



CITY OF ORANGE

OFFICE OF CHIEF OF POLICE

PHONE: (714) 744-7300

www.cityoforange.org

DATE: September 20, 2021

COMMUNITY DEVELOPMENT
RECEIVED
SEP 21 2021
CITY OF ORANGE

Monique Schwartz
Planning Department
300 E Chapman
Orange, CA 92867

Dear Monique Schwartz,

Attached please find the Police Department's report reference:

CUP: 3039-17

Villa Park Shell: 2640 N. Santiago Blvd. Orange, CA 92867

TYPE 21 Off-Sale General

The project located at 2640 N. Santiago Blvd (Villa Park Shell) requested a Type 21 Off-Sale General ABC License in conjunction with the expansion of an existing convenience store, and construction of a drive-through car wash. This project was reviewed and supported by Orange Police Department on September 25, 2017. The City's Design Committee Review approved the architectural plans for the project on September 15, 2021.

Attached are the requested crime statistics for 117w.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Adams".

Dan Adams,
Chief of Police

Villa Park Shell- 2640 N. Santiago Blvd.
"21" Off-Sale General
CUP: 3039-17

Prepared by: Hank Echandi, Detective

Date: September 13, 2021

Communication Log:

Date Email Was Received: September 1, 2021 Monique Schwartz, Associate Planner.

On September 1, I received an email from Monique Schwartz requesting current crime statistics for this Conditional Use Permit that was completed and approved by The Orange Police Department in September of 2017.

Crime Statistics and Activity

The 2020 crime statistics for Reporting District **117w** shows crimes at **11**. The average number of reported crimes per reporting district is **74**. Additionally, Reporting District **117w** is ranked **68** out of **92** districts in the City of Orange, and is **65% below** the average of reported crimes. (High-crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2020, there were approximately **15** arrests in Reporting District **117w** and **four** of those arrests were alcohol related. The alcohol related offenses were **two** for CVC 23152-Driving under the Influence of alcohol/drugs, **one** for PC 647(f)-Drunk in Public, and **one** OMC 9.16.020-Drinking in public. The drunk in public occurred at 2640 N. Santiago Blvd. During that arrest, it was initially a call for service by a Villa Park Shell Employee of an assault and battery that occurred outside.

In comparison, the 2017 crime statistics for Reporting District **117w** were similar and showed crimes at **15**. The average number of reported crimes per reporting district is **68**. Additionally, Reporting District **117w** was ranked **65** out of **92** districts in the City of Orange, and is **66% below** the average of reported crimes. (High-crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2017, there were approximately **9** arrests in Reporting District **117w** and **1** of those arrests was alcohol related. The alcohol related offense was CVC 23152(g)-Driving under the Influence of alcohol/drugs. During that arrest the driver admitted to drinking at his aunt's house at an unknown location.



ORANGE POLICE DEPARTMENT

INVESTIGATIVE SERVICES DIVISION

COMMUNITY DEVELOPMENT
RECEIVED

MAR 07 2018

CITY OF ORANGE

CUP: 3039-17

MEMORANDUM

CONTROL #: 00012

To: Thomas C. Kisela, Chief of Police
Attn: Dave Nichols, Captain *[Signature]* 2-28-18
Dennis Gomez, Lieutenant *[Signature]*
Aaron Towner, Sergeant
From: Hank Echandi, Detective
Date: September 25, 2017
Type: "21" Off-Sale General
Location: (Villa Park Shell) 2640 N Santiago Blvd., Orange, CA 92867

Figures supplied by the State Department of Alcohol Beverage Control (ABC) for the location in Census Tract #: 758.13 show:

The number of **ON-SALE** licenses allowed are: **6**

The number of **ON-SALE** licenses existing are: **4**

The number of **OFF-SALE** licenses allowed are: **2**

The number of **OFF-SALE** licenses existing are: **3**

The average number of reported crimes per district is **68** (crime stats from 2017). This location is in Reporting District **117w**. Current figures show crimes at **15**. This is **66%** below the average of reported crime.

➤ OFF-SALE IS OVER-CONCENTRATED

Business & Professions Code 23958.4 (a) defines over-concentrated and high-crime area: *a high-crime area is defined as a 20% greater number of reported crimes, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.*

Location checked in in-house: **Yes** (Attached) / City Planner: Monique Schwartz

Communication Log:

Date Email Was Received: September 25, 2017 – Received email from Monique Schwartz, Senior Planner.

Evaluation:

Villa Park Shell is located at 2640 N. Santiago Blvd. in the City of Orange. Villa Park Shell is currently a gas station and mini mart. The business is located on N. Santiago Blvd, south of the 55 Freeway. The business is located on the south end of the Santiago Center along with four other businesses. The businesses include KC Liquor, BBQ Outlet, Value Cleaners, and Marri's Italian Restaurant.

On October 25, I emailed property owner Surinder Multani and designer Shiv Talwar the Orange Police Department's Conditions for their pending ABC License.

Mr. Multani seeks to refurbish his existing service station by adding a drive-through automatic car wash, expand the convenience store, and the ability to sell alcohol per a pending Type 21 Off-Sale General License. Mr. Multani is requesting the Type 21 License due to customers frequently asking to purchase alcohol, and the business will be able to compete with other local gas stations that offer alcohol. Mr. Multani will be transferring a Type 21 ABC License from a prior business (License #433479, KC Liquor Aliso Viejo, Ca) he owned. Mr. Multani is aware there is a Liquor next store to his business, which he owns, but he wants the ability to offer customers a one stop shopping experience at Villa Park Shell rather than the customers having to go to two places to meet their shopping needs, such as purchasing gas, food, and or alcohol. KC Liquor (2650 N. Santiago Blvd.) and Marris Italian Restaurant (2658 N. Santiago Blvd.) are currently the only businesses in the shopping center that hold an ABC License. KC Liquor holds a Type 21 ABC License and Marris holds a Type 41 ABC License.

Mr. Multani advised after the renovation of the business is completed, there will be a large cooler for the chilled beverages along the north wall of the business. The northeast portion of the cooler will be designated for the chilled alcoholic beverages. The manned cash register will be located at the southeast portion of the building adjacent to the enter/exit door. The coolers will have locks to prevent sales during prohibited hours. The business will be open 24 hours a day, 7 days a week. The proposed hours for alcohol sales will be 6:00 am – 2:00 am.

Concentration Levels

The census tract figures supplied by ABC show **2 allowed** with **3 existing** off-sale (over-concentrated), and **6 allowed** with **4 existing** on-sale. BP Code 23958.4 addresses concentration as the number of existing ABC licensed establishments within a given census tract, which is based upon population within each tract.

Crime Statistics and Activity

The crime statistics for Reporting District **117w** shows crimes at **15**. The average number of reported crimes per reporting district is **68**. Additionally, Reporting District **117w** is ranked **65** out of **92** districts in the City of Orange, and is **66% below** the average of reported crimes. (High-crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2017, there were approximately 9 arrests in Reporting District 117w and 1 of those arrests was alcohol related. The alcohol related offense was CVC 23152(g)-Driving under the Influence of alcohol/drugs. During that arrest the driver admitted to drinking at his aunt's house at an unknown location.

Census Tract / Sensitive Sites

Villa Park shell is located in the northeast portion of Orange, Ca in The Santiago Center along with CK Liquor, which holds a Type 21 ABC License and Marri's Italian Restaurant, which holds a Type 41 ABC License. Villa Park Shell is north of The Orchard Business Complex and (2518-2592), and south of the Nohl Ranch Car Wash, Santiago Mini Mart, and Valero Gas Station (2700 N. Santiago Blvd), which holds a Type 20 ABC License. All businesses including Villa Park Shell back up to the 55 North Freeway and are across the street from the Vista Royale Residential Community that consist of single family dwellings.

There are no known sensitive sites (i.e. churches & schools) within 600 feet of the business location, but the 55 Freeway's North On-Ramp is approximately one tenth of a mile in distance.

Recommendation:

The Orange Police Department **does not oppose** the applicant's efforts to obtain a Type 21 ABC Off-Sale General License based on the following: In 2017 Reporting District 117w is considered a low crime area. The reporting district is **66% below** the average of reported crimes. There were 9 arrests made in the reporting district and only 1 was alcohol related. The census tract is not over-concentrated for On-Sale ABC Licenses, and over concentrated by one for Off-Sale ABC Licenses, but one of the businesses is located in a different reporting district (77s) at 2493 N. Tustin St. (Arco Gas Station).

The Police Department requests the conditions identified in the attached memo be incorporated as part of the C.U.P.

ORANGE POLICE DEPARTMENT

CUP CONDITIONS

OPERATIONAL CONDITIONS:

1. ☒ In conjunction with the ongoing operation of the business, the premises shall comply with all requirements placed upon it by the State Alcoholic Beverage Control (ABC) Board.
2. ☒ This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.
3. ☒ The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
4. ☒ The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of merchant items that include food within the convenience store during the same time period. Fuel purchases are excluded from the gross sales of merchant related items. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.
5. ☐ The use of the building is considered a restaurant, and interior construction will remain consistent with plans submitted for review by the Planning Commission. No changes to the floor plans will occur unless a permit is issued by the Community Development Department. None of the floor area will be designated for dancing or live entertainment unless a subsequent Conditional Use Permit is approved by the Planning Commission.
6. ☒ No person in the establishment shall appear in such a manner that the genitals, pubic hair, pubic hair region, buttocks, anus, natal cleft, anal region, nipple or areola is exposed to public view or is not covered by an opaque covering.

7. ☒ The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premise.
8. ☐ The sale of beer and/or wine for consumption off the premises shall be prohibited.
9. ☒ No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
10. ☐ All alcohol shall be consumed on the subject site, within the defined dining areas. Signs shall be posted on all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises.
11. ☐ The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
12. ☒ The hours of operation will be 24 hours, 7 days a week. The hours of operation for alcohol services shall be 7 days a week, 6 am until 2 am.
13. ☒ At no time shall there be a fee for entrance/admittance into the premises.
14. ☒ Employees and/or contract security personnel shall not consume any alcoholic beverages prior to or during their work shift. Any and all security officers provided shall comply with all state and local ordinances regulating their services, including, without limitation, Chapter 11.5 of Division 3 of the California Business and Profession Code.
15. ☒ The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents, and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence.

ALCOHOL & FOOD SERVICE CONDITIONS:

16. ☐ At all times when the premises are open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale of food.
17. ☐ Food service, with an available menu, shall be available until closing time on each day of operation.
18. ☐ Alcoholic beverages served shall be served by a waiter/waitress only, and only to seated patrons at permitted tables.
19. ☐ Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premise or other establishment sharing the patio.

20. ☒ There shall be no bar or lounge area upon the licensed premises maintained for the purpose of the sale, service, or consumption of alcoholic beverages directly to patrons for consumption.
21. ☒ There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate.
22. ☐ There should be no time when alcoholic beverages are sold at a ratio of two for one; no "stacking" of beverages, which means the serving of two alcoholic beverages at one time to the same customer; and no sales to an "empty chair", which means that each customer must be physically present at the time of the order of any alcoholic beverage.
23. ☒ There shall be no promotions encouraging intoxication or drinking contests.
24. ☒ There shall be no requirement to purchase a minimum number of drinks.
25. ☒ No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
26. ☒ The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.
27. ☒ The sale of beer or malt beverages in quantities of quarts, 22 ounces, 32 ounces, 40 ounces, or similar size containers is prohibited. Beer, malt beverages, and wine coolers in containers of 16 ounces or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
28. ☒ The sale of beer and wine for off-site consumption shall be incidental to the operation of the store. No more than 15% of the gross floor area shall be dedicated to the sale of beer and wine.
29. ☒ No wine shall be sold with an alcoholic content greater than 15% by volume.
30. ☒ No wine coolers shall be sold in less than a four-pack quantity.
31. ☒ No sale of alcoholic beverage shall be made from a drive-up window.
32. ☒ No beer or wine advertising shall be located on motor fuel islands and no advertising for beer or wine shall be visible from outside the building.

PATIO CONDITIONS:

33. ☐ The patio shall be enclosed and any gates located on the patio shall remain closed during business hours and used as an emergency exit only. Sign(s) shall be posted on all patio gate(s) indicating "Emergency Exit Only".
34. ☐ The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.
35. ☐ Patrons on the patio shall be seated by a host/hostess only, with no self-seating permitted.
36. ☐ An employee shall be stationed on the patio at all times to monitor alcohol.

SPECIAL EVENTS:

37. ☒ No portion of the premises shall be deemed to be "private" for the purposes of dispensing alcoholic beverages to selected patrons, where the licensee recognizes any form of membership cards, keys or passes which would entitle the holder entry or preferential admittance or exclusive use of any portion of the mentioned premises.
38. ☒ The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.
39. ☒ There shall be no live entertainment (including karaoke), disc jockey, amplified music, or dancing permitted on the premises at any time. Amplified music over a built-in system designed for background music shall be permitted so long as the music is not audible outside when doors are open.
40. ☒ There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Orange Community Development Director and the Police Department's Vice Unit at least one week in advance of the event.

COIN OPERATED MACHINES:

41. ☒ There shall be no pool tables or coin-operated games maintained upon the premises at any time.
42. ☒ The business may utilize a token coin system to reduce the likelihood of theft and burglaries for U.S. currency in coin operated machines. Should the token system be implemented, the requirements for a burglary alarm system may be waived.

43. • ☒ All coin change machines, dollar bill change machines, or token machines that accept and retain U.S. currency shall meet the following:

- A.) The machine is to be designed and constructed to be resistant to unauthorized forced entry attempts from any accessible side of the machine.
- B.) The machine is to be installed and secured to prevent its removal from the point of installation within the business.

SECURITY & EXTERIOR:

44. • ☒ 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.

45. • ☒ Lighting in the parking area of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

46. • ☒ The owner shall install and maintain a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation and monitoring the rear of the premises. The camera system shall keep a minimum 30 day library of events, which shall be available for downloading and inspection by the Orange Police Department.

47. • ☒ The use of any amplifying systems, outdoor sound system and paging system or any other such device is prohibited on the licensed premises.

48. • ☒ The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.

49. • ☒ There shall be no exterior advertising 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 that are clearly visible to the exterior shall constitute a violation of this condition.

50. • ☒ Exterior doors and windows, as well as the interior of the business, shall be protected by an approved alarm system, which shall detect an attempted entry or presence of people within the business during closing hours.

51. • ☒ Uniformed security will be provided by the applicant on days/nights when special event broadcast(s) are being promoted. One security guard per 100 customers shall be present during these broadcasts/events.

52. • ☒ Provide an interior night light to illuminate the interior, and maintain an unobstructed view through storefront windows to provide police patrol officers the ability to observe unlawful activity within the business.
53. • ☒ The owner or manager of the licensed premises shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following items: Handling obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented or used under agreement by the Licensee(s); verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.
54. • ☒ The applicant shall comply with all federal, state, municipal laws and / or ordinances. Any violations of these laws in connection with this use may be a cause for revocation of this permit.

