



CITY OF CHICAGO



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION

NUISANCE ABATEMENT PLAN

Licensee: 24/7 Express Food Inc.

Premises: 416-420 S. Kostner
Chicago, Illinois 60624

License: Retail Food Establishment; Filling Station; Retail Tobacco.

Account: 455193

The Superintendent of the Chicago Police Department, through his command staff, determined that summary closure of the premises pursuant to Municipal Code of Chicago § 4-4-285 was warranted on November 2, 2021, pursuant to an investigation about a violent incident occurring at the premises on October 31, 2021. The Licensee has presented this nuisance abatement plan in an effort to mitigate against the threats to public safety arising from this violent incident. The City of Chicago and the above named Licensee have agreed to the following Nuisance Abatement Plan:

- 1. Effective Date** - This Nuisance Abatement Plan is effective beginning February 23, 2022. The Licensee shall not re-open until this Nuisance Abatement Plan is executed by both the Licensee's representative and a representative of the City of Chicago Department of Business Affairs and Consumer Protection. The Licensee hereby acknowledges that the premises is currently subject to a Department of Buildings Commissioner closure and shall not re-open until issues pertaining to the Department of Buildings closure have been addressed and the Commissioner closure is lifted by the Buildings Commissioner.
- 2. Restricted Hours of Operation** – The premises shall be open for business only during the hours of 6:00 A.M. until 9:00 P.M. Four (4) months after the execution of the Nuisance Abatement Plan, the licensee and their representative can contact the Chicago Police Department and the Department of Law, to potentially set up a meeting with respect to the modification in the hours of operation.
- 3. Security** - The Licensee shall employ an independent licensed and bonded security firm to provide the following:



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- Two (2) armed and licensed security officer from a licensed and bonded security company, to be on duty during all operating hours;
- The Licensee shall have at least one (1) employee at the licensed premises during all non-operating hours;
- Licensee shall submit contracts with the security company and any amendments or renewals to the Commander of the 011th District or to the Commander's designee;
- The security guards shall have a visible presence primarily outside the establishment and closely monitor the filling station;
- The security guards shall patrol the interior and exterior areas of the establishment, including all business entrances, exits, and sidewalks.
- The security guards shall wear a uniform while on duty, making them easily identifiable as security, such as vests marked "Security";
- The security guards shall take affirmative steps to prevent fighting, disturbances of the peace, public intoxication, unruly behavior, and all other criminal activity;
- The security guards shall ensure that loiterers and trespassers outside the business move away so that sidewalks and entrances to the store are not impeded;
- Licensee shall prohibit loitering and shall call 911 if loiterers fail to move after being warned to do so. Licensee agrees to sign complaints against loiterers for trespass;
- The security guards shall report any and all illegal activities witnessed by the guards or store employees to 911;
- The security guards, licensee, and its agents/employees shall be willing to sign complaints and testify as necessary.



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4. **Trash and Garbage Disposal** – The Licensee shall clean-up and maintain a clean business premises, including the following:
 - Licensee shall remove litter and debris from the area outside and adjacent to the store as needed.
 - Licensee shall contract with a licensed waste management/scavenger service to ensure that all trash generated in conjunction with the Licensee’s business activities is picked up.
 - The Licensee shall maintain a regular schedule of cleaning at least twice each day.
 - The Licensee shall maintain a log with times and dates of daily cleaning for city inspection.
 - All trash or recycling dumpsters shall be at all times locked.
5. **Exterior Lighting** - The Licensee shall install and maintain adequate lighting on all sides of the licensed premises, including the parking lot, sides, and rear of the establishment.
6. **Signage** – Licensee shall post and maintain “No Trespassing” signs on the premise’s exterior and the parking lot. Licensee shall post signs in a conspicuous location on the exterior and interior of the premises near the front door, on the fence, and on the filling stations that read prohibiting loitering, panhandling, solicitation and indicating video recording. Licensee shall call 911 if loiterers fail to move after being warned to do so. Licensee agrees to sign complaints against loiterers for trespass.
7. **Security Cameras** - The Licensee shall have a security system canvassing the interior and exterior of the Premises as follows:
 - Exterior cameras shall be positioned to view the Licensee’s main entrance as well as the side of the building;
 - The camera system shall have sufficient cameras to provide coverage of all areas inside the Premises;



