BUSINESS LICENSE PLAN OF OPERATION

Licensee: Morgans on Fulton, LLC
d/b/a: Morgans on Fulton

Premises: 948-954 West Fulton Market
Chicago, IL 60607

Application Type: Public Place of Amusement License (1050)

Account Number: 394451

Site Number: 02

Pursuant to City of Chicago Municipal Code ("M.C.C.") Section 4-156-311 (d)3(A), the Department of Business Affairs and Consumer Protection ("BACP") of the City of Chicago and the above-named Licensee have agreed to the issuance of a Public Place of Amusement License (collectively “License”) under the following conditions:

1. Licensee shall close no later than 2:00 am Monday through Saturday and 3:00 am Sundays. The Licensee shall close the outdoor rooftop deck at 11:00 pm Sunday-Thursday and 12:00 am Fridays and Saturdays. Fulton’s on Morgan will be working with City of Chicago licensed food and liquor catering companies for the food and liquor service of the private events (weddings, art gallery exhibition and corporate gatherings) only. The events will be strictly invite only and not open to the public and there will be no retail sales of liquor.

2. Licensee’s business premises includes an outdoor rooftop deck The Licensee agrees that the Licensee shall operate the outdoor rooftop deck in accordance with Chapters 4-60-140(g) and 4-60-050(c) of the City of Chicago Municipal Code concerning the prohibition of any live or recorded music being played or performed in any outdoor patio. Licensee agrees to take reasonable noise abatement measures to prevent any live or recorded music, being played inside the premises, from directly emanating into the open-air space of the premises.

3. Licensee has been issued occupancy placards by the Department of Buildings with the following occupancy limits:
   - Lower Level: 134 with tables and 336 without tables
   - First Floor: 81 with tables and 204 without tables
   - Second Floor: 168 with tables and 240 without tables
   - Third Floor: 57
   - Rooftop deck: 199
Licensee shall not permit the number of patrons to exceed the occupancy limit of each floor. Additionally, Licensee agrees to limit the total capacity of the licensed premises to 1036.

4. While Licensee may enlist the services of traditional PR firms, ad agencies, event planners and the like, Licensee will not employ so-called "promoters" or any unlicensed persons or entities who are in the business of promoting or who seek to create a nightclub atmosphere and who collect as payment, a cover charge on behalf of the Licensee. Licensee shall not lease the Premises to promoters. All events will be booked internally with management or ownership. All entertainment shall be overseen by management/ownership.

5. Licensee will not operate as a nightclub or dance club.

6. Licensee will enforce all applicable City of Chicago and State of Illinois non-smoking laws as they relate to both the interior and the exterior of the Premises.

7. Licensee shall maintain sufficient trash containers to accommodate any additional waste generated. The Licensee shall ensure that all trash containers shall be locked and secured at all times. All trash containers are kept within the building and used by the entire building and will not create any noise issues for neighbors across the alley or elsewhere.

8. Licensee agrees that if in the event BACP receives a complaint, the Licensee shall cooperate fully with any investigation, including, but not limited to, submitting any records requested by BACP. The Licensee shall, upon request of BACP, produce any records BACP has requested within ten (10) days of such request.

9. Licensee agrees to close the windows to the Premises anytime a live band or DJ is playing. Licensee further agrees to close the windows to the Premises each night by 10:00 p.m.

10. Licensee shall not cover, tint or otherwise obstruct the view from the street through the front windows of the premises.

11. Licensee will have an evacuation plan that has been approved by the Chicago Fire Department in case of an emergency. All personnel will be aware of the plan and will know how and when to evacuate all patrons as efficiently as possible.

12. Licensee agrees to monitor the noise levels emanating from the premises to ensure compliance with the Chicago Environmental Noise Ordinance.

13. Licensee will display a sign in a conspicuous location inside the premises that reads: "Please Respect Our Neighbors. Please Exit Quietly and Do Not Loiter".

14. Licensee agrees to monitor the outside of the premises to alleviate to the best of its ability any traffic, parking or noise issues.

15. Licensee shall encourage public means of transportation by posting appropriate signage. The Licensee shall promote the following use of services for patrons; walking, the use of the CTA trains and buses, taxis, and ridesharing services. Licensee shall ensure that the flow of street traffic at the licensed premises is not disturbed by its customers.