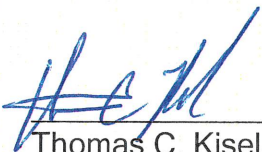
TRAINING:

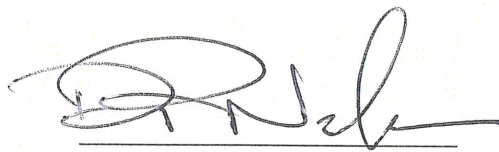
55. ☐ All employees of petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence. For new employees of petitioner, such training program must be completed within 30 days of the date of hire. The employees must provide the City of Orange Police Department a copy of completed Alcohol Management Program (AMP) certificate.

MISCELLANEOUS:

56. ☒ The business shall prohibit the admission of, or allow any person under the age to 18 years to remain upon the premises after the hour of 10:00 PM, unless accompanied by an adult.
57. ☒ Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery


58. ☐ The business shall prohibit the admission of, or allow any person under the age of 18 years to remain upon the premise between the hours of 8:00 a.m. and 3:00 p.m. Monday and Friday, when Orange Unified School District (OUSD) has school in session, unless that person is accompanied by a parent or legal guardian. This condition shall apply to all school students, including those who attend schools other than those in OUSD.


Thomas C. Kisela
Chief of Police


Dave Nichols
Captain, Investigative Services


Dennis Gomez
Lieutenant,
Invest. Services


Aaron Towner
Sergeant


Hank Echandi
Detective



ORANGE POLICE DEPARTMENT

INVESTIGATIVE SERVICES DIVISION

Please fill out and provide the following information reference your application for a modification / new license:

Business Name: Villa Park Sell

Business Location: 2640 N. Santiago Boulevard Orange, Ca 92867

Date: 07/19/17

1. Names & Dob of all principals / owners: Surinder S. Multani & Amarpreet K. Multani
2. Names of all managers: Surinder S. Multani
3. Name of building owner: Surinder S. Mutani
4. Length of lease: N/A, Surinder S. Multani owns the property
5. Proposed days & hours of operations: 7 days a week, 24 hours a day
6. Are you planning on having any live entrainment? No
7. Do you plan on using a DJ, live band or karaoke? No
8. Do you plan on having any dancing? No
9. Do you plan on having any coin operated games, if so how many? No
10. Are you planning on having "happy hour" (drink or food offered at reduced prices or free)? No

12. Do you plan on hosting any special events at this location, if so what type of events? No
13. Do you plan on renting out or leasing this business to any third party or agents? No
14. Are you planning on having any private or V.I.P. rooms? No
15. What other business that hold an ABC license are you involved with, if you are involved please provide all business names and addresses of these businesses. Mesa Foods and Liquor (28562 Oso Pkwy Suite G, Rancho Margarita, C 92868) and KC Liquor (2650 N. Rancho Santiago Blvd Orange, Ca 92867)
16. Do you plan on charging admission? No
17. Does the business have a patio area, if yes are you planning on serving any alcoholic beverage on this patio? No
18. List all businesses and their addresses you have been connected to in the last 5 years as well as co-owners and co-workers? Mesa Foods and Liquor (28562 Oso Pkwy Suite G, Rancho Santa Margarita, Ca 92868), KC Liquor (2650 N. Rancho Santiago Blvd. Orange, Ca 92867), and BBQ Outlet (2660 N. Santiago Blvd. Orange, Ca 92867)

Name of person interviewed:

Surinder Multani

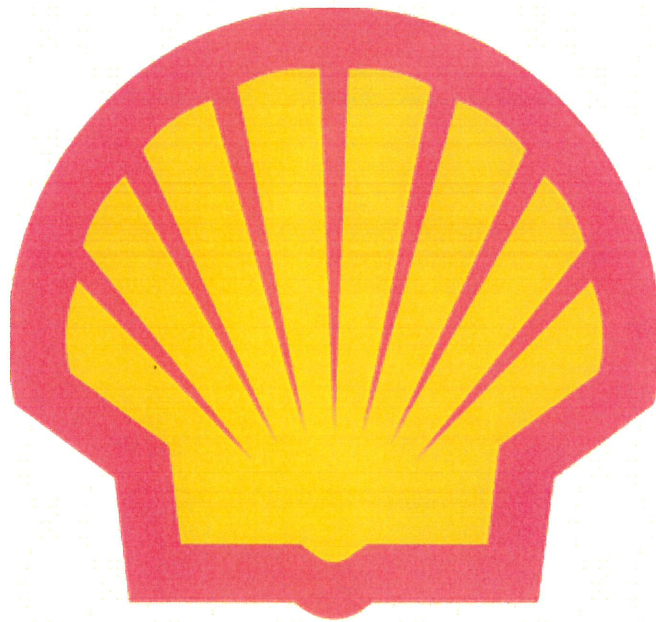
Detective Assigned:

H. Echandi # 1270

SEP 11 2017

CITY OF ORANGE

Alcohol Management Handbook



Shell
2640 North Santiago Boulevard, Orange,
CA, 92867

September 6, 2017

Contents

Management Alcohol Plan

Checking Identification Procedure

Refuse to Sell Procedure

Drug-Free Environment Procedure

Incident Log

Cashier Training Checklist

Clerk's Affidavit

Management Alcohol Plan

Date Revised: September 6, 2017

- 1.0 **Purpose:** To define policies, procedures, and activities specific to our mission to responsibly manage alcohol sales.
- 2.0 **Scope:** This document and its attachments are to be reviewed and understood by all employees.
- 3.0 **Policies:** The following policies support our mission and drive our procedures and actions.
 - 3.1 **Customer Safety** is our top priority. Every effort will be made to protect our customers. If a customer arrives obviously impaired we will deny selling them alcohol. We will also make every attempt to ensure that customer leaves in a safe manner. Do not give chase if a crime is committed, chasing puts you and the customer at risk of injury.
 - 3.2 **Excellent Customer Service** is always required. Refusing to make a sale to customer requires the greatest sensitivity, especially if the customer is impaired. Always treat the customer with respect and politeness. Always seek to de-escalate situations.
 - 3.3 **ABC License** to sell alcohol is a privilege and will be protected. We will guard this privilege by knowing what is expected of us, training to those expectations, and monitoring performance against the expectations. Special focus shall be given to:
 - Not selling alcohol to minors (under 21 years old)
 - Not selling to those Obviously Intoxicated
 - Not permitting premises to be used for illegal drug activity
 - Not permitting alcohol consumption on its premises
 - 3.4 **City Agreement** to operate is a privilege and will be protected. We will guard this privilege by knowing what is expected of us, training to this expectation, and monitoring performance against these expectations.
 - 3.5 **Tobacco Products Laws** will be complied with, to include, NO:
 - Tobacco products or paraphernalia sold to anyone under 18
 - Self-service display of tobacco products or paraphernalia
 - Sales of cigarette packs with less than 20 cigarettes & no singles
 - Tobacco samples in store

- Sales of “bidis” (imported hand-rolled cigarette containing tobacco wrapped in temburi or tendu leaf)

Our Tobacco Retail License to be posted in a location visible to customers.

3.6 **Trained Staff** is essential to protect our agreements and the public. Staff will complete the ABC LEAD training within six months of starting. Staff will trained in the following practices before selling alcohol:

- Checking Identification procedure
- Refuse To Sell procedure
- Drug Free Environment
- Management Alcohol Plan
- Clerk's Affidavit

3.7 **Impaired-Free Workplace** is essential for us to make sound and safe decisions. Staff cannot arrive to work impaired and cannot drink alcohol or consume drugs (legal or illegal) that impair on the job.

3.8 **Signs are Posted** as required by law. Signage includes:

- Notice to Customers (warning customers about laws and penalties)
- STAKE Act (to report unlawful tobacco sale)
- Warning Sign (on alcohol beverages and increased health risks)

3.9 **Additional Posting:** We shall post educational material for the public regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This will be accomplished by either posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.

3.10 **Our Neighbors - Our Community** is our concern. Staff will be observant and act to prevent our customers from interfering with our neighbors. If we see an unsafe situation, we will contact authorities as needed.

4.0 **ABC Laws:** Selling alcohol is a privilege granted by both city and state governmental agencies. Authorities have a responsibility to monitor businesses that sell alcohol and take firm action against those businesses that do not fulfill their legal commitments.

Enforcement of Agreements

Cities and counties use police officers or sheriff's deputies and Code Enforcement to monitor businesses for compliance with the city or county agreement.

Violations of State and City laws, regulations, and ordinances can be classified into four types of liability. Each liability type carries a range of possible disciplinary actions and outcomes.

Criminal (Against Employee)	Administrative (Against Licensee)	Civil (Against Everyone)	Local Ordinance (Against Owner)
Fine	Fine	Lawsuit (negligence)	Stricter Conditions
Community Service	ABC License Suspension	Money Judgments, Settlements	Suspend or Revoke Permits
Jail (tragedy)	ABC License Revocation(*)		Immediate Closure in Some Cases

Four Types of Liability

(*) The laws says revocation of license if 3 strikes within 3 years in cases involving minors

If the ABC files charges, the District Attorney where the business is located is given the case information to determine if the city would want to take action.

ABC uses field investigators to monitor businesses for compliance to their liquor license. Investigators are in the field daily. Many of their enforcement actions target businesses with complaints. Complaints commonly come from:

- Neighbors who don't like being disturbed by noise, experience trash on their property resulting from the operator's customers, or see things that make them uncomfortable.
- Customers who notice illegal or questionable actions.
- City officials in which the business operates. Typically this occurs due to too many police calls or the identification of an area of concern.

The most common problem ABC investigators find is the business not meeting a condition on its license. During routine inspections they check if:

- Exterior of building is kept clean and swept daily.
- Graffiti is removed within 72 hours.
- Only a maximum of 33% of windows are covered with advertising.
- Interior and exterior of the business is lit well enough to monitor activities inside and outside of the business.
- Operator is taking responsibility for what happens in their parking lot.

While the ABC can and will enforce all statutes the operator has agreed to, the agency focuses its activities in four areas:

- Does business sell alcohol to minors (under 21 years old)?
- Does business sell alcohol to the Obviously Intoxicated?
- Is there illegal drug activity on premises?
- Has business become a law enforcement problem?

Minor Decoy Program

The ABC conducts its Minor Decoy Program year-round to ensure businesses to not sell to minors. Undercover law enforcement works with minors to test businesses.

While the most common operator violation is not meeting a condition on its license, the second most frequent ticket issued by the ABC is sales to minors (includes off-sale), and from a punitive point-of-view, it's also the most problematic for the licensee.

If a minor hands money to an adult and then the adult purchases alcohol, the seller is responsible under the "causes to be sold" criteria.

Here are the key points in this enforcement program.

- a. Decoy <20 (typically 16-18).
- b. Will appear <20, won't use clothing or make-up to look older.
- c. Carry a real ID, or no ID, never phony ID; 99% have ID.
- d. If asked for ID, decoy must show ID.
- e. Must answer questions honestly: are you 21 yet?
- f. After someone fails, the investigator will make a seasonable effort to have the decoy and employee come face-to-face for confirmation. Decoy must then identify the person who sold them the item.

The business is required to make a good faith effort in checking identification, a responsible effort, versus a lazy effort. Did the operator: compare photo for a match, confirm date demonstrates carrier is 21, check ID expiration date, is the height or weight way off, is license flimsy?

If the business is found to sell to a minor:

Cashier: May be arrested and charged with a misdemeanor. For a first offense, \$250 fine and/or 24-32 hours of community service. For a second or subsequent offense, the penalty is a maximum \$500 fine and/or 36-48 hours of community service. If the minor consumes the alcohol and thereafter causes great bodily injury or death to the minor or any other person, the person who purchases and furnishes to the minor faces a minimum 6 months and maximum 12 months county jail and/or a \$1,000 fine.

Business: For a first offense ("strike"), the penalty is a \$750-\$3,000 fine, license suspension (standard penalty is 15 days suspension), or probation. For a second strike within 3 years, the penalty is a license suspension (standard penalty is 25 days suspension) or \$1,500 to \$6,000 fine. In some cases the fine on a second strike may be \$2,500 to \$20,000. For a third strike, within 3 years, the license is revoked; ABC may also revoke prior to a third strike when the circumstances warrant that penalty. After ABC revokes any license for reasons pertaining to the premises, ABC cannot issue a license in that building for one year. For a sales-to-minor case involving great bodily injury or death, the ABC penalty against the business would depend upon the operator's prior ABC record and the facts of the case.

The ABC may increase or decrease a standard penalty in any given case based upon aggravating or mitigation factors.

Obviously Intoxicated Customers

No person may sell or give alcohol to anyone who is obviously intoxicated. A person is obviously intoxicated when the average person can plainly see that the person is intoxicated. Some of the signs of intoxication are: being overly friendly, using foul language, argumentative, belligerent, slurred speech, slow, deliberate movements, swaying, drowsy, stumbling, red, watery eyes, or alcoholic breath. No person may sell or give alcohol to anyone who is a habitual drunkard (a person who has lost control over his or her drinking). A licensee or server who has been warned and still serves a habitual drunkard faces possible ABC disciplinary action and criminal prosecution. (Secs. 25602(a) and 23001 B&P; 397 PC)

Agents will work undercover to see if an operator sells alcohol to an obviously intoxicated person.

Target Responsibility for Alcohol Connected Emergencies (TRACE) is another method the ABC uses to track potential selling alcohol to a minor. Law enforcement will trace the last drink of a driver in an accident where someone was fatally hurt.

If the business is found to have sold to an obviously intoxicated person:

Cashier: May be arrested and charged with a misdemeanor. \$1,000 fine and/or 6 months in the county jail.

Business: Fine and/or suspension or revocation of liquor license. First offense, a fine and/or suspension (15 days is standard penalty) of liquor license; for a second offense within 3 years, there is a mandatory license suspension (25 days is standard penalty); third offense within 3 years is 45-day suspension (standard

penalty) to revocation. The ABC may increase or decrease a standard penalty in any given case, based upon aggravating or mitigating factors.

If the business is found to have been responsible for having sold the last drink to someone fatally hurt in car accident:

Cashier: Possible jail time.

Business Range from 15 to 60 days suspended license depending on circumstances. They tend to lean toward the maximum verses the minimum for this type of violation.

Illegal Drug Usage

ABC handles these violations different from other violations. Agents will work undercover to determine if a licensee knowingly permits illegal sales or negotiations of narcotics or dangerous drugs on its premises. On the very first violation, they seek the revocation of the license. No three strikes here.

Law Enforcement Problems

If ABC deems business to be a Disorderly House (lewd conduct, too many fights, excessive calls for service, neighbor complaints, or too many drunks), the ABC will take action. Penalty is decided on a case-by-case basis.