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- The cameras can view and record persons on the public way and as they enter the parking lot or the filling station;
 - The cameras shall be sufficiently light-sensitive to provide image resolution of clearly discernable images;
 - Exterior cameras shall be designed to operate at night;
 - The cameras shall be able to record discernable images from a minimum of 15 feet in front of and on the sides of any business entrance;
 - The camera system shall be centrally monitored and shall record continuously;
 - 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 available upon request by any City of Chicago agency;
 - The Chicago Police Department shall be granted and provided with a username and password, allowing for onsite and remote access the Licensee's surveillance system.
 - The images recorded by the cameras shall be capable of being viewed through use of compact disk, electronic file transfer, and other digital media; and is capable of being transferred to a variety of portable forms of media, including, but not limited to USB drive, compact disk, and digital video disk;
 - The Licensee will post signage notifying the public of the presence of the video surveillance cameras.
8. **No Loitering or Trespassing Tolerated** – The Licensee shall urge loiterers not to congregate on the public way in front of or on the side of the business. The Licensee shall ban unauthorized people from loitering and trespassing and shall enforce the ban by instructing unauthorized people to leave and calling the police if they do not obey. For purposes of this plan, loiterers and trespassers are persons who do not purchase products.



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9. **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 (Business Affairs and Consumer Protection) upon request.
10. **Cooperation with Chicago Police Department** – The Licensee shall attend (or have a representative attend) all C.A.P.S. (Community Alternative Policing Strategy) beat meetings and other similar CPD sponsored meetings to improve awareness with community concerns of problems within the neighborhood. The Licensee shall cooperate with the police department in any and all incident investigations.
11. **Community Participation** – The Licensee shall work with the local alderman and community groups to address any issues with the operation of the business.
12. **Posting of Warning Signs to Minors** - The Licensee is familiar with, and shall abide by Chapter 4-64-360 of the City of Chicago Municipal Code and will display a sign in a conspicuous location inside the Licensed Premises that reads “It Is A Violation Of The Law For Cigarettes Or Other Tobacco Products or Tobacco Accessories To Be Sold To Any Person Under The Age Of 21. Any Person Who Violates This Law Is Subject To A Fine And Possible Imprisonment.”
13. **Sale Of Tobacco Products Or Accessories To Minor Prohibited** – Licensee is familiar with, and shall abide by Chapter 4-64-345 of the City of Chicago Municipal Code and will not sell tobacco products or tobacco accessories to any individual under the age of 21 years. Licensee shall institute a strict, written policy which will require employees to check the identification of all patrons purchasing tobacco to ensure compliance with the MCC. Given that Licensee is responsible for the acts of its employees, Licensee will ensure that every employee is trained to follow this policy regarding requesting identification of all persons purchasing such tobacco merchandise prior to any employee working behind the register.
14. **Sale Of Single Cigarettes** - Licensee is familiar with, and shall abide by Chapter 4-64-350 of the City of Chicago Municipal Code, which prohibits offering for sale or selling any cigarette or tobacco that is not in its original factory-wrapped package.



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15. Sale Of Electronic Cigarettes - Licensee is familiar with, and shall abide by Chapter 7-32-010 of the City of Chicago Municipal Code, which includes electronic cigarettes in the definition of tobacco products thereby subjecting E-cigarettes to the same restrictions as other tobacco products.

16. Criminal Trespass Affidavit – Licensee shall execute a Criminal Trespass Affidavit.

The terms and conditions of this Nuisance Abatement Plan are legally binding and may be enforced by City of Chicago enforcement authorities. Violations of the above-stated terms and conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to the licensee. Violations of the above-stated terms and conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the licenses.

The terms and conditions of the 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 which is licensed. The sale of the business to other persons purchasing the stock of the licensed entity shall be subject to the same terms and conditions set forth in this plan of operation.

It shall be the duty of every person conducting, engaging in, operating, carrying on, or managing the above-mentioned business entity to post this Nuisance Abatement Plan next to the business license certificates in a conspicuous place at the business address.

Licensee: 24/7 Express Food, Inc.
416-420 S. Kostner Ave.
Chicago, Illinois 60624

By:  Date: 2/23/2022
Mohamed Mohsin, President

And
By:  Date: 2-23-2022
Tamara Starks, Deputy Commissioner
Business Affairs and Consumer Protection