

CONDITIONS

Use Permit Application No. 21-00021

Private Club/Lodge

Best Kept Secret-Stop the Violence | 1025 N King Street, Hampton, VA 23669

1. Issuance of Permit

The Use Permit applies only to the location at 1025 N. King Street [LRSN 8000660] as denoted and attached hereto as Exhibit A and is not transferable to another location.

2. Live Entertainment

The primary use of this property shall be a private club/lodge as defined by the Zoning Ordinance. All accessory uses, including live entertainment, shall comply with the definition of accessory use in the Zoning Ordinance. The set up and use of any equipment shall not interfere with required clear space for safe exit in the case of emergency, per the Uniform Statewide Building Code and/or the Statewide Fire Prevention Code.

3. Gaming Operations

Any gaming operations must comply with Chapter 4 of the City Code, as amended, regarding Amusements.

4. Hours of Operation

The hours of operation for the private club/lodge shall be limited to the following:

- Sunday – Thursday: 8:00 AM until 12:00 AM
- Friday – Saturday: 8:00 AM until 2:00 AM

5. Capacity

Capacity shall not exceed the maximum capacity as determined by the Building Official.

6. Ledger

The owner/operator of the private club/lodge shall maintain a daily ledger, containing the names of all guests or visitors to the establishment.

7. Security

The organization shall provide security services, consisting of in-house security, services of a licensed contracted security firm, or extra duty police officers at a minimum of one (1) such individual located in and monitoring the inside and one (1) posted outside monitoring activity on the property during the hours of 10 PM until closing during any organizational event. Additional attendants may be required to monitor vehicle parking areas that serve the building and maintain and control patron behavior upon exit of the building into the parking areas. Any criminal activity shall be reported to the Hampton Police Division, and security will cooperate with the Hampton Police Division in their investigation into the criminal activity. Staffing shall be sufficient to monitor and control patron behavior inside as well as upon exit of the building into the surrounding area.

8. Sound

All events located within 1025 N. King Street [LRSN 8000660] shall comply with the Hampton City Code, Section 22-9 (as amended) with respect to any sound or noise.

9 Third Party Events

If the facility is leased, let, or used by any third party for any event, the owner/operator, or his or her employees, shall be present at all times during the event and shall be responsible for compliance with all conditions of this use permit regardless of any contract or agreement with any third party regarding the facility. Any cover charges or tickets shall be collected directly by the owner/operator.

10. Licensing and Compliance with all Laws

When required by law, the business must maintain a valid license from the Virginia Department of Alcoholic Beverage Control (VABC) and comply with all restrictions or requirements imposed by VABC. In addition, this Use Permit may be terminated for any violation of federal, state, or local law.

11. Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in chapter 14 of the Hampton Zoning Ordinance (as amended).

12. Nullification

The use permit shall automatically expire and become null and void under any of the following conditions:

(1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;

(2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or

(3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

EXHIBIT A