5.0 **Procedures:** It is important that each person understand their responsibilities. Duties and methods to ensure we are in compliance with our agreements are documented below and in the following attachments:

- Checking Identification procedure
- Refuse To Sell procedure
- Drug Free Environment procedure
- Clerk's Affidavit form
- Incident Report form
- Training Checklist form

Cashiers

5.1 **Check Identification** of all customers who look under 30 years old. In examining identifications, follow the Checking Identification procedure.

5.2 **Obviously Intoxicated** customers are not to be sold alcohol. Politely refuse alcohol sales to those Obviously Intoxicated customers per the Refuse To Sell procedure. Contact law enforcement as needed.

- 5.3 **Parking Area** is to be reasonably monitored to ensure illegal activities are not ongoing. Contact law enforcement as needed. Consider:
- Are customers disturbing the peace or property of our residential or commercial neighbors?
 - Are customers conducting illegal drug activity?
 - Are minors attempting to get adults to purchase them alcohol?
 - Are people drinking alcohol on our premises?
 - Is there violence or the risk on violence, or other inappropriate behavior?
- 5.4 **Document** all significant events using Incident Report shown in Addendum. Be sure Incident Reports read clear and professional—they may be read in court. Incidents to document:
- Refusal to sell alcohol to someone because they cannot prove their legal age is 21 or over
 - Refusal to sell alcohol to an Obviously Intoxicated person
 - Calling law enforcement, fire department, or 911
 - A fight on premises
 - Asking customer(s) to leave premises
 - Customer has an accident or is injured on premises
 - Witness statements (essential to get when possible)
- 5.5 **Professionalism** is required at all times. Treat customers with respect and politeness, seek to de-escalate situations. We have a strict No-Hit Policy.

Management

- 5.6 **Trains** staff against the following documents:
- Management Alcohol Action Plan and procedures
 - Clerk's Affidavit
 - Incident Report completion

Staff will complete ABC LEAD training or the GAPPOP training within six months of start date. Training record is kept in the employee's folder.

- 5.7 **Schedules** staff to ensure workers 17 or younger only sell alcohol when supervised by a person 21 or older.
- 5.8 **Posts** signage required by law. Signage includes:
- Notice to Customers
 - STAKE Act
 - Warning sign on alcohol beverages and increased health risks

- 5.9 **Examine** Incident Log for completeness and common problems.
- 5.10 **Monitors** premises to ensure:
- **Required** signage is posted
 - Stake Act sign to be posted near each register
 - **Exterior** is kept clean & graffiti is removed
 - **Exterior** and interior is well lit
 - **No** more than 33% of windows are covered with advertising or signs
 - **Retail** operating standards is available for public viewing
 - **Drug** Paraphernalia is not sold
- 5.11 **Evaluates** staff performance, providing positive feedback as appropriate and **corrective** action as needed.
- 5.12 **Considers** changes in law and updates policies and procedures as needed to **reflect** changes.

Staff Signature & **Date**: _____

Trainer Signature & **Date**: _____

Checking Identifications

Revised: September 6, 2017

1.0 Purpose: To define policies, procedures, and activities specific to examining identification to check a customer's age.

2.0 Scope: This document is to be reviewed and understood by all employees needing to check the age of a customer.

3.0 Policy: Only customers 21 and older are legally allowed to purchase or consume alcohol. Only customers 21 and older will be permitted to be in possession of alcohol. An operator has the legal right to refuse service to anyone who fails to provide adequate documented evidence of age. Authority: B&P Code Section 25659.

4.0 Procedure: Checking an ID is a three-step process:

1. Check to see if the ID indicates the person is 21 or older.
2. Check to see if the ID matches the person using it.
3. Check to see if the ID is currently valid (not expired) and authentic.

4.1 The only bona fide identifications allowed to prove age in California:

- Driver's license
- U.S. government I.D. card (federal, state, county, or city)
- Foreign passport with photograph
- U.S. Military identification
- U.S. passport

4.2 Two non-bona fide identifications cannot be combined to determine a customer's age. For example: a student identification card that either identifies or infers a certain age cannot be combined with a credit card to prove age.

4.3 Bona fide identifications need to be issued by a government agency and be currently valid.

4.4 Bona fide identifications need to include the following:

- Name
- Date of birth
- Photograph
- Description—with the following exceptions: both military identifications and passports will not contain a physical description

4.5 Do the math—does the identification indicate the person is 21 or older?

4.6 Is the identification still valid or has it expired?

4.7 Compare picture to person. Are they the same? Focus on the nose and chin. If the person in the picture is smiling, don't hesitate to ask person to smile. If still unsure, consider asking:

- Person their zodiac sign
- Person to sign name; then compare to the signature on the identification
- Person for personal information on identification: address, DOB, spelling of last name (if not common)
- Friend of identification bearer some questions, such as last name and address of identification bearer

4.8 Check to see if identification is phony or altered. Check for:

- Razor marks or use of white out
- Does it feel right? It should not feel flimsy

4.9 There are several other things to check for when examining California driver's licenses. It is important when checking licenses to use the most recent edition of the book that shows state driver's licenses and earlier versions of state licenses. This ensures you match the license against safeguards applicable to the date the license was generated. Among other things, the most recent California driver license should include the following:

- A laser perforated image of a California Black Bear on front, visible when a flashlight is pressed against the back of card
- The laser engraved signature on front is raised and can be felt by touch
- Color UV images visible with an ultraviolet light

4.10 If in doubt about identification—do not accept it—and immediately contact your manager to resolve the situation.

4.11 If identification is determined to be either phony or questionable, your manager will decide if identification will be returned to the bearer or confiscated. If confiscated, the identification must be turned over to law enforcement.

4.12 Examples of unacceptable IDs are attached.

New Team Member: _____
Team Leader: _____ Date: _____

Refuse to Sell

Revised: September 6, 2017

- 1.0 Purpose: To define policies, procedures, and activities specific to refusing to sell alcohol to an Obviously Intoxicated or Impaired customer.
- 2.0 Scope: This document is to be reviewed and understood by all employees charged with selling alcohol.
- 3.0 Policies: Customers identified as obviously intoxicated or significantly impaired are to be refused alcohol sales.
- 3.1 Staff should arrange safe transportation from the business for those customers at serious risk to self to others. Safe transportation might include calling law enforcement.
- 3.2 Staff will never argue, verbally attack, or lose your temper with the customer.
- 4.0 Procedure:
- 4.1 Evaluate customer's impairment. Signs of Obvious Impairment include:
- Relaxed inhibitions
 - Slowed reactions
 - Impaired judgment:
 - Argumentative
 - Irrational statements
 - Belligerent
 - Loses train of thought
 - Physical appearance that might include:
 - Red, watery eyes
 - Droopy eyelids & lack of eye focus
 - Smell of alcohol
 - Lack of coordination
 - Fumbles with money
 - Sways or stumbles
- 4.2 If customer is determined to be Obviously Intoxicated or Impaired:
- Politely inform customer that you're unable to sell them alcohol
 - Acknowledge your understanding they probably aren't happy with decision, but indicate:
 - It's against the law to sell alcohol when someone already appears intoxicated
 - Reference posted signage indicating law
- Page 14 of 18

- As a cashier, you could lose your job and be fined
- The business loses money by not selling, but it's the right thin to do to protect you. We don't want to risk anything bad happening to you.
- Be respectful, sympathetic, but firm.

4.3 The customer might disagree. Do not argue. Don't back down. Consider:

- Apologize if despite the training we are wrong but we're doing what we believe is right for you.
- Mention our liquor license is jeopardized if we sold you alcohol, and the ABC is in here undercover all the time.
- Again, apologize to customer, but state you cannot legally sell them alcohol, but can sell them other items.
- Focus your attention on other customers, or other duties, but do not turn your back to the customer.

4.4 If customer is driving, recommend to customer find another way to get home safely: a taxi, a friend. If customer insists on driving, call the police. Be prepared to provide: customer description, vehicle description, license plate (if possible), direction vehicle headed (if customer left).

4.5 Document details in the Incident Log.

Staff Signature & Date: _____

Trainer Signature & Date: _____

Drug-Free Environment

Revised: September 6, 2017

- 1.0 Purpose: To define policies, procedures, and activities specific to guard against illegal drug activity on our premises.
- 2.0 Scope: This document is to be reviewed and understood by all staff.
- 3.0 Policy: Illegal drug use, solicitation, or sale is strictly prohibited on our premises as stated in the following ABC code:

Narcotics and Dangerous Drugs

Licensees may not knowingly permit illegal sales, negotiations, or use of narcotics or dangerous drugs on the licensed premises. (Secs. 24200.5(a) and 24200(a) B&P; various H&S)

Criminal: Most drug offenses are felonies, punishable by imprisonment in prison.

ABC handles illegal drug violations different from other violations. Any licensee who knowingly permits illegal sales or negotiations of narcotics or dangerous drugs shall face revocation of his or her license. To repeat: **no three strikes, on first strike they seek revocation of license.**

- 4.0 Procedures: To protect our alcohol license it is critical we make every reasonable effort to prevent illegal drug use or transactions from occurring on our premises.
- 4.1 If any employee, or anyone working with us, sees any illegal drug activity, immediately contact management.
- 4.2 If anyone asks you where he or she can get/buy illegal drugs, immediately contact management.

New Team Member: _____
Team Leader: _____ Date: _____

Revised: September 6, 2017

- Log is completed and filed each night. If additional space is needed, use multiple log forms as needed, or record on back of this form
- If the shift ends without incident, complete the log and indicate no incidents
- Log to always include indication if policed visited business
- Attach appropriate police officer provided information, when appropriate
- Staff who witnessed events involved in incident must record their observations
- When possible, get independent witness statements when an altercation occurs. Statements should include contact information for witness.
- Each incident logged must include the legible printed name of person recording information

Nobody called for service: _____

Description of Incident(s)

[illegible]

Cashier Training Checklist

Revised: September 6, 2017

Manager Initials Once Training is Completed & Understood by Employee

- _____ Read & understands information in MAP
- _____ Read & understands Checking Identification procedure
- _____ Read & understands Refuse to Sell procedure
- _____ Read & understands Drug-Free Environment
- _____ Understands when and how to complete an Incident Report
- _____ Read & understands Clerk's Affidavit

CLERK'S AFFIDAVIT AND SIGN (Required by Section 25658.4 Business and Professions Code)

State of California

Instructions to the Licensee:

Section 25658.4 requires every person who sells alcoholic beverages in your store to read, understand and sign a *Clerk's Affidavit*. You may photocopy this form or create your own. If you create your own, its content must match parts 1 through 4 of this form. You must keep the signed *Clerk's Affidavits* on your licensed premises at all times and make them available for inspection by the Department.

If you have more than one store, you may keep the signed *Clerk's Affidavits* at a location other than your licensed stores. However, you must notify the Department in advance and in writing. If you decide to keep the signed *Clerk's Affidavits* at a location other than your licensed stores, you must maintain at each store a notice of where the signed *Clerk's Affidavits* are kept. In addition, you must provide any signed *Clerk's Affidavits* to the Department, upon its written demand, within 10 days.

Section 25658.4 also requires you to post a sign like the one shown on page 6 in your store. You must post it at your entrance, point of sale or any other location visible to your customers and employees. The sign should be at least 8-1/2 x 11 inches.

Failure to comply with the above may result in the suspension or revocation of your ABC license.

Part 1: REVIEW OF LAWS (*Clerk must read and understand these laws*) **(1) Sales to Minors** (Section 25658 Business and Professions Code)

(a) Except as otherwise provided in subdivision (c), every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor.

(b) Any person under the age of 21 years who purchases any alcoholic beverage, or any person under the age of 21 years who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor.

(c) Any person who violates subdivision (a) by purchasing any alcoholic beverage for, or furnishing, giving, or giving away any alcoholic beverage to, a person under the age of 21 years, and the person under the age of 21 years thereafter consumes the alcohol and thereby proximately causes great bodily injury or death to himself, herself, or any other person, is guilty of a misdemeanor.

(e)(1) Except as otherwise provided in paragraph (2) or (3), any person who violates this section shall be punished by a fine of two hundred fifty dollars (\$250), no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court. A second or subsequent violation of subdivision (b) shall be punished by a fine of not more than five hundred dollars (\$500), or the person shall be required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court. It is the

intent of the Legislature that the community service requirements prescribed in this section require service at an alcohol or drug treatment program or facility or at a county coroner's office, if available, in the area where the violation occurred or where the person resides. (2) Except as provided in paragraph (3), any person who violates subdivision (a) by furnishing an alcoholic beverage, or causing an alcoholic beverage to be furnished, to a minor shall be punished by a fine of one thousand dollars (\$1,000), no part of which shall be suspended, and the person shall be required to perform not less than 24 hours of community service during hours when the person is not employed and

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is not attending school. (3) Any person who violates subdivision (c) shall be punished by imprisonment in a county jail for a minimum term of six months not to exceed one year, by a fine of one thousand dollars (\$1,000), or by both imprisonment and fine.

(2) Attempt to Purchase by Minor (Section 25658.5 Business and Professions Code)

(a) Any person under the age of 21 years who attempts to purchase any alcoholic beverage from a licensee, or the licensee's agent or employee, is guilty of an infraction and shall be punished by a fine of not more than two hundred fifty dollars (\$250), or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed or is not attending school, or a combination of fine and community service as determined by the court. A second or subsequent violation of this section shall be punished by a fine of not more than five hundred dollars (\$500), or the person shall be required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed or is not attending school, or a combination of fine and community service, as the court deems just. It is the intent of the Legislature that the community service requirements prescribed in this section require service at an alcohol or drug treatment program or facility or at a county coroner's office, if available, in the area where the violation occurred or where the person resides.

(b) The penalties imposed by this section do not preclude prosecution or the imposition of penalties under any other provision of law, including, but not limited to, Section 13202.5 of the Vehicle Code.

(3) Documentary Evidence of Age and Identity (Section 25660 Business and Professions Code) a) Bona fide evidence of majority and identity of the person is any of the following:

(1) A document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, description, and picture of the person.

(2) A valid passport issued by the United States or by a foreign government.

(3) A valid identification card issued to a member of the Armed Forces that includes a date of birth and a picture of the person.

(b) Proof that the defendant-licensee, or his or her employee or agent, demanded, was shown, and acted in reliance upon bona fide evidence in any transaction, employment, use, or permission

forbidden by Section 25658, 25663, or 25665 shall be a defense to any criminal prosecution therefor or to any proceedings for the suspension or revocation of any license based thereon.

Note: The person accepting identification must make a reasonable inspection of the identification and act with due diligence to confirm that the identification presented is that of the person presenting it. The picture and physical description on the identification must match the customer. If the identification is altered or mutilated, it is not acceptable. It must be currently valid, in other words, not expired.

