S ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 8
	Title:	Continuation of an Administrative Hearing Regarding a Tobacco Citation and Hearing Notice for Al Tijara, LLC d/b/a Smoke Plug located at 2728 East Main Street, St. Charles.
	Presenter:	James Keegan, Police Chief

Meeting: Liquor Control Commission	Date: February 18, 2020	
Proposed Cost: $	Budgeted Amount: $	Not Budgeted: ☐

Executive Summary (*if not budgeted please explain*)**:**

This is a complaint of violation being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local cigarette license issued or impose a fine upon by reason of the Complaint of Violations filed by the Police Department of offences happening on or about November 26, 2019, December 3, 2019 and January 20, 2020 at the establishment of Al Tijara, LLC d/b/a Smoke/Vape located at 2728 East Main Street, St. Charles.

Attachments (*please list*)**:**
Citations and Notice of Hearing
Updated business plan

Recommendation/Suggested Action (*briefly explain*)**:**
Continuation of an Administrative Hearing Regarding a Tobacco Citation and Hearing Notice for Al Tijara, LLC d/b/a Smoke Plug located at 2728 East Main Street, St. Charles.

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF ST. CHARLES, ILLINOIS

IN THE MATTER OF THE TOBACCO LICENSE OF:

Al Tijara, LLC d/b/a Smoke/Vape
2728 East Main Street
St. Charles, IL 60174

Case Number 2020-LC-01

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois, and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

OFFENSE

2. On or about November 26, 2019, Al Tijara, LLC d/b/a Smoke/Vape ("Licensee") was operating under a Tobacco License issued by the City of St. Charles.

3. On or about November 26, 2019, at approximately 8:00 p.m., Licensee, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Tobacco Code:

Sold tobacco/alternative nicotine product to a minor, in violation of Section 5.16.070 of the St. Charles Municipal Code.

OFFENSE

4. On or about December 3, 2019, Licensee was operating under a Tobacco License issued by the City of St. Charles.

5. On or about December 3, 2019, at approximately 4:00 p.m., Licensee, by and through its employees, officers and/or agents, committed the following violations of the St. Charles Tobacco Code:

(a) Sold tobacco/alternative nicotine product to a minor, in violation of Section 5.16.070 of the St. Charles Municipal Code; and

(b) The sale of tobacco/alternative nicotine product by an employee of a licensee who was 18 years of age or older but less than 21 years of age in any licensed premises, without an officer, agent or employee of the licensee who is at least 21 years of age on the licensed premises at the time of such sale and was assisting the employee younger than 21 in the sale process, in violation of Section 5.16.090 of the St. Charles Municipal Code.

6. That the acts detailed in Sections of this Complaint of Violation is prohibited and is in violation of and contrary to Sections 5.16.070 and 5.16.090 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

5. Licensee is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police requests, pursuant to Sections 5.16.170 and 5.16.180 of the St. Charles Municipal Code, that the Local Liquor Control Commission, a/k/a the Tobacco Commission, hold a hearing on this matter and take such action against Licensee as the Commission shall deem appropriate under the circumstances.

James Keegan
Chief of Police
City of St. Charles, Illinois

Nicholas S. Peppers
Storino, Ramello & Durkin
9501 West Devon Avenue
Suite 800
Rosemont, Illinois 60018
(847) 318-9500
npeppers@srd-law.com

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

James Keegan, Chief of Police

SUBSCRIBED AND SWORN TO
before me this 3rd day of January, 2020.

"OFFICIAL SEAL"
RICHARD P. CLARK
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/15/2022

NOTARY PUBLIC

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF ST. CHARLES, ILLINOIS

IN THE MATTER OF THE TOBACCO LICENSE OF:)
)
) Case Number 2020-LC-01
Al Tijara, LLC d/b/a Smoke/Vape)

CITATION AND NOTICE OF HEARING

TO: Al Tijara, LLC d/b/a Smoke/Vape
2728 East Main Street
St. Charles, IL 60174

Al Tijara, LLC
10996 Route 47
Huntley, IL 60142

PLEASE TAKE NOTICE THAT on January 20, 2020, at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapters 5.16.070 and 5.16.080 of the Municipal Code of the City of St. Charles and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/1 *et seq.*

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commissioner, pursuant to this authority, shall revoke or suspend the local cigarette license issued to you or impose a fine upon you, or both, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.

YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.16.180(E) OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, NICHOLAS S. PEPPERS, AT (847) 318-9500 OR TO THE DEPUTY CITY CLERK, TRACEY CONTI, AT (630) 377-4422.

DATED this 6th day of January, 2020.

Raymond Rogina
Local Liquor Control Commissioner
City of St. Charles

cc: Mark Koenen, City Administrator
Chief of Police, James Keegan

880796_1

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: MORALES, FRANISCO [redacted] at 2728 E. MAIN ST. SMOKE & VAPE on the 6 day of January, 2020.

376

SUBSCRIBED AND SWORN TO
before me this 6 day of January, 2020.

France Cevallos
NOTARY PUBLIC

"OFFICIAL SEAL"
FRANCE CEVALLOS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 3/23/2020

ARRAIGNMENT FORM

NOTE: THIS FORM MUST BE COMPLETED AND SUBMITTED TO THE CITY CLERK WITHIN SEVEN (7) CALENDAR DAYS PRIOR TO THE ARRAIGNMENT HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN SEVEN (7) CALENDAR DAYS PRIOR TO THE ARRAIGNMENT HEARING, AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.

