

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 LIQUOR)
LICENSE OF:)
)
Deepa Foods, Inc.)
d/b/a 7-Eleven)
2400 E. Main Street, Suite 116)
St. Charles, IL 60174)

Case Number: 2019-LC-03

NOTICE OF HEARING

TO: Deepa Foods, Inc.
d/b/a 7-Eleven
2400 E. Main Street, Suite 116
St. Charles, Illinois 60174

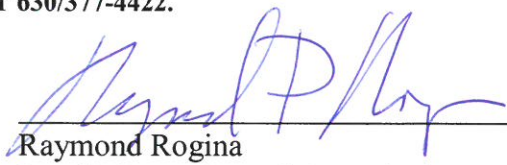
PLEASE TAKE NOTICE THAT on April 15, 2019 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapter 5.08.270 of the Municipal Code of the City of St. Charles and the Liquor Control Act of 1934, 235 ILCS 5/1-1 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 liquor license issued to you or impose a fine upon you, or both, by reason, 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. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN SEVEN (7) 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 5.08.320(A) 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, JOHN McGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TRACEY CONTI, AT 630/377-4422.

DATED this 21 day of March, 2019.



Raymond Rogina
Local Liquor Control Commissioner
City of St. Charles

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

STATE OF ILLINOIS)
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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 Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: _____ at _____
_____ on the _____ day of March, 2019.

SUBSCRIBED AND SWORN TO
before me this _____ day of March, 2019.

NOTARY PUBLIC

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

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF
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d/b/a 7-Eleven)
2400 E. Main Street, Suite 116)
St. Charles, IL 60174)

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.
2. In the month of, September, 2018; October, 2018; November, 2018; December, 2018; and January, 2019, the Licensee, Deepa Foods, Inc. d/b/a 7-Eleven, by and through its employees, officers and/or agents, committed the following violations of the St. Charles Liquor Code:

OFFENSES

(Count I)

Failed to pay alcohol tax for the tax period ending September 30, 2018, which was due and owing on October 31, 2018.

(Count II)

Failed to pay alcohol tax for the tax period ending October 31, 2018, which was due and owing on November 30, 2018.

(Count III)

Failed to pay alcohol tax for the tax period ending November 30, 2018, which was due and owing on December 31, 2018.

(Count IV)

Failed to pay alcohol tax for the period ending on December 30, 2018, which was due on January 31, 2019.

(Count V)

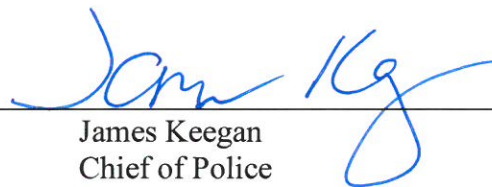
Failed to pay alcohol tax for the period ending on January 31, 2019, which was due on February 28, 2019.

3. At the time of the above violations, Deepa Foods, Inc. d/b/a 7-Eleven. was operating under a Class A6 liquor license issued by the City of St. Charles.

4. That the acts detailed in Section 1, 2 and 3 of this Complaint of Violation each are prohibited and are in violation of and contrary to Section 3.42.090 of the St. Charles Municipal Code (Alcohol Tax Ordinance) and the Liquor Control Act of 1934.

5. That the Licensee, Deepa Foods, Inc. d/b/a 7-Eleven., 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 Section 5.08.320 of the St. Charles Municipal Code that the Local Liquor Control Commission hold a hearing on this matter and take such action against Deepa Foods, Inc. d/b/a 7-Eleven as the Commissioner shall deem appropriate under the circumstances.



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

John M. McGuirk
Attorney for the City of St. Charles
Hoscheit, McGuirk, McCracken
& Cuscaden, P.C.
1001 East Main Street, Suite G
St. Charles, IL 60174
630/513-8700

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 24th day of March, 2019.




NOTARY PUBLIC



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 Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: LAUREL HANSEN at 7-11 2400 E Main ST. #116 ST. C. on the 21st day of March, 2019.

 #310

SUBSCRIBED AND SWORN TO
before me this 21st day of March, 2019.


NOTARY PUBLIC



ARRAIGNMENT FORM

I, Praveen Goud, as agent for Deepa Foods, Inc. d/b/a 7-Eleven, being a licensee charged with a violation of Chapter 5.08 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 2400 E. Main Street, Suite 116, St. Charles, Illinois 60174, do hereby enter a plea of:



Guilty, 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.



Guilty, I do not request a hearing.



Not Guilty. I request a hearing.

Deepa Foods, Inc. d/b/a 7-Eleven

Signature:

By: Praveen's

Date:

4/4/19

Subscribed and sworn to before me

This 5 day of April, 2019

Tracy R Conti
Notary Public

Form can be faxed to 630/377-4440
or e-mailed to the attention of Tracy Conti
at tconti@stcharlesil.gov
Hard copy must follow by U.S. Mail

