



Date: January 22, 2008

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, Third District *GD*

Subject: **ABC LICENSE W/ CONDITIONS**
Naples Gourmet Grocer, 5650 East 2nd Street

I am submitting the following conditions for your consideration for an original application of an Off-Sale Beer and Wine license:

1. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
2. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of licensee.
3. All sales of alcoholic beverages shall be made within the premises.
4. All beverages offered for sale at the premises shall be displayed and available for convenient inspection and purchase within the premises by the general public.
5. No drive thru window shall be maintained on the premises and no sale of alcoholic beverages shall be made to any person in a motor vehicle.
6. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of being applied.
7. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
8. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside the establishment at all times.
9. No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than six per sale.
10. The sales of beer or malt beverages in quantities of quarts, 22 oz., 32 oz., or 40 oz., or similar size containers are prohibited.
11. Beer, malt beverages, and wine coolers in containers of 16 oz. Or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.

12. There shall be no cups, glasses, or similar receptacles commonly used for drinking of beverages, sold, furnished, or given away at the applicant's premises in quantities of less than their original multi-container package.

13. No pay phone will be maintained on the exterior of the premises.

In the event that any of the recommended conditions attached to any permit or license is in conflict the permittee shall adhere to the strictest of the applicable conditions.