I, Irfan khan YZ Mohammed, as agent for Al Tijara, LLC d/b/a Smoke/Vape, being a licensee charged with a violation of Chapter 5.16 of the Municipal Code of the City of St. Charles and the Liquor Control Act of 1934, 235 ILCS 5/1-1, *et seq.* at **2728 East Main Street, St. Charles, IL 60174**, do hereby:

☐ I admit liability for the allegations set forth in the Complaint, but request a hearing in mitigation in which I will be given an opportunity to present evidence in support of my position to minimize any penalty.

☐ I admit liability for the allegations set forth in the Complaint. I do not request a mitigation hearing.

☒ Deny the allegations set forth in the Complaint. I request a hearing.

Al Tijara, LLC d/b/a Smoke/Vape

By: _____
(Signature)

Date: 1/6/2020

Subscribed and sworn to before me
this 6th day of January, 2020.

Sharon J Bringelson
Notary Public

"OFFICIAL SEAL"
SHARON J. BRINGELSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/5/2022

Form can be faxed to (630) 377-6034
or e-mailed to the attention of Tracey Conti
at tconti@stcharlesil.gov
Hard copy must follow by U.S. Mail

or

Form can be faxed to (847) 318-9509
or e-mailed to the attention of
Nicholas S. Peppers at
npeppers@srd-law.com
Hard copy must follow by U.S. Mail

Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

LLC File Detail Report

File Number	06798055
Entity Name	AL TIJARA LLC
Status	ACTIVE

Entity Information

Principal Office
10996 ROUTE 47
HUNTLEY, IL 601420000

Entity Type
LLC

Type of LLC
Domestic

Organization/Admission Date
Monday, 12 March 2018

Jurisdiction
IL

Duration
PERPETUAL

Agent Information

Name

YAKUB CHAUS

Address
[redacted]

Change Date
Wednesday, 26 December 2018

Annual Report

For Year
2019

Filing Date
Tuesday, 5 February 2019

Managers

Name
Address
MOHAMMED, IRFAN KHAN YZ
[redacted]

Name
Address
ALAM, SHAIK AFTAB
[redacted]

Assumed Name

ACTIVE
SMOKE PLUG

ACTIVE
KINGSMAN VAPE & SMOKE

Series Name

NOT AUTHORIZED TO ESTABLISH SERIES

Return to Search

File Annual Report

Adopting Assumed Name

Articles of Amendment Effecting A Name Change

Change of Registered Agent and/or Registered Office

(One Certificate per Transaction)

This information was printed from www.cyberdriveillinois.com, the official website of the Illinois Secretary of State's Office. Fri Jan 03 2020

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF ST. CHARLES, ILLINOIS

IN THE MATTER OF THE TOBACCO LICENSE OF:
Al Tijara, LLC d/b/a Smoke Plug

Case Number 2020-LC-02

CITATION AND NOTICE OF HEARING

TO: Al Tijara, LLC d/b/a Smoke Plug
2728 East Main Street
St. Charles, IL 60174

Al Tijara, LLC
10996 Route 47
Huntley, IL 60142

PLEASE TAKE NOTICE THAT on February 18, 2020, at the hour of 3:00 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing for violations of Chapter 5.16.070 and pursuant to Chapter 5.16.180 of the Municipal Code of the City of St. Charles and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/1 *et seq.*

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commissioner, pursuant to this authority, shall revoke or suspend the local cigarette license issued to you or impose a fine upon you, or both, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.

YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.16.180(E) OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, NICHOLAS S. PEPPERS, AT (847) 318-9500 OR TO THE DEPUTY CITY CLERK, TRACEY CONTI, AT (630) 377-4422.

DATED this 6th day of February, 2020.

Raymond Rogina
Local Liquor Control Commissioner
City of St. Charles

cc: Mark Koenen, City Administrator
Chief of Police, James Keegan

887847_1

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF ST. CHARLES, ILLINOIS

IN THE MATTER OF THE TOBACCO LICENSE OF:

Al Tijara, LLC d/b/a Smoke Plug
2728 East Main Street
St. Charles, IL 60174

Case Number 2020-LC-02

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois, and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

OFFENSE(S)

2. On or about January 20, 2020, Al Tijara, LLC d/b/a Smoke Plug ("Licensee") was operating under a Tobacco License issued by the City of St. Charles.

3. On or about January 20, 2020, at approximately 12:00 p.m., Licensee, by and through its employees, officers and/or agents, committed the following three (3) violations of the St. Charles Tobacco Code:

Offered for sale and/or sold tobacco/alternative nicotine product to minors, in violation of Section 5.16.070 of the St. Charles Municipal Code, such that:

It shall be unlawful for any person, including any licensee under this Chapter, to sell, offer for sale, give away, deliver, promote, or advertise tobacco, tobacco products alternative nicotine products, or electronic cigarettes to any person under the age of twenty-one (21) years.

Before selling, offering for sale, giving, or furnishing tobacco, a tobacco product, alternative nicotine product, or electronic cigarette to another person, the person selling, offering for sale, giving, or furnishing the tobacco, tobacco product, alternative nicotine product, or electronic

cigarette shall verify that the person is at least twenty-one (21) years of age by examining from any person that appears to be under thirty (30) years of age a government-issued photographic identification that establishes the person to be twenty-one (21) years of age or older.

4. That the acts detailed in Sections of this Complaint of Violation are prohibited and is in violation of and contrary to Section 5.16.070 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

5. Licensee is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police requests, pursuant to Sections 5.16.170 and 5.16.180 of the St. Charles Municipal Code, that the Local Liquor Control Commission, a/k/a the Tobacco Commission, hold a hearing on this matter and take such action against Licensee as the Commission shall deem appropriate under the circumstances.