(4) Hours of Operation (Sections 25631, 25632 and 25633 Business and Professions Code)

25631. Any on- or off-sale licensee, or agent or employee of that licensee, who sells, gives, or delivers to any persons any alcoholic beverage or any person who knowingly purchases any alcoholic beverage between the hours of 2 o'clock a.m. and 6 o'clock a.m. of the same day, is guilty of a misdemeanor.

For the purposes of this section, on the day that a time change occurs from Pacific standard time to Pacific daylight saving time, or back again to Pacific standard time, "2 o'clock a.m." means two

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hours after midnight of the day preceding the day such change occurs.

25632. Any retail licensee, or agent or employee of such licensee, who permits any alcoholic beverage to be consumed by any person on the licensee's licensed premises during any hours in which it is unlawful to sell, give, or deliver any alcoholic beverage for consumption on the premises is guilty of a misdemeanor.

25633. Except as otherwise provided in this section, no person licensed as a manufacturer, winegrower, distilled spirits manufacturer's agent, rectifier, or wholesaler of any alcoholic beverage shall deliver or cause to be delivered any alcoholic beverage to or for any person holding an on-sale or off-sale license on Sunday or except between the hours of 3 a.m. and 8 p.m. of any day other than Sunday. Any alcoholic beverage may be delivered at the platform of the manufacturing, producing, or distributing plant at any time. Nothing contained in this section prohibits the transportation or the carriage and delivery in transit at any time of any alcoholic beverage between the premises of a manufacturer, winegrower, wholesaler, distiller, importer, or any of them. Every person violating the provisions of this section is guilty of a misdemeanor.

Note: Some stores must stop selling alcoholic beverages earlier than 2:00 a.m. because of local laws or special conditions (restrictions) on the ABC license.

(5) Sales to Obviously Intoxicated Persons (Section 25602(a) Business and Professions Code)

(a) Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any habitual or common drunkard or to any obviously intoxicated person is guilty of a misdemeanor.

(b) No person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage pursuant to subdivision (a) of this section shall be civilly liable to any injured person or the estate of such person for injuries inflicted on that person as a result of intoxication by the consumer of such alcoholic beverage.

Note: It is illegal to sell alcohol to a person who is displaying obvious symptoms of intoxication.

(6) Civil Liability (Section 25602.1 Business and Professions Code)

Notwithstanding subdivision (b) of Section 25602, a cause of action may be brought by or on behalf of any person who has suffered injury or death against any person licensed, or required to be licensed, pursuant to Section 23300, or any person authorized by the federal government to sell alcoholic beverages on a military base or other federal enclave, who sells, furnishes, gives or causes to be sold, furnished or given away any alcoholic beverage, and any other person who sells, or causes to be sold, any alcoholic beverage, to any obviously intoxicated minor where the furnishing, sale or giving of that beverage to the minor is the proximate cause of the personal injury or death sustained by that person.

(7) ABC Off-Sale License Privileges (Sections 23393 and 23394 Business and Professions Code)

23393. A retail package off-sale beer and wine license authorizes the sale, to consumers only and not for resale, of beer in containers, and wine in packages and in quantities of 52 gallons or less per sale, for consumption off the premises where sold.

23394. An off-sale general license includes the privileges specified in Section 23393 and authorizes the sale, to consumers only and not for resale, except to holders of daily on-sale general licenses issued pursuant to Section 24045.1, of distilled spirits for consumption off the premises where sold. Standards of fill for distilled spirits authorized for sale pursuant to this section shall conform in all respects to the standards established pursuant to regulations issued under the Federal Alcohol Administration Act (27 U.S.C. Secs. 201 et seq.) and any amendments thereto.

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Note: Alcoholic beverages may only be sold in sealed, unopened bottles, packages or containers. No person may drink alcoholic beverages in a store or in adjacent parking lots or other areas under the control of the store.

(8) Beer Keg Registration (Section 25659.5 Business and Professions Code)

(a) Retail licensees selling keg beer for consumption off licensed premises shall place an identification tag on all kegs of beer at the time of sale and shall require the signing of a receipt for the keg of beer by the purchaser in order to allow kegs to be traced if the contents are used in violation of this article. The keg identification shall be in the form of a numbered label prescribed and supplied by the department that identifies the seller. The receipt shall be on a form prescribed and supplied by the department and shall include the name and address of the purchaser and the purchaser's driver's license number or equivalent form of identification number. A retailer shall not return any deposit upon the return of any keg that does not have the identification label required pursuant to subdivision (a).

(b) Any licensee selling keg beer for off premise consumption who fails to require the signing of a receipt at the time of sale and fails to place a numbered identification label on the keg shall be subject to disciplinary action pursuant to this division. The licensee shall retain a copy of the receipt, which shall be retained on the licensed premise for a period of six months. The receipt records shall be available for inspection and copying by the department or other authorized law enforcement agency.

(c) Possession of a keg containing beer with knowledge that the keg is not identified as required by subdivision (a) is a misdemeanor.

(d) Any purchaser of keg beer who knowingly provides false information as required by subdivision (a) is guilty of a misdemeanor.

(e) The identification label required pursuant to subdivision (a) shall be constructed of material and made attachable in such a manner as to make the label easily removable for the purpose of cleaning and reusing the keg by a beer manufacturer.

(f) The department is authorized to charge a fee not to exceed the actual cost of supplying receipt forms and identification labels required pursuant to subdivision (a). Fees collected pursuant to this subdivision shall be deposited in the Alcohol Beverage Control Fund.

(g) As used in this section, "keg" means any brewery-sealed, individual container of beer having a liquid capacity of six gallons or more.

Note: Keg receipts must be fully completed at the time of sale and be maintained in the store with accurate, corresponding identification labels.

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Part 2: CLERK'S PRIOR VIOLATIONS *(Clerk must check one)*

 I have never been convicted of violating any law in the Alcoholic Beverage Control Act (such as

selling an alcoholic beverage to an underage or obviously intoxicated person).

 I have been convicted of violating a law (or laws) in the California Alcoholic Beverage Control Act (such as selling an alcoholic beverage to an underage or obviously intoxicated person). [If you checked this box, please explain in full what happened. Use the space below or a separate sheet of paper, if necessary.]

Part 3: DECLARATION UNDER PENALTY OF PERJURY

(Clerk must complete this section)

I have read and understand this affidavit. I swear that all statements I have made in this affidavit are true. I swear that I signed this affidavit, on the date stated, under "penalty of perjury." I understand that if I did not tell the truth in this affidavit, I may be found guilty of perjury.

Signature of Clerk Date _____
Name of Clerk (printed) _____

Home Address Street City State Zip _____

Home Telephone Work Telephone

Part 4: ACKNOWLEDGMENT OF LICENSEE

(Licensee must complete this section)

I have reviewed the attached Clerk's Affidavit with the person who signed it. I will keep a signed copy of the Clerk's Affidavit at (address): _____

I understand if I do not have a signed Clerk's Affidavit for every person who sells alcoholic beverages in my store, the ABC may discipline my license.

Signature
of Licensee (or licensee's agent) Date _____
ABC License Number

Part 5: NOTICE TO LICENSEE

(Licensee must read this section, then post sign in store)

Pursuant to Section 25658.4 of the Business and Professions Code, you must post a sign in your store that warns customers about certain laws and penalties relating to the sale of alcoholic beverages to, or the purchase of alcoholic beverages by, any person under the age of 21 years. The sign must be placed at an entrance or at a point of sale in your store, or in any other location in your store that is visible to your customers and employees. A sample sign that complies with Section 25658.4(b) and (c) is shown on the following page.

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NOTICE TO CUSTOMERS Pursuant to Section 25658.4 Business and Professions Code

This store will not sell alcoholic beverages in violation of the California Alcoholic Beverage Control Act.

We will refuse to sell an alcoholic beverage to any customer if we reasonably suspect that: (1) The customer is under the age of 21 years; (2) The customer looks or acts intoxicated; (3) The request to buy an alcoholic beverage is made between the hours of 2:00 a.m. and 6:00 a.m. on any day or in violation of legally required shorter hours of sale; (4) The customer intends to drink the alcoholic beverage in this store or on adjacent

property immediately outside this store; or (5) Any other violation of the California Alcoholic Beverage Control Act will occur as a result of the sale.

FINES AND PENALTIES

for the Sale or Furnishing of Alcoholic Beverages to, or the Purchase of Alcoholic Beverages by, Persons Under Age 21

For the Person Under Age 21 Who Tries to Purchase Alcohol

Up to \$100 fine and/or 24-32 hours of community service; second offense, up to a \$250 fine and/or 36-48 hours of community service (and a one-year suspension or delay of the person's driver's license).

For the Person Under Age 21 Who Purchases Alcohol

A \$250 fine and/or 24-32 hours of community service; second offense, up to a \$500 fine and/or 36-48 hours of community service (and a one-year suspension or delay of the purchaser's driver's license).

For the Person Who Furnishes Alcohol or Causes Alcohol to be Furnished to a Person Under Age 21

A \$1,000 fine and at least 24 hours of community service (and a one-year suspension or delay of the furnisher's driver's license if the furnisher is under age 21). If great bodily injury or death occurs, the penalty is 6-12 months county jail and/or a \$1,000 fine.

For the Person Who Sells Alcohol to a Person Under Age 21

A \$250 fine and/or 24-32 hours of community service; second offense, up to a \$500 fine and/or 36-48 hours of community service (and a one-year suspension or delay of the seller's driver's license if the seller is under age 21).

In addition, the Department of Alcoholic Beverage Control (ABC) will file charges to suspend or revoke this store's license to sell alcoholic beverages.

--The Management

Land Use Project Application

City of Orange

Community Development Department
Planning Division
300 East Chapman Avenue
Orange, CA 92866-1591
(714)744-7220 (714)744-7222
www.cityoforange.org

**PLANNING DIVISION
RECEIVED**

FEB 09 2017

CITY OF ORANGE

This section to be completed by Staff

APP. TYPE	NUMBER	FEE/DEPOSIT
CUP	3039-17	1000-
DRC	4898-17	500-
MN/SP	0896-17	500-
CUP	7054-17	2,600
TOTAL:		2000-

Old Towne/Other Contrib. Bldg: Yes ☐ No ☒
Redevelopment Area: Yes ☐ No ☒
Orange Park Acres Yes ☐ No ☒
General Plan: GC Zoning: CTR
Billing No: 17CUP3039 Check No. 151
Date Filed: 2/9/17 Received By: VPM

SECTION 1 – Site Information

Project Title/Name: Addition & Remodel (Cup Application) Santiago Center

Project Address/Location: 2640 N. Santiago Blvd. Orange, CA 92867 2640-2650

Assessor Parcel Number: 361-401-27 Tract/Lot Number: L

REQUIRED: Briefly describe your proposed project:

Lot "A" : Service Station W/Car Wash & C-Store

Lot "B" : Addition to Retail Center

SECTION 2 – Applicant Information

Name of Company and Person Responsible: Design Concepts Shiv Talwar AIA

Mailing Address: 3340 Riverside Dr. #140 M City: Chino State: CA Zip: 91710

Phone Number: (909)591-3939 Cell: (909) 510-0512 E-mail: dsignconcepts@yahoo.com
(optional)

SECTION 3 – Contact Information (main contact person for project)

Name of Company and Person Responsible: Design Concepts Shiv Talwar AIA

Mailing Address: 3340 Riverside Dr. #140 M City: Chino State: CA Zip: 91710

Phone Number: (909)591-3939 Cell: (909) 510-0512 E-mail: dsignconcepts@yahoo.com
(optional)

SECTION 4 – Property Owner Information (land owner information, not tenant)

Name of Company and Person Responsible: Mr. Surinder Multani

Mailing Address: 2640 N. Santiago Blvd. City: Orange State: CA Zip: 92867

Phone Number: 714-856-8579 Cell: E-mail: s_multani@hotmail.com
(optional)

SECTION 5 – Billing Information (Person below is responsible for paying invoices & receiving refunds; must be filled in.)

Name of Company and Person Responsible: Mr. Surinder Multani

Mailing Address: 2640 N. Santiago Blvd. City: Orange State: CA Zip: 92867

Phone Number: 714-856-8579 Fax: E-mail: s_multani@hotmail.com

CITY OF ORANGE
PLANNING DEPARTMENT

RECEIPT

Date: 8/18/2017

Receipt # P001248


Project Number: CUP-3054

Site Address: 2640 N SANTIAGO BLVD

Payee: MYKC PETRO INC

Check # 7614

	Amount
PLAN COMM - COND USE & VAR	\$1,000.00
Police Review	\$1,600.00

MYKC PETRO INC DBA VILLA PARK SHELL 2640 N. SANTIAGO BLVD ORANGE, CA 92867 714-279-0380		7614 16-24/1220
DATE <u>8/18/17</u>		
PAY TO THE ORDER OF <u>City of Orange</u>		\$ 2600.00
<u>Twenty Six Hundred</u>		DOLLARS
WELLS FARGO BANK, N.A. CA		Void After Ninety Days
FOR <u>CUP fee # 3039-17</u>		
⑈007614⑈ ⑆122000247⑆ 3469100642⑈		

Receipt Total

\$2,600.00

Reasons for adding a drive-through automatic car wash?

Adding a car wash is expected to improve the financial health of the current business and better satisfy the needs of its customers. This expectation is based on:

1. The car wash would replace the current Auto Repair Shop. With the increased reliability of modern cars, the Auto Repair Shop has suffered and is no longer profitable.
2. With a car wash service, the business would be better able to compete with other local gas stations that currently offer gas and car wash service. These competitors include:
 - a. Shell Station at 1815 N Tustin, Orange
 - b. Orange Car Was (that sells gas) at 1405 W Chapman Ave, Orange
 - c. Shell Station at 4035 E Chapman, Orange

Reasons for expanding its current convenience store?

Expanding the convenience store is expected to improve the financial health of the current business and better serve its customer's needs. This expectation is based on:

1. Customers frequently ask for products the current limited space is unable to stock. By expanding the convenience store and adding a walk in cooler and display shelves the business can offer commonly requested products/groceries.
2. With more floor space the business can provide a broader range of products/groceries and better compete with other local gas stations that have significant convenient store floor space. These competitors include:
 - a. Arco AM/PM station at 100 N Tustin Ave, Orange
 - b. 7-Eleven Store and Gas Station at 2245 W Chapman, Orange
 - c. Big E-Kwik E Mart and Gas Station at 890 N Batavia, Orange

Reasons for adding alcohol to its convenience store product mix?

The addition of alcohol would improve the financial health of the current business. This expectation is based on:

1. Customers frequently ask for alcohol
2. With the addition of an ABC License Type 21 Off-Sale General, the business will be able to compete with the numerous other local stations that currently offer alcohol. A review of the ABC's web site suggests there are at least 9 businesses that sell gas in Orange with an active ABC license.
 - a. The Type 21 Off-Sale General is license number 433479 that would be a transfer from a prior business owned by Mr. Multani.

