

Use Permit Application No.18-00014
Fraternal Order of Police Lodge 26, Limited
36 Wine Street, Hampton, VA 23666

1. Issuance of Permit

The Use Permit applies only to the first floor of 36 Wine Street [LRSN 2003044] and is not transferable to another location.

2. Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy prior to commencing the operation of a lodge.

3. Live Entertainment

The primary use of this property shall be a private club/lodge as defined by the Zoning Ordinance (as amended). All accessory uses, including live entertainment shall comply with the definition of accessory use in the Zoning Ordinance. If live entertainment occurs, it shall be limited to:

- 8:00 AM until 12:00 AM (midnight) Sunday through Thursday.
- 8:00 AM until 2:00 AM, Friday and Saturday.

4. 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.

5. Sound

Events located on the first floor of 36 Wine Street [LRSN 2003044] shall comply with City Code section 22-9 (as amended) with respect to any sound or noise.

6. Licensing and Compliance with All Laws

When required by law, the lodge 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.

7. 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.

8. 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 zoning ordinance.