James Keegan
Chief of Police
City of St. Charles, Illinois

Nicholas S. Peppers
Storino, Ramello & Durkin
9501 West Devon Avenue
Suite 800
Rosemont, Illinois 60018
(847) 318-9500
npeppers@srd-law.com

Field

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

James Keegan, Chief of Police

SUBSCRIBED AND SWORN TO
before me this 6th day of February, 2020.

NOTARY PUBLIC

"OFFICIAL SEAL"
SARA K CASS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/29/2023

887843_1

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: Irfan Khan Mohammed at 1515 W. Main St. St. C, IL _____ on the 10th day of February, 2020.

Eric Majewski

SUBSCRIBED AND SWORN TO
before me this 10th day of February, 2020.

Sara K Cass
NOTARY PUBLIC

"OFFICIAL SEAL"
SARA K CASS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/29/2023

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ARRAIGNMENT FORM

NOTE: THIS FORM MUST BE COMPLETED AND SUBMITTED TO THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE ARRAIGNMENT HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE ARRAIGNMENT HEARING, AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.

I, IRFAN MOHAMMED by and through STAVRI VALCO, as agent for Al Tijara, LLC d/b/a Smoke Plug, being a licensee charged with a violation of Chapter 5.16.070 of the Municipal Code of the City of St. Charles and the Liquor Control Act of 1934, 235 ILCS 5/1-1, *et seq*. at **2728 East Main Street, St. Charles, IL 60174**, do hereby:

☐ I admit liability for the allegations set forth in the Complaint, but request a hearing in mitigation in which I will be given an opportunity to present evidence in support of my position to minimize any penalty.

☐ I admit liability for the allegations set forth in the Complaint. I do not request a mitigation hearing.

☒ Deny the allegations set forth in the Complaint. I request a hearing.

Al Tijara, LLC d/b/a Smoke Plug

By: _____ (STAVRI VALCO)
(Signature)

Date: 2·10·2020

Subscribed and sworn to before me
this 10th day of February, 2020.

"OFFICIAL SEAL"
MELINDA M. VETTER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/20/2020

Notary Public

Form can be faxed to (630) 377-6034
or e-mailed to the attention of Tracey Conti
at tconti@stcharlesil.gov
Hard copy must follow by U.S. Mail

or

Form can be faxed to (847) 318-9509
or e-mailed to the attention of
Nicholas S. Peppers at
npeppers@srd-law.com
Hard copy must follow by U.S. Mail

VAKO LAW
& ASSOCIATES

A: 4811 Emerson Ave. Suite #110 Palatine, IL 60067 | **E:** email@vakolaw.com | **T:** (847)-429-8811 | **F:** (847)-934-6040

3-5-2020

Liquor Control Commissioner
Kane County

Via Email:

RE: *In The Matter of Tobaco License, 2020-LC-01, 02*

To the Honorable Commissioner and the Members of the Commission,

Please allow this letter to serve as an effort to reach an agreement regarding the above referenced matter. My client, Irfan Khan, the owner and operator of the Al Tijara LLC d/b/a Smoke/Vape has been very remorseful about the events that have taken place at his business. He is the owner of another store Cbd Vape Smoke located at 1592 W Ogden Ave Unit 116, Naperville, IL 60540. He has owned this business for almost 4 months and has had no violations. Irfan is aware of the dangers of underage smoking especially with the new vape products.

Irfan has always been the primary care taker of the business. He does admit however that recently he has been focusing more on the Naperville store rather than the one in St. Charles. He is fully aware that his negligence of this basic duties as a business owner led to the events of him having to voluntarily close the store. In order for him to re-open the store he has made the following changes that he believes will enable him to responsibly manage his business.

STAFF TRAINING: Irfan has terminated all the employees that were working at the store. He will not hire new employees for this store. He will personally manage the St. Charles store. It is important to note that Irfan is very responsible when he works at the store. He does not have any violations in either store. He is extremely careful when he personally works there himself. On March 5, 2020 Irfan and I went over all the laws and regulations on how to responsibly sell tobacco products from his store. The attached exhibits are actually training manuals that both Irfan and I put together which will be used to train future employees. New employees will undergo a rigorous training session which will consist of learning all the necessary rules and regulations on how to sell tobacco based products. Irfan will use the training manual to train all of his new employees. But for the time being, he will be personally responsible for managing the store. He does not have any plans to hire anyone for the foreseeable future.

NEW SIGNS: The attached exhibit is a new sign that will be placed all over the business. The signs will be visible from the outside and also from the inside. The signs will not only deter under-age people from entering the store, but also will be a constant reminder to all employees that the sale of tobacco based products will be forbidden to under-age persons.

NEW ID SCANNING MACHINE: The other attached exhibit is the photo of a newly acquired machine that will be placed at the register. The machine will help the employees to scan all IDs prior to showing/sale of any tobacco based product. This way the employees will not have to just see and inspect the ID but also scan it for potential fake ones. No employee will show or sell any tobacco based product unless the buyer's ID is scanned in with the new machine and physically inspected by the employee.

SUPERVISION OF EMPLOYEES: Any employee will contact Irfan for any question or uncertainty that they have while working. There will be no guessing on whether their actions comply with the rules and regulations. No sale of the product will be made unless the employee insures that the sale is legal.

Irfamn has been very remorseful about this incident. He also is aware of the dangers of smoking tobacco in general, let alone underage smoking and its legal and adverse consequences. As a father, himself of three minor children, he understands the importance of children's health and the concerns of a parent. For these reasons, Irfan has implemented all these measures to ensure that his business is always in compliance with the law. Irfan is willing to fulfill any other condition that you might add and deem reasonable. It is our hope that this uncharacteristic lapse in judgment does not irreparably scar an otherwise exemplary series of choices Irfan has made throughout his life.