Note: While there is a liquor store at adjacent commercial property, requiring gas station customers to make two transactions (one at the gas station for gas and groceries and one at the liquor store for alcohol) is inconvenient to the customer and reduces sales for the gas station.

GOOD ALCOHOL PRACTICES

17595 Harvard Avenue, Suite C-3900, Irvine, CA 92614-8516

PLANNING DIVISION
RECEIVED

September 9, 2017

SEP 11 2017

CITY OF ORANGE

Ms. Monique Schwartz
City of Orange
Planning Department
300 E. Chapman Ave.
Orange, California 92866

RE: Letter of Explanation/Justification
Conditional Use Permit No. 3039-17
Shell Service Station and Carwash
2640-2658 N. Santiago Blvd, Orange, CA

Dear Ms. Schwartz

I am writing this Letter of Explanation/Justification for my client, Surinder Multani.

I will address Comment #8 in your July 31st letter to Design Concepts, while also providing information requested for ABC applications as shown in the City of Orange Land Use Project Application Information Packet (specifically D-6).

Background

Applicant (Surinder Multani) seeks to refurbish his existing service station located at 2640 N. Santiago Blvd to:

- Add a drive-through automatic car wash (replacing an Auto Repair Shop)
- Expand his convenience store
- Sell alcohol (**ABC License Type 21 Off-Sale General**)

The hours of operation: open 24 hours, 7 days a week.

The Shell Gas Station currently employs 5 people. The refurbishing of business is expected to **double staffing to a total staff of 10 people.**

Response to Questions

Will property owner be making improvements to existing retail center?

Yes, in several ways. The landlord is beautifying the property with more landscaping to improve its curb appeal. In addition, the current gas pumps will be upgraded to new Gilbarco 700E pumps. Replacing the Auto Repair Shop removes hazardous waste (Lube Oils, Filters, etc.).

The gas station business owner, Mr. Multani, is a successful business owner who **has more than 20 years experience in selling alcohol**. His alcohol selling experience includes business operations in Orange and Rancho Santa Margarita. His experience with ABC licenses has taught him the **critical importance of training every staff member in ABC Laws and Best Practices**.

Toward the aim of being a community leader in the responsible selling of alcohol, he is committed to implement the attached **Alcohol Management Handbook**. The 25-page handbook includes the following:

- Management Alcohol Plan
- Refusing To Sell procedure
- Checking IDs procedure
- Drug-free environment procedure
- Incident log form
- Cashier Training checklist
- Clerk's Affidavit (ABC's seven-page document)

Mr. Multani understands the Alcohol Management Handbook will likely need to be modified to accommodate elements of the city's Alcohol Management Plan and possible Conditions of Approval.

In Summary

As time seems to shrink in our fast-paced culture, people prefer one stop shopping to save precious time by eliminating making multiple stops. By adding a car wash service and broadening its selection of frequently requested products (including alcohol), the refurbished space improves its business model and accomplishes many positive things:

- ✓ Customers are bettered served
- ✓ Business is stabilized
- ✓ Employees are added
- ✓ Sales tax dollars would be expected to grow
- ✓ Community benefits from improved curb appeal

Mr. Multani's experience has brought an understanding that selling alcohol responsibly is his highest priority. To accomplish that goal, he will ensure all staff members from day one understand their legal and ethical responsibility to sell alcohol responsibly.

Regards,

Gregg Hanour
Good Alcohol Practices
hanourgregg@gmail.com
949 300 0977

cc: Surinder Multani

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
605 W. SANTA ANA BLVD.
BLDG 28, STE 369
SANTA ANA, CA 92701
(714) 558-4101

File Number: **585214**
Receipt Number: **2452178**
Geographical Code: **3014**
Copies Mailed Date: **September 12, 2017**
Issued Date:

DISTRICT SERVING LOCATION: **SANTA ANA**

First Owner:

MYKC PETRO INC.

Name of Business:

VILLA PARK SHELL

Location of Business:

**2640 N SANTIAGO BLVD
ORANGE, CA 92867-1859**

County:

ORANGE

Is Premise inside city limits?

YesCensus Tract **0758.13**

Mailing Address:

(If different from
premises address)Type of license(s): **21**Transferor's license/name: **433479 / MYKC ASSOCIATES INC**Dropping Partner: Yes ☐ No ☒

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
21 - Off-Sale General	FIDUCIARY TRANSFER	NA	Y	0	09/12/17	\$50.00
21 - Off-Sale General	PREMISE TO PREMISE TRANSFER	NA	Y	0	09/12/17	\$100.00
Total						\$150.00

Have you ever been convicted of a felony? **No**

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the

Department pertaining to the Act? **No**

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of **ORANGE**Date: **September 12, 2017**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

See 211 Signature Page

MYKC PETRO INC.

APPLICATION SIGNATURE SHEET ("SIGN ON")

- This form is to be used as the signature page for applications not signed in the District Office.
- Read instructions on reverse before completing.**
- All signatures must be notarized in accordance with laws of the State where signed.**

1. OWNERSHIP TYPE (Check one)

- ☐ Sole Owner
 ☐ Partnership-Ltd
☐ Partnership
 ☒ Corporation
☐ Married Couple
 ☐ Limited Liability Company
☐ Domestic Partner
 ☐ Other _____

2. FILE NUMBER (if any)

585214

3. LICENSE TYPE

21

4. TRANSACTION TYPE

- ☐ Original
 ☒ Person to Person Transfer
☐ Exchange
 ☐ Premise to Premise Transfer
☒ Other Trf 24071

5. APPLICANT(S) NAME (Last, first, middle)

MYKC PETRO INC.

6. APPLICANT'S MAILING ADDRESS (Street address/P.O. box, city, state, zip code)

2640 N. Santiago Blvd., Orange, CA 92867

7. PREMISES ADDRESS (Street address, city, zip code)

2640 N. Santiago Blvd., Orange 92867

APPLICANT'S CERTIFICATION

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He/She is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he/she has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer

payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department, (b) to gain or establish a preference to or for any creditor or transferor, or (c) to defraud or injure any creditor or transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

I understand that if I fail to qualify for the license or withdraw this application there will be a service charge of one-fourth of the license fee paid, up to \$100.

SOLE OWNER

8. PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

PARTNERSHIP/LIMITED PARTNERSHIP (Signatures of general partners only)

9. PARTNER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

PARTNER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

PARTNER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

CORPORATION

10. PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

MULTANI, Surinder Singh

8/11/17

TITLE

- ☒ President
 ☐ Vice President
 ☐ Chairman of the Board

PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

MULTANI, Surinder singh

8/11/17

TITLE

- ☒ Secretary
 ☐ Asst. Secretary
 ☐ Chief Financial Officer
 ☐ Asst. Treasurer

LIMITED LIABILITY COMPANY

11. The limited liability company is member-run

☐ Yes☐ No

(If no, complete Item #12 below)

12. NAME OF DESIGNATED MANAGER, MANAGING MEMBER OR DESIGNATED OFFICER (Last, first, middle)

13. MEMBER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

MEMBER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

RECEIVED
AUG 14 2017
Dept of Alcoholic Beverage Control
Santa Ana

State of California
LICENSE TRANSFER REQUEST ("SIGN OFF")

Department of Alcoholic Beverage Control

<ul style="list-style-type: none"> • This form is to be signed by transferors only. • Read instructions before completing. • All signatures must be notarized in accordance with laws of the State where signed. 		1. DISTRICT OFFICE Santa Ana	2. LICENSE NUMBER 21-433479
4. LICENSEE'S NAME (Transferor/Seller) MYKC ASSOCIATES INC		5. APPLICANT'S NAME (transferee/Buyer) MYKC PETRO INC.	
3. TRANSACTION TYPE <input type="checkbox"/> Exchange <input checked="" type="checkbox"/> Premise to Premise Transfer <input type="checkbox"/> Person to Person Transfer <input checked="" type="checkbox"/> Other Trf 24071			
6. EXISTING PREMISES ADDRESS 23411 Aliso Viejo Pkwy., Ste. F, Aliso Viejo, CA 92656			
7. LICENSEE'S MAILING ADDRESS (Transferor/Seller)			8. LICENSEE'S PHONE NUMBER (714) 856-8579
I hereby request surrender of my license under Section 24045.5(b) of the ABC Act so that a Temporary Permit may be issued to the transferee.			
9. SIGNATURE OF TRANSFEROR/SELLER FOR TEMPORARY PERMIT (only one signature required) X			DATE SIGNED
10. RENEWAL DUE DATE 12/31/2017	11. SURRENDER DATE	12. TEMP. EFFECTIVE DATE	13. TEMP. EXPIRATION DATE

TRANSFEROR'S CERTIFICATION

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is the licensee named in the foregoing transfer application, duly authorized to make this transfer application; (2) that he hereby makes application to surrender all interest in the license(s) described above and to transfer same to the applicant and/or location indicated on the upper portion of this form, if such transfer is approved by the Director; (3) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor of transferor or to defraud or injure any creditor of transferor; (4) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

SOLE OWNER

14. SOLE OWNER'S PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
---	-----------------------	-------------

PARTNERSHIP/LIMITED PARTNERSHIP (signatures of general partners only)

15. PARTNER'S PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PARTNER'S PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PARTNER'S PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED

CORPORATION

16. CORPORATE OFFICER'S PRINTED NAME (Last, first, middle) MULTANI, AMARPREET KAUR	SIGNATURE X <i>Amarpreet Kaur</i>	DATE SIGNED 8/11/17
TITLE <input checked="" type="checkbox"/> President <input type="checkbox"/> Vice President <input type="checkbox"/> Chairman of the Board		
CORPORATE OFFICER'S PRINTED NAME (Last, first, middle) MULTANI, SURINDER SINGH	SIGNATURE X <i>Surinder Singh</i>	DATE SIGNED 8/11/17
TITLE <input checked="" type="checkbox"/> Secretary <input type="checkbox"/> Assistant Secretary <input type="checkbox"/> Chief Financial Officer <input type="checkbox"/> Assistant Treasurer		

LIMITED LIABILITY COMPANY

17. The limited liability company is member-run <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, complete Item #18 below)		
18. NAME OF DESIGNATED LLC MANAGER, MANAGING MEMBER OR DESIGNATED OFFICER (Last, first, middle)	ABC INITIALS/DATE (ABC use only)	
19. LLC MEMBER'S PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
LLC MEMBER'S PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED

SANTIAGO CENTER

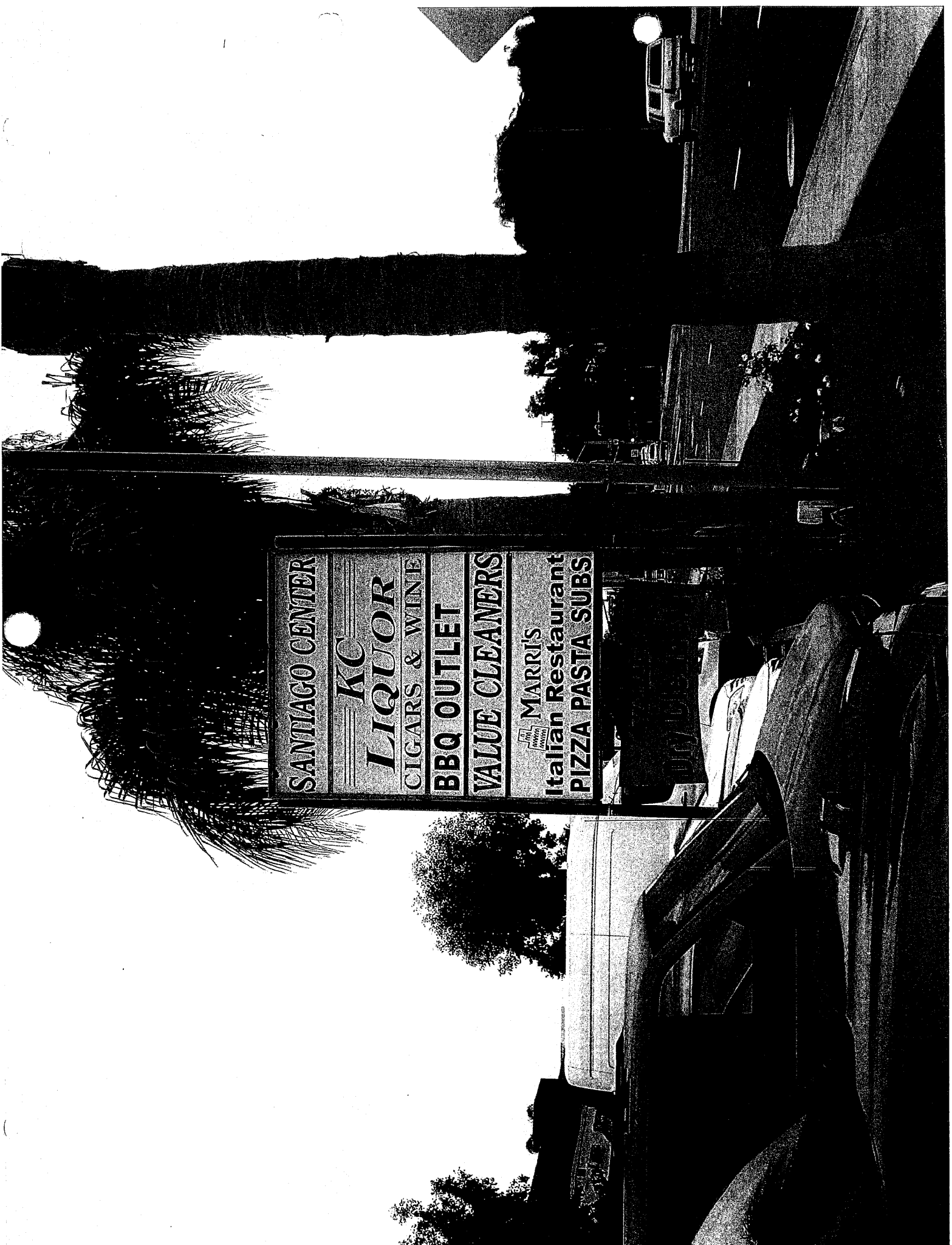
KC
LIQUOR

CIGARS & WINE

BBQ OUTLET

VALUE CLEANERS

MARRIS
Italian Restaurant
PIZZA PASTA SUBS





Food Mart

2640

OPEN

14640 N. Santiago

Phone 319286

SALES

24779-0386

MILLION

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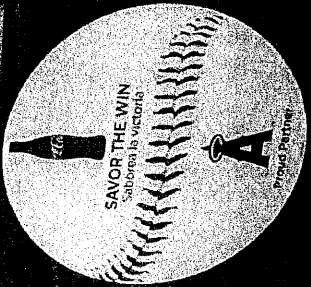
FRESH COFFEE

