

LICENSE PLAN OF OPERATION

Licensee: 79th KINGSTONE FOOD INC.

Premises: 2523 E. 79th St.
Chicago, Illinois 60649

License Type: Retail Tobacco-Over the Counter, Retail Food Establishment
Account Number: 246574

Pursuant to Chapter 4-4-313 of the City of Chicago Municipal Code, the above named Licensee has agreed to comply with the conditions listed below to assure that the operation of a retail tobacco and retail food store will not cause a public nuisance or deleterious impact on the health, safety and welfare of the community.

1. **Display and Sale of Drug Paraphernalia**

The Licensee agrees that it shall abide by Chapter 7-24-091 of the City of Chicago Municipal Code regarding possession, furnishing, transfer, or delivery of drug paraphernalia, as defined in the definition section of 720 ILCS 600/2(d).

7-24-091 Possession or delivery.

1. Except as authorized by law, any person who delivers, furnishes, transfers, or possesses with intent to deliver, furnish or transfer, drug paraphernalia, as defined in Section 720 ILCS 600/2, subparagraph (d)(5) of the Drug Paraphernalia Control Act, and including glass tubing designed and utilized for the ingestion of crack or cocaine, knowing, or under circumstances where one reasonably should know, that such drug paraphernalia or glass tubing will be used to plant, propagate, cultivate, sow, harvest, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Illinois Controlled Substances Act, codified at 720 ILCS 570/100, et seq. shall be fined \$2,000.00, or punished by imprisonment for a period of six months, or punished by both such fine and imprisonment.

2. Except as authorized by law, any person who possesses self-sealing plastic bags under two inches in either height or width, knowing that such items will be or are being used to package for transfer, delivery and/or storage of a controlled substance in violation of the Illinois Controlled Substances Act, codified at 720 ILCS 570/100, et seq., shall be fined up to \$1,500 depending on the quantity of such items in their possession.

2. **Sale of Unstamped Tobacco Products**

The Licensee agrees that it is familiar with, and shall abide by Chapters 3-42-020 and 3-42-025 of the City of Chicago Municipal Code, which prohibit the sale of tobacco products without the required city and county tax stamp.

3. **Recordkeeping**

The Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-150 of the Chicago Municipal Code, which requires a retail tobacco dealer to keep a book in which details of all purchases of cigarettes are recorded, and which book is available for inspection upon request by the City of Chicago.

4. **Sale of Single Cigarettes**

The Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-191 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.

5. **Sale of Bidi Cigarettes**

The Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-191 of the City of Chicago Municipal Code, which prohibits offering for sale or selling any bidi cigarette. Licensee further agrees not to offer for sale or sell any cigarette wrapping paper or leaf that is impregnated, scented with, or dipped in alcoholic liquor, chocolate, fruit flavoring, vanilla, or honey.

6. **Posting of Warning Sign to Minors**

The Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-210 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 18. Any Person Who Violates This Law Is Subject To A Fine And Possible Imprisonment."

7. **Sale of Tobacco Products or Accessories by Minors Prohibited**

The Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-200 of the City of Chicago Municipal Code and will not sell tobacco products or tobacco accessories to any individual under the age of 18 years. The licensee agrees that it shall institute a strict, written policy that all employees will be trained to follow regarding requesting identification of all persons purchasing such tobacco merchandise.

8. **Store Policies**

The Licensee agrees that it is familiar with, and shall abide by the Rules and Regulations for Retailers, including Rule 20 which requires posting its refund, return, and check-writing policies in a conspicuous manner on a sign at each cash register and at the customer service desk or other centrally located area accessible to the public. If the Licensee has a credit or debit card policy imposing a

minimum charge for use of a credit or debit card, such policy must also be posted in a conspicuous manner.

9. **Price Marking**

The Licensee agrees that it is familiar with, and shall abide by the Rules and Regulations for Retailers, including Rule 31, which requires individual price marking all items for sale in the establishment.

10. **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.

11. **Security Cameras**

The Licensee agrees that images on its security camera system will be retained for 72 hours and that CPD will be given access to the images upon request.

12. **Clear View into Store**

The Licensee agrees to maintain windows that allow CPD clear view into the store from the public way.

13. **Elimination of Certain Inventory**

The Licensee agrees that it will not stock or sell the following: cigarette rolling paper; individual swishers; Chore Boy copper scrubbers; white t-shirts in sizes other than small, medium and large; and glass tubes.

14. **911-Call Log**

The Licensee agrees that its agents will call 911 when any illegal activity is observed inside or outside of the store, or on the property adjacent to the premises. Further, the Licensee will maintain a "call log" that details the date, time, and nature of the incident that prompted the call. The log will be made available to the police or BACP upon request.

15. **Clean-up Schedule**

The Licensee agrees to institute a twice-daily schedule to pick up trash and debris from the front, side, and rear of the business to maintain a clean exterior.

16. **CAPS and Community Meetings**

The Licensee agrees to regularly attend CAPS beat meetings and to set up and/or attend meetings with the local Alderman, Police Commander and Community resident groups or residents to discuss any problematic concerns regarding the operation of the business.

The conditions of this plan of operation are legally binding and may be enforced by the City of Chicago enforcement authorities. Violation of the above stated conditions may result in the imposition of a cease and desist order and fines in addition to license suspension or revocation.

The conditions imposed pursuant to this plan of operation shall apply to the business address and Licensee and to all officers, managers, partners, and direct or indirect owners of the licensed entity. The sale of the business to other persons purchasing the stock or membership units of the licensed entity does not void the above conditions on the license. Any and all potential new owners of the licensed entity shall be subject to the same 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 plan of operation next to the license certificate in a conspicuous place at the business address.

Licensee: 79TH KINGSTONE FOOD INC.

Business Address: 2523 E. 79th St.
Chicago, Illinois 60649

By: 

President, 79th Kingstone Food Inc.

-and-

By: 

Rosemary Krimbel
Commissioner
Business Affairs and Consumer Protection

Date: 
