

ATTACHMENT 7

ATTACHMENT "A" List of Conditions for CUP19-00002

Approval Date: March 14, 2019

Effective Date: March 26, 2019

Expiration Date: March 26, 2022

This list of conditions applies to: Consideration of Conditional Use Permit CUP19-00002 to allow for the sale of beer, wine and liquor for on-site consumption (Type 47) in conjunction with a restaurant located at 17376 Main Street (Applicant: M.O.R.R. Pizza; APN: 0410-135-56)

The use shall not be established until all conditions of this land use approval application have been met. This approved land use shall become null and void if all conditions have not been completed by the expiration date noted above. Extensions of time may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: the "COMPLETED" and "COMPLIED BY" spaces are for internal City use only).

ADDITIONAL CONDITIONS

<u>COMPLETED</u>	<u>COMPLIED BY</u>	VALID LICENSE. At all times during the conduct of the use allowed by this permit, the use shall obey all laws and shall maintain and keep in effect valid licensing from appropriate local, state and/or federal agencies as required by law. Should such required licensing be denied, expire or lapse at any time in the future, this permit shall become null and void. (P)
<u>COMPLETED</u>	<u>COMPLIED BY</u>	PERMIT REVOCATION. In the event the use hereby permitted under this permit is: (a) found to be in violation of the terms and conditions of this permit; (b) found to have been obtained by fraud or perjured testimony; or (c) found to be detrimental to the public health, safety or general welfare, or a public nuisance; this permit shall become null and void. (P)
<u>COMPLETED</u>	<u>COMPLIED BY</u>	ALCOHOL CONSUMPTION. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee. This includes all sidewalks and the parking lot. (P)
<u>COMPLETED</u>	<u>COMPLIED BY</u>	EMPLOYEE AGE. All employees of the applicant serving alcohol must be at least 21 years of age. (P)
<u>COMPLETED</u>	<u>COMPLIED BY</u>	ABC REQUIREMENTS. The use must comply with the permit process and requirements set forth by the State of California, Alcoholic Beverage Control. (P)
<u>COMPLETED</u>	<u>COMPLIED BY</u>	ABC LICENSE. The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises. (P)
<u>COMPLETED</u>	<u>COMPLIED BY</u>	INDEMNIFICATION. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration,

mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicants project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

NOTICE TO DEVELOPER: IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONACT THE APPROPRIATE DIVISION LISTED BELOW:

(B) Building Division	947-1300
(E) Engineering Division	947-1476
(F) Fire Prevention Division	947-1603
(P) Planning Division	947-1200
(RPD) Hesperia Recreation and Park District	244-5488