Yours very truly,

Vako law & Associates

Stavri Vako Esq.

AL-TIJARA LLC., D/B/A SMOKE/VAPE STORE
MANAGER'S GUIDE TO TRAINING EMPLOYEES
TRAINING EMPLOYEES

IL Attorney General's Regulations and St. Charles Code.

- THE STATE OF ILLINOIS and City of St. Charles prohibits the sale of cigarettes and other tobacco based products to minors. To prevent illegal sales of tobacco products to persons under 21 the Illinois Attorney General's regulations and the St. Charles Code require that:

  A. All store clerks working for Al-Tijara LLC have to be 21 years old or older in order to be able to work within the business.

  B. Store clerks must verify the age of any customer wishing to buy tobacco who looks younger than 30 years of age, with a valid government-issued photo identification card (I.D.).

  C. All ID's have to be personally inspected **AND** scanned by the ID scanner.

  D. All tobacco products sold by Al-Tijara must be sold in a direct face-to-face exchange.

  E. Self-service sales **are prohibited,** within the premises of Al-Tijara stores.

  F. Clerks or any other representative of Al-Tijara LLC may not break open packages of cigarettes, little cigars or smokeless tobacco product to sell them in an amount smaller than the smallest package made by the manufacturer.

  G. Any person wishing to be employed by Al-Tijara LLC., must attend a training session about following tobacco sales laws and regulations.

  H. Managers must show employees a copy of the no sale sign and cash register sticker, and tell them where in your store these signs are posted. If you don't have extra copies of the signs to show, pass around the required signs.

  I. On a regular basis, managers must remind employees about your store's policies: no tobacco sales to anyone under 21, and asking for a photo I.D. to check date of birth and verify age.

  J. Managers must remind employees of these policies at meetings, by posting notices in the break area, through payroll stuffers, etc. Given high turnover rates among retail employees, it is important to offer this training on a regular basis.

  K. For any questions, managers should always refer to the City of St. Charles Code or Illinois laws which is attached to this manual.

EMPLOYEE MANUAL

Overview of Tobacco Sales Law

Every employee shall have this with him during every shift.

1. It is against the law to sell any tobacco product to anyone under the age of 21.
2. Tobacco products include: cigarettes, cigars, chewing tobacco, little cigars, cigarillos, pipe tobacco and bidis or any other tobacco based product.
3. You must verify the age of any customer wanting to buy tobacco who looks younger than age 30, by checking date of birth on a photo I.D and scanning it with the store provided scanner.
4. Failure to obey the law may result in fines and other penalties as provided by state law and City of St. Charles Code.
5. A copy of the law must be posted "conspicuously" where tobacco based products are sold.
6. Store clerks must verify the age of any customer inside the premises of the store waiting or wanting/inspecting or to purchase tobacco who looks younger than 30 years of age with a valid government-issued photo I.D.
7. Sale of unpackaged or repackaged cigarettes ("loosies") is prohibited.
8. Tobacco products must be sold in a direct, face-to-face exchange.
9. No self-service is allowed.
10. Free samples of tobacco products are **not allowed**.
11. It's very hard to tell a young person's age without asking for I.D. Height, build, clothing, etc., can make you think someone is older than they really are, Ask yourself: Could this customer be under 27?" If the answer is yes, or if you are unsure, ask to see a photo I.D.
12. **Do not take** the product from the shelf or hand it to the customer until **AFTER** you check the I.D.
    a. **Acceptable forms of I.D.**
        i. The I.D. must be issued by the government and include the date of birth and a photo of the person.
        ii. The I.D. must also be valid.
        iii. Acceptable forms of I.D. are driver's license, state liquor I.D., state I.D. card (this I.D. is vertical and can be issued to residents as young as age 16, check birth date carefully), military I.D., passport or immigration card. •
    b. **NOT acceptable**:
        i. library card, work I.D., expired government I.D., etc.
13. Check the date of birth to be sure the customer is 21 or older.
    a. To buy tobacco based products, the person must have been born by today's date 21 or more years ago.
        i. For example: • If today's date is May 4, 2007 the customer's date of birth on the I.D. must be on or before May 4, 1986. • If today's date is September 18, 2008, the customer's date of birth on the I.D. must be on or before September 18, 1987.
14. Check for false I.D.: Does the photo match the person? Does the picture or date of birth look changed in any way?
15. Politely refuse to sell tobacco based products to anyone who refuses to show I.D., or who does not have the right kind of I.D.

16. If the customer complains, explain that it is against the law to sell tobacco products to persons under 21, and that you must check I.D. to be sure of the customer's age.
17. **DO NOT ACCEPT NOTES** or phone calls from adults giving permission to a minor to buy tobacco.
18. If you have doubts, you should refuse the sale.
    a. Store managers will support your judgment in this.
19. REFUSING A SALE:
    a. Check I.D. before picking up the product (the cigarettes), keeping it out of the customer's reach.
    b. Be polite but firm in refusing the sale. Explain that you can't sell tobacco products without a proper I.D. because of state law. Explain that you could be fined or lose your job for breaking the law.