PROPANE

Marlboro

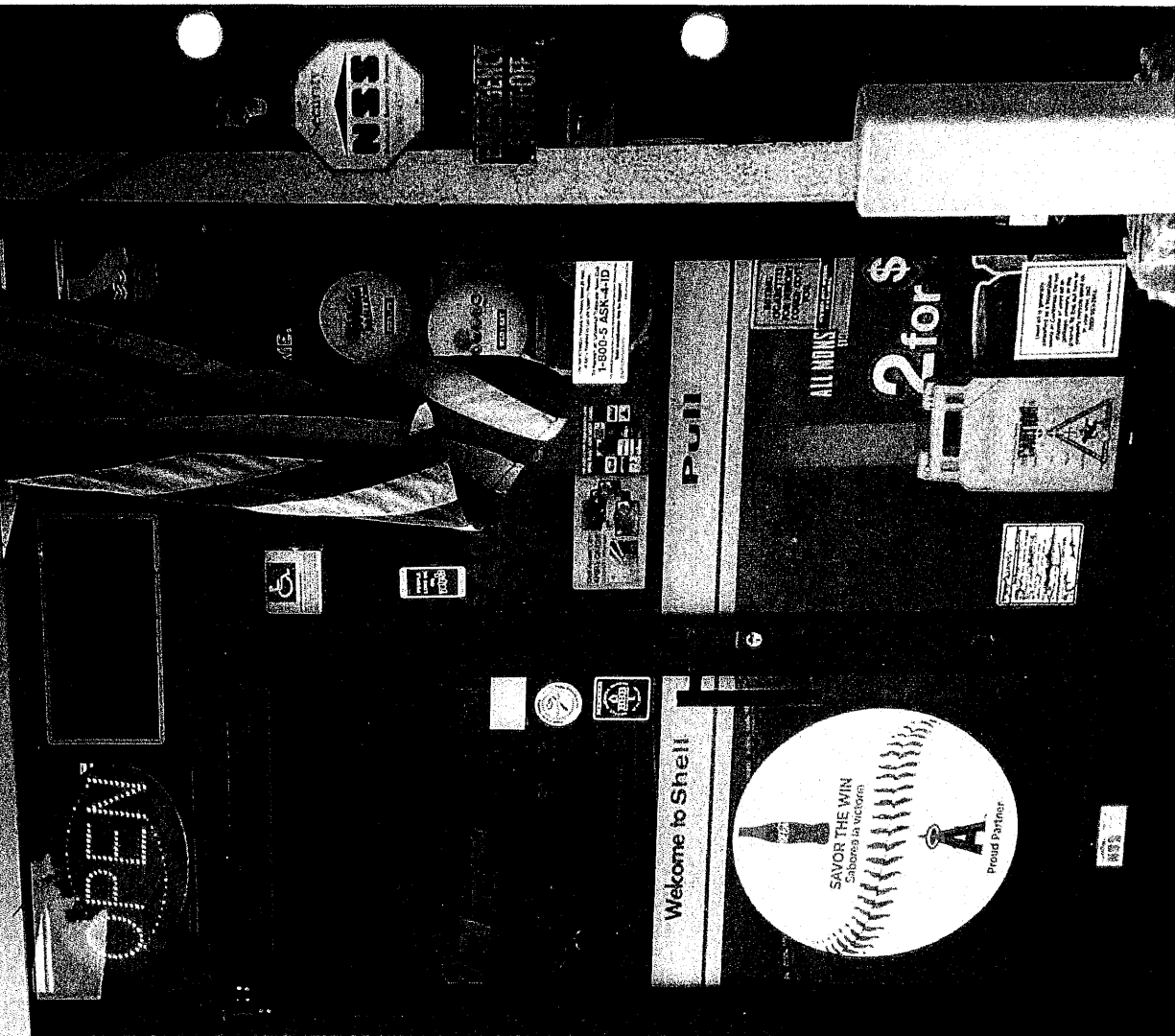
Special Price

\$8.29



Welcome to Shell

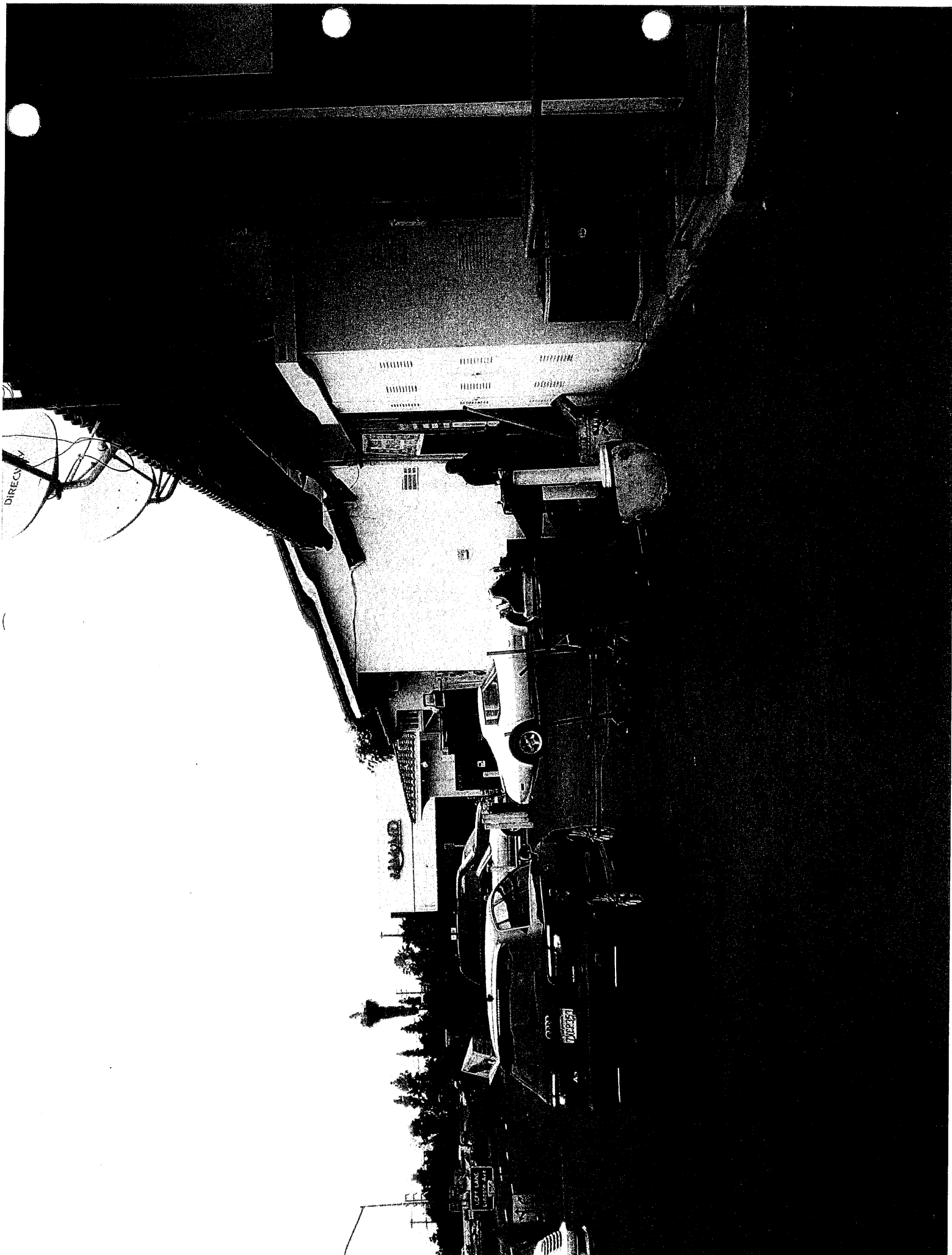
THE

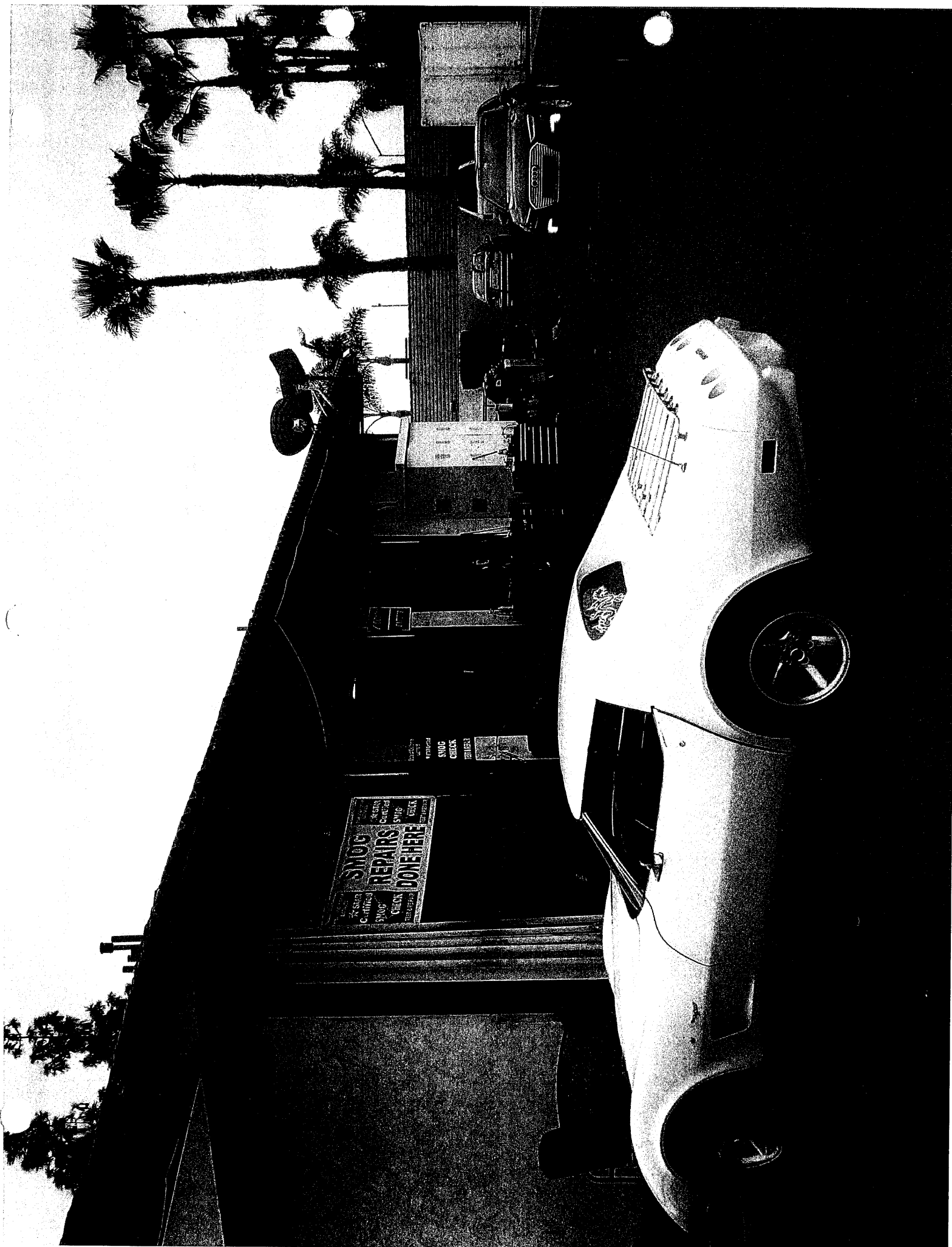








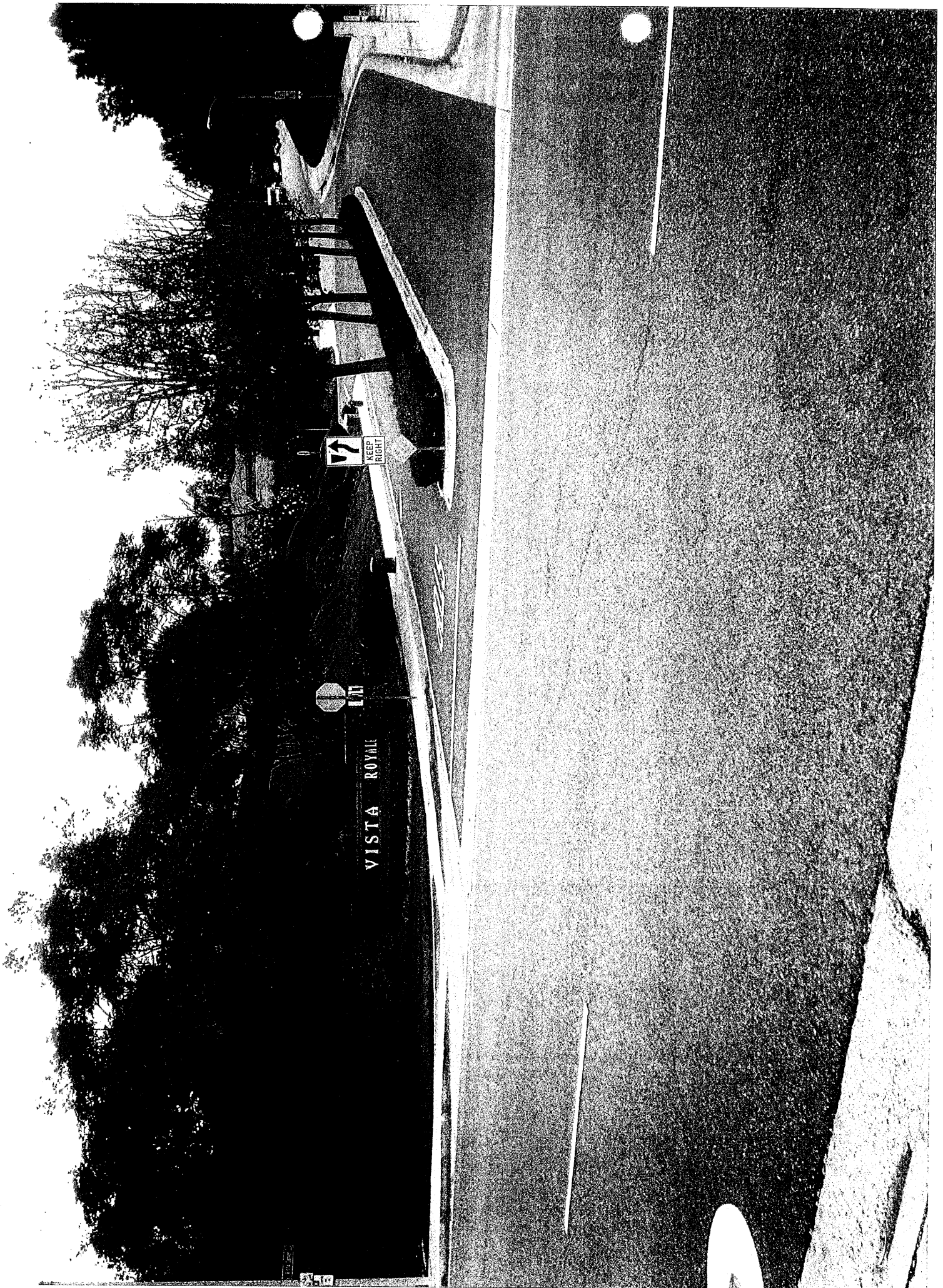












DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
NUMBER OF LICENSES AUTHORIZED
BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
ORANGE	3,183,011	807	1,704	753.03	3,412	4	2
ORANGE	3,183,011	807	1,704	754.01	3,895	4	2
ORANGE	3,183,011	807	1,704	754.03	7,081	8	4
ORANGE	3,183,011	807	1,704	754.04	6,347	7	3
ORANGE	3,183,011	807	1,704	754.05	2,980	3	1
ORANGE	3,183,011	807	1,704	755.04	4,041	5	2
ORANGE	3,183,011	807	1,704	755.05	3,599	4	2
ORANGE	3,183,011	807	1,704	755.06	3,437	4	2
ORANGE	3,183,011	807	1,704	755.07	5,187	6	3
ORANGE	3,183,011	807	1,704	755.12	3,548	4	2
ORANGE	3,183,011	807	1,704	755.13	5,074	6	2
ORANGE	3,183,011	807	1,704	755.14	3,703	4	2
ORANGE	3,183,011	807	1,704	755.15	15,295	18	8
ORANGE	3,183,011	807	1,704	756.03	3,790	4	2
ORANGE	3,183,011	807	1,704	756.04	7,487	9	4
ORANGE	3,183,011	807	1,704	756.05	5,776	7	3
ORANGE	3,183,011	807	1,704	756.06	6,941	8	4
ORANGE	3,183,011	807	1,704	756.07	6,065	7	3
ORANGE	3,183,011	807	1,704	757.01	6,879	8	4
ORANGE	3,183,011	807	1,704	757.02	3,343	4	1
ORANGE	3,183,011	807	1,704	757.03	4,069	5	2
ORANGE	3,183,011	807	1,704	758.05	4,213	5	2
ORANGE	3,183,011	807	1,704	758.06	6,121	7	3
ORANGE	3,183,011	807	1,704	758.07	4,324	5	2
ORANGE	3,183,011	807	1,704	758.08	3,404	4	1
ORANGE	3,183,011	807	1,704	758.09	3,023	3	1
ORANGE	3,183,011	807	1,704	758.10	3,046	3	1
ORANGE	3,183,011	807	1,704	758.11	3,332	4	1
ORANGE	3,183,011	807	1,704	758.12	6,573	8	3
ORANGE	3,183,011	807	1,704	758.13	5,069	6	2
ORANGE	3,183,011	807	1,704	758.14	3,327	4	1
ORANGE	3,183,011	807	1,704	758.15	5,176	6	3
ORANGE	3,183,011	807	1,704	758.16	3,709	4	2
ORANGE	3,183,011	807	1,704	759.01	4,126	5	2
ORANGE	3,183,011	807	1,704	759.02	6,548	8	3
ORANGE	3,183,011	807	1,704	760.00	8,371	10	4
ORANGE	3,183,011	807	1,704	761.01	8,933	11	5
ORANGE	3,183,011	807	1,704	761.02	7,487	9	4
ORANGE	3,183,011	807	1,704	761.03	9,137	11	5
ORANGE	3,183,011	807	1,704	762.01	6,772	8	3
ORANGE	3,183,011	807	1,704	762.02	5,812	7	3
ORANGE	3,183,011	807	1,704	762.04	4,492	5	2
ORANGE	3,183,011	807	1,704	762.05	6,847	8	4
ORANGE	3,183,011	807	1,704	762.06	4,517	5	2
ORANGE	3,183,011	807	1,704	762.08	4,999	6	2
ORANGE	3,183,011	807	1,704	863.01	7,474	9	4
ORANGE	3,183,011	807	1,704	863.03	6,212	7	3
ORANGE	3,183,011	807	1,704	863.04	4,847	6	2
ORANGE	3,183,011	807	1,704	863.05	4,006	4	2
ORANGE	3,183,011	807	1,704	863.06	3,658	4	2
ORANGE	3,183,011	807	1,704	864.02	5,651	7	3
ORANGE	3,183,011	807	1,704	864.04	6,546	8	3

ON and OFF-Sale Allowed and Existing for Census Tract 0758.13, per the
Department of Alcoholic Beverage Control Website as of 02/14/2018:

	<u>EXISTING</u>	<u>ALLOWED</u>
<u>ON-SALE</u>	4	6
<u>OFF-SALE</u>	3	2



California Department of Alcoholic Beverage Control

Save As CSV

Active Off-Sale Retail Licenses

For the Census Tract of 758,13

Report as of: 02/14/2018

Rows Per Page: 25 Reload

Total Licenses: 3

Page 1 of 1

Click on column header to sort

	License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Business Name	Premises Addr.	Mailing Address	Geo Code
