall be attired in clothing that makes them easily identifiable as security, such as vests or jackets marked “SECURITY”;
 - c. All security guards shall possess and carry a valid Permanent Employee Registration Card (“PERC”) at all times they are working at the premises;
 - d. Security guards shall take affirmative steps to prevent fighting, disturbances of the peace, public intoxication, unruly behavior, and shall remove loiterers and trespassers from the Premises and away from the Premises so that entrance to the Premises are not impeded;
 - e. Security guards shall immediately report any and all illegal activities, including fights, unruly behavior, and all other criminal activity occurring on or within sight of the Premises to 9-1-1;
 - f. Security guards shall ensure that nobody is admitted beyond the capacity of the building as determined by the City of Chicago Department of Buildings;
 - g. Security guards shall sign complaints and testify in court as necessary;
 - h. Security guards shall refuse entry of intoxicated persons into the premises;
 - i. Security guards shall conduct the pat down and/or metal detection as specified in Section 5 of this Plan.
5. Patron Admission – Licensee shall require all patrons entering the Premises to submit to some form of metal detection/hand-wands and/or pat down prior to their entry. Patrons found to be in possession of any weapons shall be denied entry onto the Premises. Licensee shall also conduct searches of any and all bags carried by patrons for weapons prior to entry onto the Premises.
6. Loitering at the Front Door – While there will generally be some customer traffic at the front door, Licensee shall take reasonable measures to prevent customers and other individuals from loitering in front of the Premises. Notwithstanding the foregoing, Licensee may allow customers awaiting entry to form a line outside of the Premises.
7. Exit Sign – Licensee shall install and maintain at least two (2) illuminated “Exit” signs which will remain illuminated at all times when the premises is operational.

8. Security Cameras – Licensee has installed interior and exterior video surveillance cameras and shall maintain this system as follows:

- a. The cameras shall be sufficiently light sensitive and provide sufficient resolution to produce easily discernible images.
- b. The cameras shall be able to record discernable images from a minimum distance of fifteen (15) feet in front of and on the sides of any business entrance;
- c. The cameras shall view and shall be able to record images of persons along the business' perimeter to include: (1) the entrance, sidewalk, and public way facing or immediately adjacent to Devon Ave.; and (2) the interior of all areas of the Premises;
- d. Exterior cameras shall be designed to operate at night;
- e. The camera system shall have sufficient cameras to provide coverage of all areas inside the Premises;
- f. The camera system shall record continuously at all times;
- g. The images recorded by the cameras shall be capable of being viewed through use of compact disc, electronic file transfer, or 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 file;
- h. Licensee shall maintain video recordings for a minimum of thirty (30) days and indexed by date and time. All recordings shall be stored at the Premises in a secure manner and shall be immediately available upon request of any City of Chicago agency;
- i. Licensee shall have an authorized staff member with the ability to access the security camera system and its recording at all times the business is operational, and at any time law enforcement is called or respond to the Premises;
- j. Licensee will promptly address/repair any issues with the camera system or if any cameras are not operable;
- k. Licensee shall make recordings immediately available upon request of any law enforcement agency, City of Chicago agency, and the Chicago Police Department;
- l. Licensee shall provide a layout of all interior and exterior cameras to BACP within seven (7) days of the execution of this Plan.

9. Promoters – Licensee shall not employ any so-called “outside promoters” or third-party marketing companies to advertise, market or promote any entertainment activities conducted at the Premises. Licensee shall not lease out the property to promoters or outside companies. Licensee shall not rent out or buy out the venue to a promoter or allow any event to take place where ownership, management, staff, or its security vacates the venue or is not present at the venue.
10. Alcohol Server Training – Licensee’s on-site manager and servers shall be BASSET or TIPS certified. Licensee shall maintain a file on the Premises containing the TIPS or BASSET certification of the on-site manager and servers.
11. Liquor and Food Sales – Licensee will not engage in liquor or food sales without the applicable City of Chicago licenses.
12. Limits on “Bring Your Own Alcohol” – Licensee may allow patrons to bring and consume their own alcohol; however, Licensee agrees to the following limitations:
 - a. Licensee will not store any alcohol for patrons on the Premises, including but not limited to inside its coolers or behind its counter service area;
 - b. Licensee will refuse entry to the Premises to any visibly intoxicated patron;
 - c. Licensee will enforce the following alcohol limitations on its patrons:
 - Beer/Hard Seltzer/Malt Beverages: One (1) 6-pack per patron
 - Liquor: One (1) 750ML bottle per every 2-3 patrons
 - Wine/Champagne: Three (3) 750ML bottles per 2-3 patrons;
 - d. Licensee will not allow patrons to bring in BYOB one hour prior to closing time.
13. Cannabis and Illegal Drug Consumption on Premise Prohibited - Licensee will take reasonable steps to prevent consumption of cannabis, cannabis infused products, cannabis concentrate or any illegal drugs on the Premises. If Licensee observes patrons attempt to consume, or consume prohibited cannabis, cannabis infused products, cannabis concentrate or any illegal drugs, Licensee shall immediately, or as soon as practicable, report all such observed prohibited activities on the Premises to 9-1-1.
14. Signage – Licensee shall post a sign in conspicuous and prominent location on the exterior of the Premises as follows: “You are being videotaped.” Licensee shall also display a sign in a conspicuous location at every entrance and exit inside the Premises that reads, “Please Respect Our Neighbors, Please Exit Quietly and Do Not Loiter.”
15. Capacity – Licensee agrees to obtain an occupancy capacity sign from the City of Chicago Department of Buildings for the current layout of the Premises within thirty (30) days and upon issuance, shall post the sign at all times inside the Premises.