5.16.010 – Legislative findings and declaration

The mayor and city council find and declare that:

A. Cigarette smoking is dangerous to human health;
B. There exists substantial scientific evidence that the use of tobacco products causes cancer, heart disease and various other medical disorders;
C. The Surgeon General of the United States has declared that nicotine addiction from tobacco is similar to addiction to cocaine, and is the most widespread example of drug dependence in this country;
D. The Director of the National Institute on Drug Abuse concluded that the majority of the three hundred twenty thousand (320,000) Americans who die each year from cigarette smoking became addicted to nicotine as adolescents before the age of legal consent;
E. The National Institute on Drug Abuse found that cigarette smoking precedes and may be predictive of adolescent illicit drug use;
F. The present legislative scheme of prohibiting sales of tobacco products to persons under the age of eighteen (18) has proven ineffective in preventing such persons from using tobacco products; and
G. The enactment of this chapter directly pertains to and is in furtherance of the health, welfare and safety of the residents of the city, particularly those residents under twenty-one (21) years of age.

(2019-M-21: § 1; 1991-M-37: § 1)

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5.16.020 – Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

1. "Alternative nicotine product" means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means "Alternative nicotine product" does not include: any product approved by the United States food and drug administration as a nontobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.
2. "Electronic Cigarette" means:
1. any device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;
2. any cartridge or container of a solution or substance intended for use in the device.

"Electronic cigarette" includes but is not limited to, any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.

"Electronic cigarette" does not include: any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose; any asthma inhaler prescribed by a physician for that condition and is being marketed and sold solely for that approved purpose; or any therapeutic product approved for use under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act.

3. "Hookah Lounge" means an establishment where patrons share shisha (flavored tobacco) from a communal hookah or nargile which is placed at each table. Typically a disposable mouthpiece is provided for each user for hygiene reasons. Some Hookah Bars offer traditional shisha or herbal shisha (contains no tobacco/nicotine) but herbs produce tar when they burn and for the purposes of this ordinance, shall be treated the same as tobacco/alternative nicotine products in reference to their use and/or sale.
4. "Retail tobacco dealer" means any person selling, offering for sale, exposing for sale or keeping with the intention of selling or exchanging at retail, tobacco products, alternative nicotine products or tobacco accessories in the city. "Retail" means the sale of commodities in small quantities directly to the ultimate consumer. For example: The sale of tobacco in a grocery store, convenience store, gas station, tavern, restaurant, billiard or bowling alley.
5. "Tobacco Accessories" means cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed primarily for the smoking or ingestion of tobacco products.
6. "Tobacco and tobacco products" means cigarettes cigars or tobacco intended for human use, including loose tobacco, pipe tobacco, chewing tobacco and snuff.
7. "Tobacco product sample" means a tobacco product distributed to members of the general public at no cost or at nominal cost for product promotional purposes. Examples include tobacco shop, e-cigarette shops or cigar shop.
8. "Tobacco product sampler" means any person engaged in the business of tobacco product sampling, alternative nicotine or other than a retail tobacco dealer.
9. "Tobacco product sampling" means the distribution of tobacco product samples to members of the general public.
10. "Vending machine" means any mechanical, electric or electronic, self-service devise which, upon insertion of money, tokens or any other form of payment, dispenses tobacco products.
11. "Wholesale tobacco dealer" means any person making, manufacturing of jobbing cigars, or selling, offering for sale, exposing for sale, or keeping with the intention of selling or exchanging or delivering at wholesale, any tobacco, snuff, cigars, cigarettes or cigarette papers, including leaf tobacco, alternative nicotine products or any preparations containing tobacco. "Wholesale" means the sale of commodities in quantity usually for resale (as by a retail merchant); no sales directly to the ultimate consumer.

(2019-M-21: § 2; 2014-M-41: §1; 1991-M-37: §1)

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5.16.030 – License - Required

A. It is unlawful to sell or vend through machines or to engage in other retail sales of tobacco, tobacco products, alternative nicotine products, or electronic cigarettes without having first obtained a license therefor. Applications for such licenses shall be made to the clerk; and no such license shall be issued to any person who is not a person of good character, or to any corporation that is not represented in the city by a person of good character.
B. There shall be three (3) categories of tobacco licenses:
1. Retail Tobacco Dealer – over the counter. It shall be unlawful to sell or offer for sale at retail, to give away, deliver or to keep with intention of selling at retail, giving away or delivering tobacco, tobacco products, alternative nicotine products, or electronic cigarettes within the City without first obtaining a retail tobacco license. No smoking, sampling or testing is permitted on the premises.

2. Retail Tobacco Dealer – product sampler (Specialty Store). It shall be unlawful to permit smoking on the premises at an establishment that also sells tobacco, , or tobacco products without first obtaining a retail tobacco dealer – product sampler license. The sale, sampling or testing of alternative tobacco products or smoking tobacco shall be permitted on the premises.
3. Wholesale Tobacco Dealer. It shall be unlawful to offer for sale at wholesale, give away, deliver, or keep with the intent of selling at wholesale, giving away or delivering tobacco, tobacco products, alternative nicotine products or electronic cigarettes within the City without first obtaining a wholesale tobacco dealer license. A wholesale tobacco dealer who also conducts retail sales shall be required to obtain a retail tobacco dealer license in addition to the wholesale tobacco dealer license. No smoking, sampling or testing is permitted on the premises.