1	402042	ACTIVE	21	08/01/2003	08/30/2018	MYKC ASSOCIATES INC	KC LIQUOR	2650 N SANTIAGO BLVD ORANGE, CA 92867 Census Tract: 0758,13		3014
2	522737	ACTIVE	20	09/04/2012	08/31/2018	R & M PACIFIC RIM INC	TESORO USA GAS 63366	2493 N TUSTIN ST ORANGE, CA 92865-3707 Census Tract: 0758,13	14251 FIRESTONE BLVD, STE 210 LA MIRADA, CA 90638-5525	3014
3	563752	ACTIVE	20	02/17/2016	01/31/2019	SHIRALI INVESTMENTS CORP	VALERO SANTIAGO BOYETT RMS #705	2700 N SANTIAGO BLVD ORANGE, CA 92867-1723 Census Tract: 0758,13	601 MCHENRY AVE MODESTO, CA 95350-5411	3014



California Department of Alcoholic Beverage Control

Save As CSV

Active On-Sale Retail Licenses

For the Census Tract of 758.13

Report as of: 02/14/2018

Rows Per Page: 25 Reload

Total Licenses: 4
Page 1 of 1

Click on column header to sort

	License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Business Name	Premises Addr.	Mailing Address	Geo Code
1	558300	ACTIVE	41	02/19/2016	01/31/2018	MADAIN, INAS ISAM	MARRIS PIZZA ITALIAN RESTAURANT	2658 N SANTIAGO BLVD ORANGE, CA 92867-1859 Census Tract: 0758.13		3014
2	573956	ACTIVE	47	03/15/2017	02/28/2018	COLLEARY ENTERPRISES, INC.	COLLEARYS BISTRO & BAKERY	2143 N TUSTIN ST, STE 6 & 7 ORANGE, CA 92865-3709 Census Tract: 0758.13	1046 E CHALYNN AVE ORANGE, CA 92866-2804	3014
3	578894	ACTIVE	41	04/14/2017	03/31/2018	TAVERNA, JORGE DANIEL	PATAGONIA EMPANADAS	2279 N TUSTIN ST ORANGE, CA 92865-3703 Census Tract: 0758.13		3014
4	581714	ACTIVE	41	11/14/2017	10/31/2018	TEAM BLAZE	BLAZE PIZZA	2139 N TUSTIN ST, STE 3 ORANGE, CA 92865-3700 Census Tract: 0758.13	3210 E ABBEY LN ORANGE, CA 92867-2009	3014



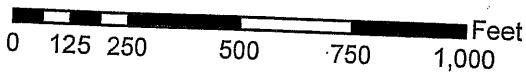
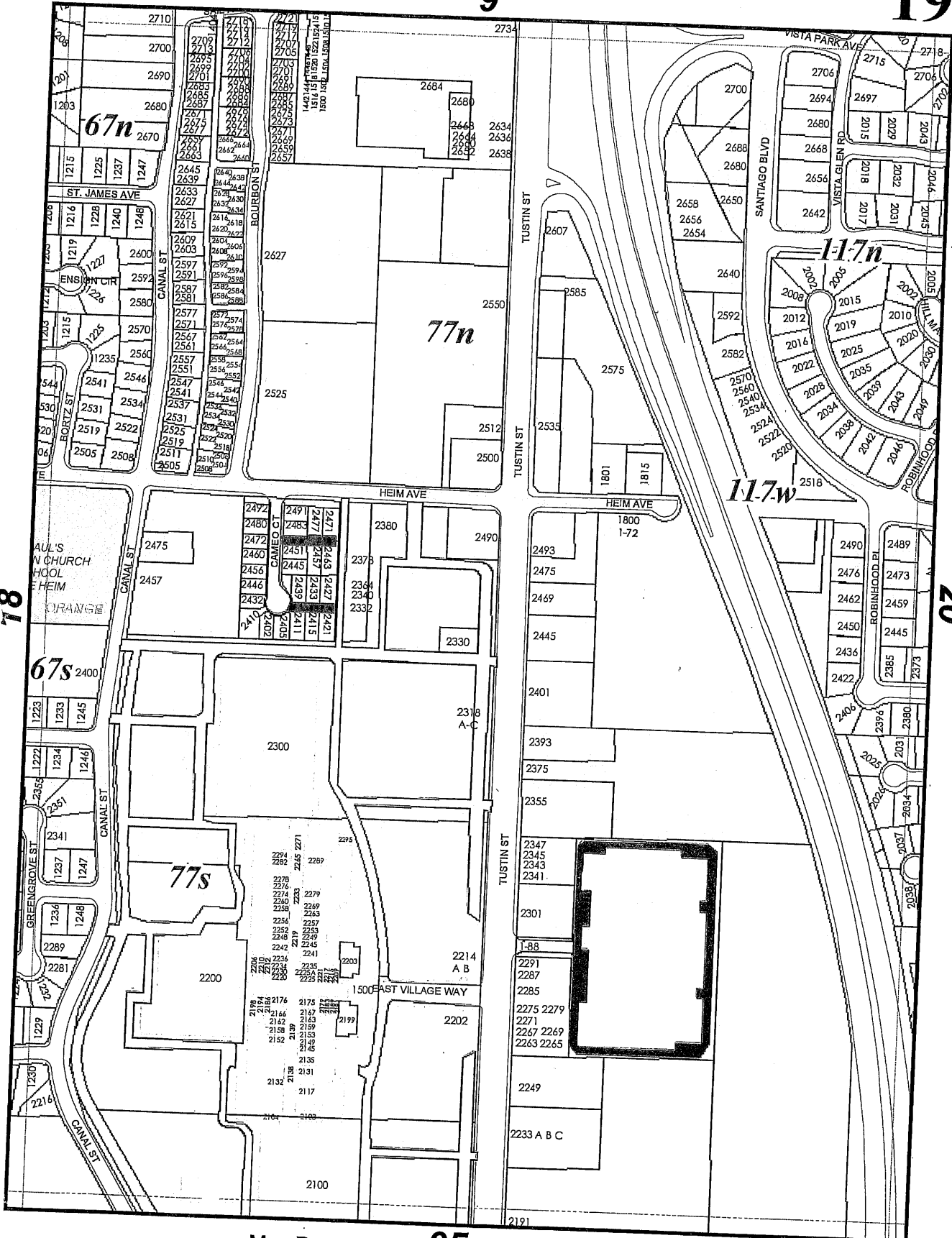
**California Department of Alcoholic Beverage
Control**
*License Query System Summary
as of 9/24/2017*

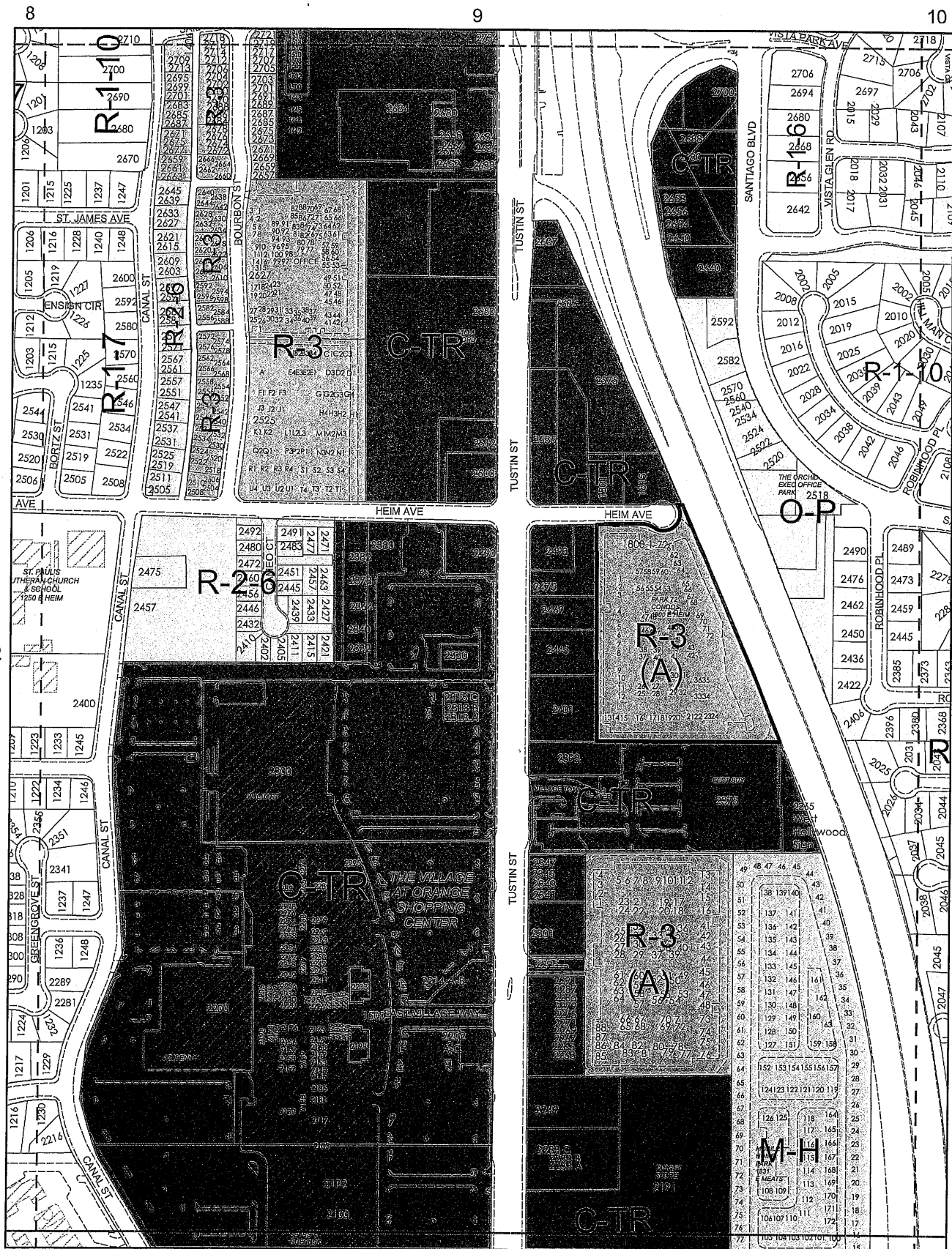
License Information
License Number: 585214
Primary Owner: MYKC PETRO INC.
ABC Office of Application: 11 - SANTA ANA
Business Name
Doing Business As: VILLA PARK SHELL
Business Address
Address: 2640 N SANTIAGO BLVD Census Tract: 0758.13
City: ORANGE County: ORANGE
State: CA Zip Code: 92867
Licensee Information
Licensee: MYKC PETRO INC.
Company Information
STOCKHOLDER: MULTANI, SURINDER SINGH
OFFICER: MULTANI, SURINDER SINGH (DIRECTOR)
OFFICER: MULTANI, SURINDER SINGH (PRESIDENT/SECRETARY)
STOCKHOLDER: MULTANI, SURINDER SINGH
OFFICER: MULTANI, SURINDER SINGH (SECRETARY TREASURER)
STOCKHOLDER: MULTANI, SURINDER SINGH
STOCKHOLDER: MULTANI, SURINDER SINGH
OFFICER: MULTANI, SURINDER SINGH (TREASURER)

STOCKHOLDER: MULTANI, AMARPREET KAUR		
License Types		
1) License Type: 21 - OFF-SALE GENERAL		
License Type Status: PENDING		
Status Date: 12-SEP-2017	Term: 12 Month(s)	
Original Issue Date:	Expiration Date:	
Master: Y	Duplicate: 0	Fee Code: P40
License Type was Transferred On:	FROM: <u>21-433479</u>	
Operating Restrictions		
... No Operating Restrictions found ...		
Current Disciplinary Action		
... No Active Disciplinary Action found ...		
Disciplinary History		
... No Disciplinary History found ...		
Hold Information		
Hold Date: 18-NOV-2014	Type: FRANCHISE TAX HOLD	
Hold Date: 12-SEP-2017	Type: FORM 220	
Escrow		
... No Escrow found ...		