16. While there will generally be some customer traffic at the front door, customers and other individuals will not be allowed to loiter in front of the Premises. This includes waiting in line to enter the Premises. Smoking will be prohibited completely on the premises. During this time, they must keep their noise level quiet. From time to time, pending a special event, waiting in line to enter the premises will only be permitted in the defined and controlled area directly in front of entry, limited to twenty (20) persons.
17. Licensee shall install and maintain adequate lighting on all sides of the licensed premises including any alleyway accessible by the business to ensure the safety of all patrons and employees.

18. Additional security will be present on the rooftop during hours of operation. Security will be responsible for making sure patrons are not loud and do not create nuisance for neighbors.

19. **Security Cameras/Video Surveillance** – The Licensee shall install a camera system inside and outside of the premises as follows:

   a) The camera system shall have exterior wide-angle high-definition cameras;
   
   b) The camera system shall have high-definition cameras;
   
   c) The cameras are sufficiently light sensitive and provide sufficient image resolution to produce easily discernable images;
   
   d) 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;
   
   e) The cameras shall view and shall be able to record images of persons and cars: 1) along the business' driveways/alleys; 2) outside the building within the parking lot (if applicable); 3) inside of the licensed Premises within the public portions; 4) as they enter/exit the premises; and 5) on the sidewalks adjacent to the business property;
   
   f) The cameras shall be able to record discernable images from a minimum of ten (10) feet in front of and on the sides of any business entrance.
   
   g) 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;
   
   h) The system will be centrally monitored and will be set to record when business is being conducted.

20. A valet parking operator license shall be required when the vehicle or the keys to the vehicle are given to the valet parking attendant on any part of the public way. Chicago businesses must comply with all relevant federal, state and city laws and rules including MCC 4-232. Adequate security will be posted by the valet service to ensure that the service is operating efficiently and professionally.

21. Licensed Caterers will be used to serve food and alcohol and their Alcohol serving staff will be required to hold Beverage Alcohol Sellers and Servers Educational and Training (BASSET) certification by the Illinois Liquor Control Commission. The law shall not be violated by such grievous actions as serving alcohol to a minor, serving alcohol on any non-permitted portion of the public way, allowing the number of patrons to exceed capacity, or operating after hours.

22. Licensee will ensure proper monitoring of alcohol consumption by customers consistent with the BASSET training of its managers. All hired catering servers, security and other staff by preferred partners who also maintain BASSET training will be used. In the event of a fight, verbal harassment incident, or criminal activity outside the premises, security staff and the manager on duty are responsible to call 911 for emergencies. In the event of any such activity occurring within the premises, the manager on duty and security staff are instructed to immediately contact the police, turn up the lights, turn off the music, intervene in a manner consistent with the safety of all individuals and if possible remove any offenders from the premises. If needed, security staff and/or manager will sign complaints and will attend court.

23. Licensee agrees to attend regular CAPS beat meetings and to attend meetings with the local alderman, police commander and community residents or groups to discuss any concerns regarding the operation of the business, including the use of the outdoor rooftop patio.
24. Licensee shall not apply for a Late Hour Liquor License.

25. Licensee agrees not to expand the Premises without first applying to the City of Chicago for the right to expand the Premises.

26. Licensee agrees that this plan of operation cannot be modified or amended without input by the local alderman.

The conditions of this public place of amusement license are legally binding and may be enforced by City of Chicago enforcement authorities under 4-156-311 (d)(3)(A). All other conditions of the license are governed by the City of Chicago Municipal Code. Violation of the above stated 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 conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the liquor license.

The conditions of the business licenses issued pursuant to 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 Licensee to other persons purchasing the stock of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation. 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 Business License Plan of Operation next to the business license certificates in a conspicuous place at the business address.

Licensee: Morgans on Fulton, LLC
d/b/a: Morgans on Fulton

Business Address: 948-954 West Fulton Market, Chicago, IL 60607

James Geier, LLC Manager
Morgans on Fulton, LLC

Date

Rosa Escareno, Commissioner
Dept Of Business Affairs & Consumer Protection
City of Chicago

Date 12/20/18

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