(2019-M-21: § 3; 2014-M-41: § 1; 1991-M-37: § 1; Prior code: § 25.401)

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5.16.040 – Application

A. An Applicant shall be an individual or by a duly authorized agent of the Applicant if the Applicant is not a natural person. All information and statements made in the Application shall be made and verified by oath or affidavit. The Application shall contain the following information:

1. The name, address, date of birth, telephone number, and social security number oftheApplicant if the Applicant is an individual; or the name, address, date of birth, telephone number, and social security number of (i) each partner if the Applicant is a partnership or (ii) each manager of the Applicant if the Applicant is an entity or other organization.
2. The location and description of the premises or place of business for which the license is being applied for.
3. A statement whether Applicant has made a similar application for a license on any premises other than the premises described in the Application.
4. A statement that Applicant or any manager has never been convicted of a felony or otherwise disqualified to receive a license by reason of any matter or thing contained in the laws of Illinois or the ordinances of the City.
5. A statement as to whether any previous license issued to Applicant by any State or other governmental unit or agency has been suspended or revoked and the reasons therefore.
6. A statement that the Applicant will not violate any of the laws of the state of Illinois or theprovisions of this Ordinance in the conduct of business at the location for which the license is proposed.

B. Ineligible Person – No license shall be issued to the following persons:

1. A person who is not a citizen of the United States;
2. A person who has been convicted of a felony under any federal or state law;
3. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;
4. A person whose license under this Ordinance, or any similar regulatory ordinance or statute, has been revoked for cause;
5. A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application;
6. A person whose place of business is conducted by a manager or assistant manager or agent, unless said manager, assistant manager or agent possesses the same qualifications required by the licensee;
7. A person who does not own the premises for which a license is sought or does not have a lease thereon for the full period for which the license is issued.

(2014-M-41: § 1; 1991-M-37: § 1; 1979-M-44 : § 5(c); Prior code: § 25.402)

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5.16.050 – Fee and Term

A. The license fee for a Retail Tobacco Dealer – over the counter as well as vending machines shall be $50.00.
B. The license fee for a Retail Tobacco Dealer – product sampler shall be $100.00.
C. The license fee for a Wholesale Tobacco Dealer shall be $250.00.

The license shall be effective for one (1) year commencing on May 1 and ending on April 30, annually.

(2014-M-41: § 1; 1995-M-1: § 1; 1991-M-37: § 1)

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5.16.060 – Licensed premises - Sanitary condition required

Premises and buildings used for the sale of tobacco, tobacco products, alternative nicotine products, or electronic cigarettes shall be kept in a clean and sanitary condition; the health officer shall investigate such places sufficiently often to insure compliance with the provisions of this section.

(2019-M-21: § 4)

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5.16.070 – Prohibited sales, delivery

It shall be unlawful for any person, including any licensee under this Chapter, to sell, offer for sale, give away, deliver, promote, or advertise tobacco, tobacco products alternative nicotine products, or electronic cigarettes to any person under the age of twenty-one (21) years.

Before selling, offering for sale, giving, or furnishing tobacco, a tobacco product, alternative nicotine product, or electronic cigarette to another person, the person selling, offering for sale, giving, or furnishing the tobacco, tobacco product, alternative nicotine product, or electronic cigarette shall verify that the person is at least twenty-one (21) years of age by examining from any person that appears to be under thirty (30) years of age a government-issued photographic identification that establishes the person to be twenty-one (21) years of age or older.

(2019-M-21: § 5)

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5.16.080 – Signs

A. Signs informing the public of the age restrictions provided herein provided herein shall be posted by every licensee at or near every display of tobacco, tobacco products, alternative nicotine products, and electronic cigarettes and on or upon every vending machine which offers tobacco, tobacco products alternative nicotine products, or electronic cigarettes for sale. Each such sign shall be plainly visible and shall state:

SALE OF TOBACCO ACCESSORIES, SMOKING HERBS, AND ALTERNATIVE NICOTINE PRODUCTS TO PERSONS UNDER TWENTY-ONE YEARS OF AGE OR THE MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW

B. Signs informing the public of the U.S. surgeon general's health warning shall be posted by every licensee selling cigarettes or alternative nicotine products at or near every display of cigarettes or alternative nicotine products and on or upon every vending machine which offers cigarettes or alternative nicotine products for sale. Each such sign shall be plainly visible and shall state:

SURGEON GENERAL'S WARNING: SMOKING BY PREGNANT WOMEN MAY RESULT IN FETAL INJURY, PREMATURE BIRTH, AND LOW BIRTH WEIGHT.

The above signs shall be posted in a conspicuous place and shall be printed on white cards in red letters at least one-half inch (1/2") in height.

C. Locations Restrictions:
It shall be unlawful for any person to sell, offer for sale, give away or deliver tobacco, tobacco products, alternative nicotine products, or electronic cigarettes within one hundred feet (100') of any school, childcare facility or other building used for education or recreational programs for persons under the age of eighteen (18) years.

D. Certain Free Distributions Prohibited:
It shall be unlawful for any licensee or any person in the business of selling or otherwise distributing, promoting or advertising tobacco, tobacco products, alternative nicotine products, or electronic cigarettes, or any employee or agent of any such licensee or person, in the course of such licensee's or person's business to distribute, give away or deliver tobacco, tobacco products, alternative nicotine products, or electronic cigarettes free of charge to any person on any right of way, park, playground or other property owned by the City, or any other public body, school district or unit of local government.

(2019-M-21: § 6)

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5.16.090 – Minimum age to sell tobacco products

1. It shall be unlawful for any licensee and/or any officer, associate, member, representative, agent or employee of such licensee under this article to engage, employ or permit any person under 18 years of age to sell tobacco, tobacco products, alternative nicotine products, or electronic cigarettes in any licensed premises.
2. If an agent or employee of a licensee under this article who is 18 years of age or older but less than 21 years of age sells tobacco, tobacco products, alternative nicotine products, or electronic cigarettes in any licensed premises, an officer, agent or employee of the licensee who is at least 21 years of age shall also be on the licensed premises at the time of such sale and is assisting the employee younger than 21 in the sale process.