--- End of Report ---

For a definition of codes, view our [glossary](#).

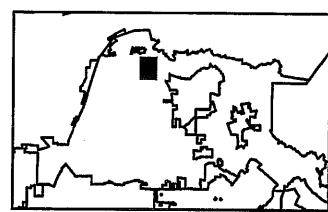




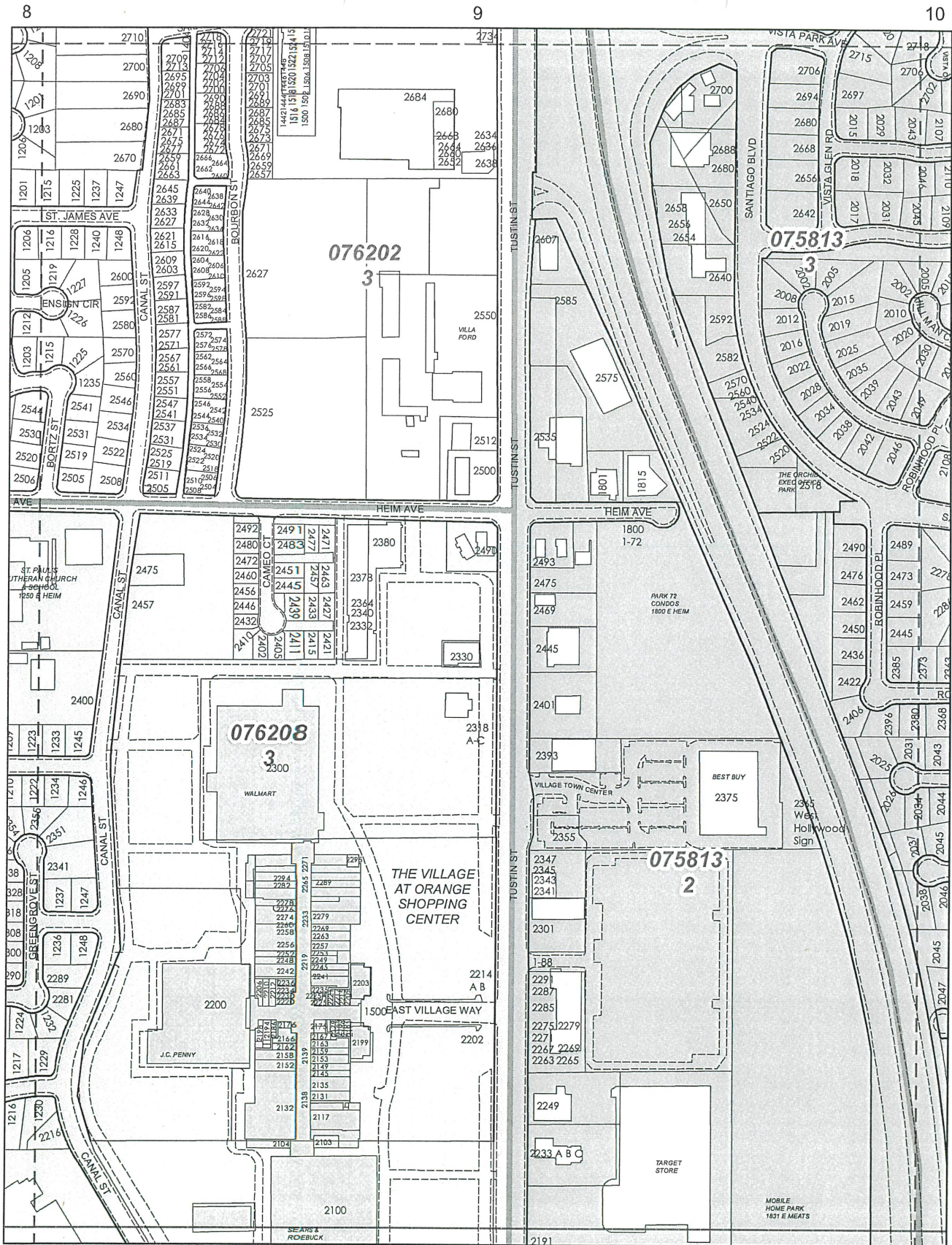
19

Orange
1 INCH = 400 FEET
Date Saved: 3/29/2016

ZONING MAP



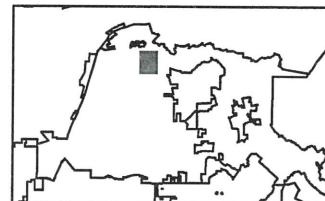
19



19

1 INCH = 400 FEET
Date Saved: 6/30/2011

2000 CENSUS TRACT & BLOCK GROUP MAP



19

City of Orange

2017 Part I Crime & Part II Arrest

Average # for all RD's - 71

RD	PART 1 Crime	PART 2 Arrests	TOTAL	% of Avg
61	165	319	484	579%
041E	88	292	380	433%
51	103	268	371	420%
71	188	75	263	269%
032E	103	118	221	210%
045W	42	151	193	171%
077S	132	51	183	157%
15	47	128	175	145%
12	89	71	160	124%
035E	55	96	151	112%
013S	23	120	143	101%
021W	75	64	139	95%
43	53	84	137	92%
022W	51	68	119	67%
24	45	72	117	64%
31	45	71	116	63%
065E	54	61	115	61%
022E	56	51	107	50%
023W	78	28	106	49%
11	52	52	104	46%
016W	71	31	102	43%
017E	55	44	99	39%
87	57	38	95	33%
76	39	49	88	23%
055E	49	34	83	16%
013N	40	42	82	15%
025E	58	24	82	15%
055W	53	27	80	12%
045E	43	34	77	8%
077N	44	29	73	2%
036S	52	19	71	0%
032W	24	46	70	-2%
054W	45	25	70	-2%
33	44	25	69	-3%
023E	33	34	67	-6%
041W	43	23	66	-7%
065W	31	34	65	-9%
034N	39	24	63	-12%
021E	3	59	62	-13%
047E	39	23	62	-13%

46	43	18	61	-14%
057S	24	36	60	-16%
56	37	20	57	-20%
016E	25	31	56	-21%
037E	37	16	53	-26%
026S	33	19	52	-27%
027E	32	20	52	-27%
047W	37	14	51	-28%
044N	30	20	50	-30%
017W	35	13	48	-33%
117N	36	12	48	-33%
026N	15	32	47	-34%
66	8	36	44	-38%
025W	35	8	43	-40%
164	28	14	42	-41%
067S	31	10	41	-42%
035W	17	17	34	-52%
027W	18	13	31	-57%
084S	25	6	31	-57%
14	22	8	30	-58%
036N	17	11	28	-61%
137	20	7	27	-62%
97	21	4	25	-65%
067N	15	9	24	-66%
117W	15	9	24	-66%
037W	12	11	23	-68%
057N	14	9	23	-68%
064S	12	10	22	-69%
134	14	5	19	-73%
127S	14	5	19	-73%
117E	17	1	18	-75%
054E	11	6	17	-76%
084N	11	5	16	-78%
147	7	7	14	-80%
044S	8	4	12	-83%
064N	9	2	11	-85%
144	7	3	10	-86%
074S	4	6	10	-86%
074N	7	1	8	-89%
184	3	4	7	-90%
114	3	2	5	-93%
174	5	0	5	-93%
034S	5	0	5	-93%
127N	4	1	5	-93%
94	3	1	4	-94%
124	4	0	4	-94%
018	0	2	2	-97%

154	1	0	1	-99%
016S	1	0	1	-99%
028	0	0	0	-100%
038	0	0	0	-100%
048	0	0	0	-100%
157	0	0	0	-100%

PART 1 CRIME
RD 117w

DR#	DATE	ADDRESS			
17-03-0529	3/15/2017	2658 N SANTIAGO BL	06d.	ACT	PC 487 - GRAND THEFT FROM VEHICLE
17-03-0652	3/17/2017	2160 N PAMI CIR	04b.	CDR	PC 851.6(D)-DETENTION ONLY; NOT AN ARREST // PC 273.5(A) - DOMESTIC VIOLENCE // PC 148(A)(1) - RESIST ARREST
17-04-0661	4/19/2017	2201 E DENISE AV	06i.	ACT	VEHICLE STOLEN LOCAL / RECOVERED LOCAL // PC 487 - GRAND THEFT
17-06-0152	6/5/2017	2844 N SANTIAGO BL	07a.	ACT	VEHICLE STOLEN LOCAL / RECOVERED OTHER JURISDICTION
17-07-0319	7/10/2017	2406 N ROBINHOOD PL	06d.	ACT	PC 488 - PETTY THEFT FROM VEHICLE
17-07-0329	7/10/2017	2317 N ROBINHOOD PL	06d.	ACT	PC 488 - PETTY THEFT FROM VEHICLE
17-07-0402	7/12/2017	2160 N PAMI CIR	04e.	CDR	PC 851.6(D) - DETENTION ONLY NOT AN ARREST - PC 243(E)(1) - BATTERY ON COHABITANT
17-07-1002	7/28/2017	2450 N ROBINHOOD PL	06d.	ACT	PC 459 - AUTO BURGLARY
17-08-0086	8/2/2017	2910 N SANTIAGO BLVD	06i.	ACT	PC 487 - GRAND THEFT
17-08-0111	8/3/2017	2160 N PAMI CIR	04e.	ARR	PC 273.5(A) - DOMESTIC BATTERY // PC 148(A)(1) - RESIST/DELAY A PEACE OFFICER
17-08-0171	8/5/2017	2844 N SANTIAGO BL	06c.	ACT	PC 488 - PETTY THEFT(SHOPLIFTING)
17-08-0483	8/12/2017	2160 N PAMI CIR	04e.	ARR	PC 244 - ASSAULT W/CAUSTIC CHEMICAL, PC 594(A)(2) - VANDALISM
17-09-0956	9/26/2017	2223 E VILLA VISTA WY	06d.	ACT	PC 488 - PETTY THEFT FROM VEHICLE
17-10-0383	10/10/2017	2222 N SANTIAGO BL	06e.	ACT	PC 459 - AUTO BURGLARY
17-12-0931	12/25/2017	2160 N PAMI CIR	04e.	ARR	PC 273.5 - DOMESTIC VIOLENCE, PC 594(B)(2) - VANDALISM

PART 2 ARRESTS

RD 117W

DATE	DR#		CHARGE	
2/20/17	17-02-0731	2848 N SANTIAGO BLVD	11364 (A)	POSSESS UNLAWFUL PARAPHERNALIA
2/20/17	17-02-0731	2848 N SANTIAGO BLVD	11377 (A)	POSSESS CONTROLLED SUBSTANCE
2/20/17	17-02-0731	2848 N SANTIAGO BLVD	11350 (A)	POSSESS NARCOTIC CONTROLLED SUBSTANCE
6/3/17	17-06-0121	AGATE / RIDING	23152 (G)	DUI ALCOHOL AND DRUG
6/7/17	17-06-0218	2844 N SANTIAGO BLVD	11550 (A)	USE/UNDER INFLUENCE OF CONTROLLED SUBSTANCE
6/7/17	17-06-0218	2844 N SANTIAGO BLVD	11377 (A)	POSSESS CONTROLLED SUBSTANCE
6/13/17	17-06-0476	2700 N SANTIAGO BLVD	11364 (A)	POSSESS UNLAWFUL PARAPHERNALIA
6/13/17	17-06-0476	2700 N SANTIAGO BLVD	11350 (A)	POSSESS NARCOTIC CONTROLLED SUBSTANCE
6/13/17	17-06-0476	2700 N SANTIAGO BLVD	11377 (A)	POSSESS CONTROLLED SUBSTANCE
6/13/17	17-06-0476	2700 N SANTIAGO BLVD	11379 (A)	TRANSPORT/SELL CONTROLLED SUBSTANCE
6/13/17	17-06-0476	2700 N SANTIAGO BLVD	11378	POSSESS CONTROLLED SUBSTANCE FOR SALE
8/3/17	17-08-0111	2162 N PAMI CIR	148 (A) (1)	RESIST/DELAY/OBSTRUCT POLICE/PUBLIC OFFICER/EMERGENCY TEC
8/3/17	17-08-0111	2162 N PAMI CIR	273.5(A)	INFLECT CORPORAL INJURY ON SPOUSE/COHABITANT
9/26/17	17-09-0955	55 FREEWAY/N SANTIAGO BLVD	148.9(A)	FALSE IDENTIFICATION TO SPECIFIC PEACE OFFICER
9/26/17	17-09-0955	55 FREEWAY/N SANTIAGO BLVD	11364 (A)	POSSESS UNLAWFUL PARAPHERNALIA
9/27/17	17-09-1000	SANTIAGO / 55FWY	555	ENTER/REMAIN ON POSTED PROPERTY
12/25/17	17-12-0931	2160 N PAMI CIR	594 (B)(2)(A)	VANDALISM LESS THAN \$400
12/25/17	17-12-0931	2160 N PAMI CIR	273.5(A)	INFLECT CORPORAL INJURY ON SPOUSE/COHABITANT