



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7<sup>TH</sup> FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

## Conditions of Operation

**Eagle Market**

**2336 Pacific Avenue**

**Business License Acct # 21210000**

Business Owner: Jeffrey Hill

You have agreed to the following Conditions of Operation to be attached to your City of Long Beach Business License:

### CONDITIONS OF OPERATION

- 1) Compliance with these conditions is required for the business operation at 2336 Pacific Avenue. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. Licensee or the property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
- 2) There shall be no coin operated games or video machines maintained upon the premises at any time.
- 3) The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the privacy and use of any neighboring residences.
- 4) No pay phone will be maintained on the interior or exterior of the premises.
- 5) Loitering is prohibited on the premises or the area under the control of the licensee.
- 6) The licensee shall keep the property, adjacent to the licensed premises and under the control of the licensee clear of newspaper racks, benches, pay telephones, bicycle racks, and any other objects, which may encourage loitering.
- 7) The licensee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Long Beach Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." The licensee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Licensee agrees that the following standard is reasonable: Noise emanating from licensee's premises shall not be audible from the middle of the street adjoining the premises.
- 8) Licensee shall install exterior video security cameras at the front and rear of the business with full view of the public right-of-way and shall install exterior security video cameras that provide full view of any areas where operator provides parking for its patrons. The cameras shall record video for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password to allow Long Beach Police Department to view live and recorded video from the cameras over the Internet are also required. All video security cameras shall be

- installed to the satisfaction of the Police Chief, Director of Technology Services, and Director of Development Services.
- 9) The business shall provide a minimum of 25 percent of the operating square footage for the product display area for the sale of fresh fruits, vegetables, flowers, canned goods, and the like.
  - 10) Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
  - 11) Licensee shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the operator of any such claim, action, or proceeding or fails to cooperate fully in the defense, the operator shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.
  - 12) No exterior bars or security grillwork shall be allowed. Existing bars or grillwork shall be removed to the satisfaction of the Director of Development Services.
  - 13) Any sidewalk signs shall be removed.
  - 14) Licensee shall engage the City within 30 days of receipt of this letter with the submittal of floor building plans for review for accessibility of the premises to the satisfaction of the Director of Development Services.
  - 15) Licensee may submit plans for a comprehensive sign program to be reviewed by the Site Plan Committee.
  - 16) All cigarettes must be sold in original packaging.
  - 17) In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by these special conditions together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
  - 18) The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways). Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 24 hours of being applied.
  - 19) Sales of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 9:00 p.m. each day of the week.

RECOMMENDED CONDITIONS OF OPERATION

EAGLE MARKET

2336 PACIFIC AVENUE

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- 20) Licensee shall be responsible for maintaining the area adjacent to the premises over which they have control free of litter.
- 21) No wine shall be sold with an alcoholic content of greater than 15 percent by volume.
- 22) No beer or malt beverage products shall be sold, regardless of container size, in packages of less than three per sale.
- 23) No wine shall be sold in bottles or containers smaller than 750ml, other than dessert wines in 375ml bottles, and wine coolers shall not be sold in quantities of less than four per sale.
- 24) No alcoholic beverages shall be consumed on any property adjacent to the premises under the control of the licensee.
- 25) There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
- 26) The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages is prohibited on or around these premises
- 27) There shall be no cups, glasses, or similar receptacles, commonly used for the drinking of beverages given away at the petitioner's premises in quantities of less than twenty-four or in their original multi-container package. Licensee(s) may sell such receptacles at fair market value.
- 28) No sales to any person appearing to be or actually intoxicated shall be allowed.
- 29) All sales of alcohol shall be directly supervised by an authorized employee of the licensee, aged at least 21 years, including inspection of identification to verify age of purchaser, and observation of purchaser to ensure no sales to intoxicated persons.
- 30) The sale of beer or malt beverages in quantities of quarts, 32 oz., or 40 oz. is prohibited.
- 31) The operator shall maintain full compliance with all applicable laws, Alcoholic Beverage Control ("ABC") laws, ordinances and stated conditions. In the event of a conflict between the requirements of this permit, Conditional Use Permit, or ABC license, the more stringent regulation shall apply.
- 32) The operator of the approved use shall prevent loitering and loud noises around the project site and after hours of operation. Licensee shall take all reasonable measures to prohibit and prevent any loitering on the premises.

- 33) Not more than one cooler can be used to identify sale of alcohol and one shelf no longer than six feet for non-chilled alcoholic beverages shall be used for display. The beer and wine sales shall be limited to one cooler. This cooler will only be one single door cooler not to exceed 30 inches in width. Prior to issuance of business license the operator shall submit floor plans for the review and approval by the Director of Development Services.

FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN A BUSINESS LICENSE REVOCATION OR SUSPENSION, PURSUANT TO LONG BEACH MUNICIPAL CODE (LBMC) SECTION 3.80.429.1.

I understand and agree to these conditions:

BUSINESS OWNER SIGNATURE \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Guffi", is written over a horizontal line.

Date: May 22 2012