

**CONDITIONAL PRIVILEGE NO. 93
MALLORY'S RESTAURANT: LIVE ENTERTAINMENT
1565 BRIARFIELD ROAD**

CONDITIONAL PRIVILEGE CONDITIONS

1. **Limitation on Uses:**
 - a. Live Entertainment activities as permitted with this Conditional Privilege shall be limited to activities such as: band, disc jockey and karaoke. The City of Hampton Zoning Administrator shall have the discretion to decide if an activity meets the definition of live entertainment as permitted in this Conditional Privilege.

2. **Location of Live Entertainment:**
 - a. Live Entertainment shall be conducted inside the building only. There shall be no live entertainment conducted on the exterior areas of the building. The band area, as indicated on the submitted floor area, shall be no larger than 20sf. All live entertainment equipment and performances shall be contained in these areas during all performance.

3. **Hours of Operation:**
 - a. The hours of operation for live entertainment shall be limited to the following:
 - i. Wednesday: 6:00pm-9:00pm
 - ii. Friday: 9:00pm-1:00am
 - iii. Saturday: 9:00pm-1:00am

4. **Capacity:**
 - a. The capacity of the building shall be limited to a total of 118 persons or the building capacity listed on the Capacity Certificate, whichever is fewer.

5. **Amplified Music:**
 - a. Any sound or noise from amplified music shall not exceed a noise level measurement of 60dBA upon the real property of another as determined by a sound level meter using the "A" weighting scale in accordance with the American National Standard Institute.

6. **Staff:**
 - a. Sufficient staff shall be provided to maintain and control patron behavior upon their exit of the building into the parking lot to prevent the following from occurring on public or private property: abusive language, disturbing the peace, disorderly conduct, fights and/or brawls, trespass after having been forbidden to do so, and/or urinating in public.

7. **Re-Evaluation of Use:**
 - a. This Conditional Privilege shall be re-evaluated for compliance with the above standards after a period of six (6) months from the date of approval by City Council. Staff may determine at that time if continuing evaluations are necessary.

8. **Revocation of Conditional Privilege:**
 - a. The City Council shall have the ability to revoke Conditional Privilege No.93 upon two (2) convictions of the Hampton City Code, Section 22-1 to Section 22-7, "Noise" or upon two (2) or more violations of any of the conditions attached.

9. **Conditional Privilege No. 93 To Become Null and Void:**
 - a. The Conditional Privilege shall become null and void upon vacation of the premises by the applicant.

10. **Parking:**
 - a. All adequate parking must be provided on-site at all times.

11. **Posting of Conditions:**
 - a. Conditions of the Conditional Privilege shall be placed in a visible area within the facility.