16. Limits on PPA Activity – Licensee will not engage in any activity requiring a public place of amusement license, including but not limited to charging a cover for entry, hosting live music performances, and hosting DJ performances. Notwithstanding the foregoing, all of the exceptions to the public place of amusement license requirement set forth in Municipal Code of Chicago § 4-156-305 shall apply, and Licensee shall not be deemed to be in violation of this Section 16 if Licensee engages in any activities governed by such exceptions.
17. Outdoor Lighting – Licensee shall install and maintain adequate exterior lighting to ensure the safety of patrons and employees, illuminating all entrances and exits of the premises and the public way immediately adjacent to the premises, including the rear of the premises. Licensee will promptly address/repair any issues with the exterior lighting system or if any exterior lights are not operable.
18. 911 Calls - Licensee, its employees, and security guards shall immediately, or as soon as practicable, report all observed illegal activities occurring on or within sight of the licensed premises to 9-1-1. All placed calls shall be from a landline or cell phone, and all callers shall, at minimum, in addition to identifying the name of the business and its address, state their name and relationship to Licensee.
19. Cooperation with Chicago Police Department – Licensee shall cooperate fully with CPD in the event that CPD detains, cites, or arrests any individuals at or near the licensed premises stemming from an incident at or near the licensed premises. Licensee, including all staff within the employ or control of the licensee shall cooperate fully with CPD in its subsequent investigation and prosecution of such incidents, including but not limited to signing complaints and testifying in any hearing or trial as necessary.
20. Cooperation with City of Chicago Department of Buildings – Licensee shall fully cooperate with the Department of Buildings, including but not limited to allowing the Department of Buildings to inspect the premises pursuant to the summary closure order issued July 30, 2023.
21. CAPS Meeting Attendance – Licensee, or a designated representative for Licensee, shall attend a monthly CAPS (Community Alternative Policing Strategy) meeting. Licensee or its representative shall sign-in on an attendance sheet at the meeting. The absence of the signature of a representative from Licensee on an attendance sign-in sheet shall be prima facie evidence of non-attendance.
22. Trash and Garbage Disposal – Licensee shall remove any trash and debris outside of the licensed premises including the front, sides, and rear of the premises. Licensee shall maintain a regular schedule of cleaning the exterior of the premises. Licensee shall maintain sufficient trash containers to accommodate waste generated. Licensee shall ensure that all trash containers shall be covered with a tight-fitted lid that shall be kept covered.
23. Noise Abatement – Licensee shall monitor noise levels emanating from the Premises, including any line formed outside the entrance. Licensee shall take reasonable steps to alleviate and abate any excessive noise at all times while the business is open and operating.

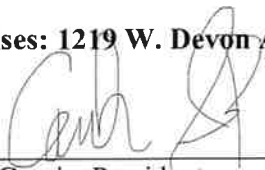
The agreed conditions of this Nuisance Abatement Plan are legally binding and may be enforced by City of Chicago enforcement authorities. Violations of the above-stated agreed conditions may result in reinstatement of the Summary Closure Order, under Municipal Code of Chicago § 4-4-285, the imposition 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 as set forth in this plan.

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

Licensee: Dhuwan, Inc., d/b/a Samah Hookah Lounge

Premises: 1219 W. Devon Avenue, Chicago IL 60660



Sejad Cantic, President

12/12/23

Date



Jerel Dawson, Deputy Commissioner
City of Chicago, Business Affairs and Consumer Protection

12/14/23

Date