



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

AGREED BUSINESS LICENSE PLAN OF OPERATION

Licensee: Kimbles & Ronnie, LLC
D/b/a: Birch Road Cellar

Premises: 2002 W. Roscoe Ave
Chicago, Illinois 60618

Application Type: Limited Business License
Account Number: 403992
Site Number: 1

The City of Chicago Department of Business Affairs & Consumer Protection (BACP) and the above named licensee have agreed to the issuance of a Limited Business licenses with the following conditions:

1. **Definition:** For purposes of this Business License Plan of Operation, the term, "Licensee", means the licensee, any controlling person and any employee or agent of the licensee.
2. **Hours of Operation:** Licensee's hours of operation shall be 9:00 a.m. to 2:00 a.m., Monday through Sunday. During periods of time outside the above stated hours of operation, the business must be closed with no members or guests permitted inside the premises for any reason including for the consumption of food. Only Licensee will be allowed inside the premises during times outside of the permitted hours of operation.
3. **No sale of alcohol:** Licensee shall not sell (including to keep or expose for sale and to keep with intent to sell) alcoholic beverages on the premises. The licensee, members or guests shall not utilize a caterer to sell, serve or provide alcohol on the premises.
4. **Alcohol Consumption on the Premises:** The Licensee shall operate a BYOB establishment where any liquor on the premises shall be brought in by members only and stored by members in a rented storage locker.
5. **Patronage:** Licensee shall limit access to the premises to members only and their guests in accordance with the Membership Agreement. Except for special events, each member shall be limited to 2 guests per visit. Membership can only be obtained by attending an in-person appointment with one of the licensee's business owners, Kim Bosse or Sharon Provins or a site manager hired by the business owners. Licensee shall take the following measures prior to accepting a new member:
 - a) Licensee shall verify that the member is 21 years old via government issued ID
 - b) Licensee shall ensure that the member reads and signs the Membership Agreement



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6. **Facility Access:** The licensee will meet the following rules:
- Licensee shall maintain a fingerprint reader which permits access by members only.
 - Licensee shall immediately disable access to members who have discontinued their membership.
 - Licensee shall enforce a rule that guests of members must be 21 years of age and escorted onto the premises in person by the inviting member.
 - Licensee shall only allow access from 9am to 1a.m. daily. Members and guests shall not be allowed entry to Birch Road Cellar between the hours of 1:01am and 8:59a.m.
 - Licensee shall ensure that all members and guests vacate the premises by 2:00 a.m. and shall monitor activity until all members and guests have exited the premises.
 - Licensee shall limit the total occupancy of the premises to 65 persons, with 36 being the maximum occupancy of the first floor open area, 8 persons at the counter, 3 for other areas on the first floor, 12 in the basement sales area, and 6 in other areas in the basement level.
7. **Security:** Licensee shall install and maintain inside the licensed premises, video surveillance cameras (the "cameras") of a number, type, placement and location conforming to the following:
- The cameras shall be sufficiently light sensitive and provide sufficient image resolution to produce easily discernible images;
 - 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 are capable of being transferred to a variety of portable form of media, including, but not limited to, compact disc and digital video disc;
 - All camera recordings shall be indexed by date and time and shall be preserved on the Licensee's computer system for at least 72 hours after recording;
 - All Camera recordings shall be stored at the licensed premises in a secure manner within in its offices, the access to which shall be limited only to authorized licensee personnel;
 - Licensee shall post signage in a conspicuous manner and at appropriate locations notifying members that video surveillance cameras are in operation.
8. **Age Verification:** Licensee shall require members and guests to provide proof of age using a government issued ID.
9. **Unruly Behavior:** Licensee shall enforce a monitoring schedule to supervise and maintain order. Licensee agrees to enforce the code of conduct outlined in the signed Membership Agreement and House Rules, which are incorporated into this plan by reference. Licensee shall provide BACP with updated copies of these documents within 10-days of any changes. Licensee shall promptly report to the police department, via a telephone call to 911, all illegal activity reported to or observed by the licensee on or within sight of the licensed premises. Licensee shall post signs reminding



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members and guests to leave the area quietly and respectfully.

10. Events

- a) Licensee shall not retain event promoters for any booking and events on the premises.
- b) The licensee may, however, rent space to members for member-sponsored private corporate events, birthday parties, and holiday parties that are not open or advertised to the general public and that do not require ticket purchases or entry fees.
- c) Licensee shall not operate, promote or advertise the business as an event rental venue.
- d) Licensee shall not permit live music, DJs, dancing or other forms of entertainment or amusement requiring a license, on the premises without the proper licenses.
- e) Licensee shall limit attendance at events to no more 65 persons, with 36 being the maximum occupancy of the first floor open area, 8 persons at the counter, 3 for other areas on the first floor, 12 in the basement sales area, and 6 in other areas in the basement level. This includes but is not limited to staff, members, guests and vendors.

11. Emergency Access

Licensee shall always display visibly an emergency contact number inside and outside the premises. In the event of an emergency, the owners of Birch Road Cellar or a member shall call 911. If first responders require access to the site, the owners shall provide a numerical code to 911 which will open the front door.

The agreed conditions of this plan of operation are legally binding and may be enforced by City of Chicago enforcement authorities. Violation of the above stated agreed 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 agreed conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the limited business license.


The agreed conditions of this plan of operation 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 shall be subject to the same agreed conditions set forth in this plan of operation.



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

Licensee: Kimbles & Ronnie, LLC
Business Address: 2002 W. Roscoe Avenue, Chicago, Illinois 60618



Kimberly Bosse, President
Kimbles & Ronnie, LLC



Maria Guerra-Lapacek
Commissioner
City of Chicago
Department of Business Affairs &
Consumer Protection

3/24/16
Date

3/16/16
Date