(2019-M-21: § 7)

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5.16.100 – Purchase by minors prohibited

A. It shall be unlawful for any person under the age of 21 years to purchase tobacco, tobacco products, alternative nicotine products, or electronic cigarettes, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco, tobacco products, alternative nicotine products, or electronic cigarettes.

B. No person under twenty-one (21) years of age in the furtherance or facilitation of obtaining any tobacco, tobacco product, alternative nicotine product, or electronic cigarette shall display or use a false or forged identification card or transfer, alter, or deface an identification card.

(2019-M-21: § 8)

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5.16.110 – Possession by minors prohibited

It shall be unlawful for any person under the age of 21 years to possess any tobacco, tobacco products, alternative nicotine products, or electronic cigarette provided that the possession by a person under the age of 21 years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

(2019-M-21: § 9)

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5.16.120 – Proximity to certain institutions

It shall be unlawful for any person to sell, offer for sale, give away, or deliver tobacco, tobacco products, alternative nicotine products, or electronic cigarettes within 100 feet of any school, child care facility, or other building used for education or recreational programs for persons under the age of 21 years.

(2019-M-21: § 10)

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5.16.130 – Certain free distributions prohibited

It shall be unlawful for any licensee or any person in the business of selling or otherwise distributing, promoting, advertising tobacco, tobacco products, alternative nicotine products, or electronic cigarettes, or any employee or agent of any such licensee or person, in the course of such licensee's or person's business, to distribute, give away or deliver tobacco, tobacco products, alternative nicotine products, or electronic cigarettes, free of charge to any person on any right-of-way, park, playground or other property owned by the city, any school district, any park district, any public library, or any location where distribution of tobacco, tobacco products, alternative nicotine products, or electronic cigarettes, to persons under 21 cannot be adequately controlled.

(2019-M-21: § 11)

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5.16.140 – Vending machines; locking devices

A. It shall be unlawful for any licensee under this article to sell or offer for sale, give away, deliver or to keep with the intention of selling, giving away or delivering tobacco, tobacco products, alternative nicotine products, or electronic cigarettes by use of a vending machine, unless such vending machine is equipped with a manual, electric or electronic locking device controlled by the licensee so as to prevent

its operation by persons under the age of 21 years.

B. Any premises where access by persons under the age of 21 years is prohibited and where vending machines are strictly for the use of employees of the business located at such premises shall be exempt from the requirements of subsection (A) of this section.

(2019-M-21: § 12)

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5.16.150 – Responsibility of licensee for agents and employees

Every act or omission, or whatsoever nature, constituting a violation of any of the provisions of this article by any officer, director, manager or other agent or employee of any licensee shall be deemed and held to be the act of such licensee; and such licensee shall be punishable in the same manner as if such act or omission had been done or omitted by the licensee personally.

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5.16.160 – Smoke free areas

It shall be unlawful for any person to use alternative nicotine products in any area within the City where smoking is prohibited under the provisions of the Smoke Free Illinois Act (410 ILCS 82-1 et seq.)

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5.16.170 – Penalty

Any person violating any provision of sections 5.16.100 or 5.16.110 shall, upon conviction, be fined one hundred dollars ($100.00) for the first offense, two hundred fifty dollars ($250.00) for the second offense and five hundred dollars ($500.00) for each subsequent offense. In the alternative, any person violating any provision of sections 5.16.100 or 5.16.110 shall, upon conviction, complete fifteen (15) hours of community restitution for the first offense, thirty (30) hours of community restitution for the second offense, and one-hundred (100) hours of community restitution for each subsequent offense. All community service shall be completed within one (1) year from the date of conviction.

Any person, firm or corporation violating any provision of this chapter other than 5.16.100 or 5.16.110 shall be fined not less than one hundred ($100.00) nor more than five hundred dollars ($500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(2019-M-21: § 13)

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5.16.180 – Tobacco commissioner; tobacco commission; suspension, revocation of license; fines, costs

A. The Local Liquor Control Commissioner shall serve as the tobacco commissioner and shall be charged with the administration of this article and of such other ordinances relating to tobacco sales and licensing as may be from time to time enacted by the city council. A tobacco commission is created,

which shall be composed of the same five members of the city's local liquor commission. Accordingly, the terms and provisions of Sections 5.08.020, 5.08.030 and 5.08.035 of this Code are incorporated into this article as though fully set forth in this article, as being specifically applicable to the creation, enforcement, and administration of this article.

B. The tobacco commissioner, after a hearing conducted by the tobacco commission may suspend or revoke any license issued under the provisions of this article if he determines that the licensee has violated any of the provisions of this article. In lieu of suspension or revocation of the license, the tobacco commissioner may instead levy a fine on the licensee. The fine imposed shall be in an amount not less than two hundred fifty ($250.00) dollars and not more than one thousand ($1,000.00) dollars for each violation. A separate violation of this Ordinance shall be deemed to have been committed on each day during which a violation occurs or is permitted to continue.

C. No license issued under this article shall be suspended or revoked and no licensee shall be fined except after a public hearing by the tobacco commission with a seven (7) days written notice to the licensee affording the licensee an opportunity to appear and defend against the charges contained in such notice. The seven (7) days notice provision shall begin the day following delivery by certified mail or by personal service.

D. If the tobacco commission determines after such hearing that the license under this Article should be revoked or suspended or that the licensee shall be fined, the tobacco commission shall recommend to the tobacco commissioner either the amount of the fine, the period of suspension or that the license be revoked.

E. Any licensee determined by the tobacco commissioner to have violated any of the provisions of this article shall pay to the city the costs of the hearing before the tobacco commission on such violation. The tobacco commissioner shall determine the costs incurred by the city for such hearing, including but not limited to, attorneys' fees, court reporter's fees, fees incurred by the City, Chief of Police and the local Liquor Control Commissioner, the cost of preparing and mailing notices and orders, and all other miscellaneous expenses incurred by the City or such lesser sum as to the tobacco commissioner may allow.

   The licensee shall pay such costs to the city within 30 days of notification of the costs by the tobacco commissioner. Failure to pay such costs within 30 days of notification is a violation of this article and may be cause for license suspension or revocation, or the levy of a fine.

F. The terms and provisions of the Illinois Administrative Review Law (735 ILCS 5/3-101 et seq.) shall apply to all orders of the city which revoke or suspend any tobacco dealer's license and/or impose a monetary fine or other penalty, as provided for in this article.

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5.16.190 – Use of premises after license revocation

When any license issued under this article shall have been revoked for any cause, no new license shall be granted to such licensee for a period of six months thereafter for the conduct of the business of selling tobacco, tobacco products, alternative nicotine products, or electronic cigarettes in the premises described in such revoked license.

(2019-M-21: § 14)

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5.16.200 – Severability

The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

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5.16.210 – Repealer

All ordinances or portions of ordinances previously passed or adopted by the City of St. Charles that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

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EXHIBIT
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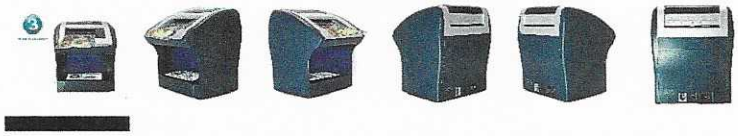
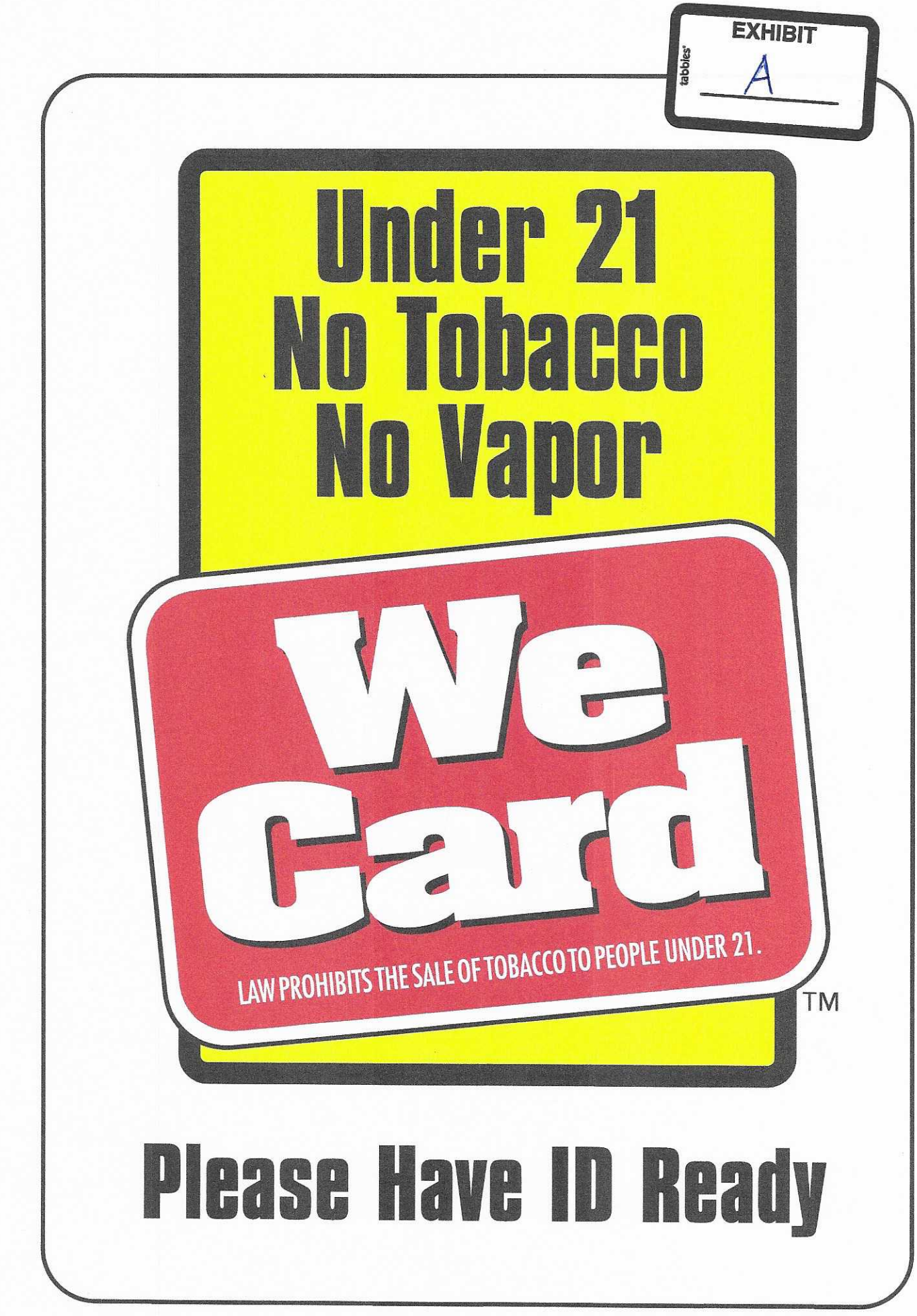
3 YEAR WARRANTY

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