

APPENDIX A
CONDITIONS OF OPERATION FOR CUP FOOD, INC.

1. Premises means the interior of CUP Foods including the basement, restrooms, storage areas, and food preparation areas. It also includes exterior areas within the ownership of the business, including entryways, parking lot, and rear trash collection and storage areas.
2. OFF DUTY POLICE SECURITY. The licensee shall provide 8 hours per week of security by one off-duty police officer, on days and times recommended by CCP/SAFE and the Third Precinct commander. Effective with the April 1, 2003 renewal, the City shall reevaluate this condition and may modify it at that time.
3. HOURS OF OPERATION. The licensee may remain open until its lawful closing time.
4. DELI HOURS OF OPERATION. The licensee shall stop taking deli orders 15 minutes before the store closes.
5. MANAGEMENT PRACTICES.
 - (a) The owner and employees shall not possess, sell, or distribute, or attempt to, or aid or abet another to, possess, sell, or distribute, illegal controlled substances on the premises.
 - (b) The owner and employees shall not knowingly allow or encourage any person on the premises to possess, sell, or distribute, or attempt to possess, sell, or distribute, illegal controlled substances.
 - (c) The owner and employees shall not knowingly buy, sell, exchange, or possess stolen property on the premises.
 - (d) The owner and employees shall use all reasonable efforts to immediately remove any person loitering on the premises. If reasonable efforts are not successful, the owner and employees shall promptly call 911.
 - (e) The owner and employees shall not knowingly allow persons involved in the possession, sale, or distribution of illegal controlled substances in the immediate area on the premises at any time. The owner and employees shall use all reasonable efforts to immediately remove all such persons from the store and inform them they are not permitted in the store at any time. If they are not successful in removing such persons, they shall promptly call 911 to request police assistance.

- (f) The owner and employees shall keep all entryways and the rear parking lot and trash collection area free of loiterers at all times.
 - (g) From 8:00 a.m. to 10:00 a.m., one person may be on duty. At all other times, at least two persons shall be on duty in the store. Provided further that when the deli is operating, at least three persons shall be on duty, except for temporary absences due to emergencies such as illness.
 - (h) The licensee shall do criminal background checks on all employees and shall refuse to hire any person with a criminal conviction directly related to controlled substances.
6. MERCHANDISE. The licensee shall discontinue the sale of the following items:
- (a) Thin glass tubes for holding flowers
 - (b) Jewelry sized baggies
 - (c) Metal scrubbing pads without soap, except when sold in prepackaged boxes. Sale of individual pads is prohibited.
 - (d) Bulk packages of pseudoephedrine (more than 24 tablets/package)
7. PHYSICAL PREMISES.
- (a) The licensee shall place blocks on the pay phones limiting calls to 5 minutes each and remove all capacity to place an incoming call to the pay phone. No later than March 1, 2003, the Licensee shall also place a camera within 15 feet of the phone recording faces of persons using the phones.
 - (b) The licensee shall provide a clear and unobstructed view of all deli customer seating from the cashier station.
 - (c) The licensee shall remove all window and door signage between 42 and 84 inches from the floor.
 - (d) The licensee shall remove or relocate all shelving and stacked merchandise from next to store windows between 42 and 84 inches from the floor. Shelving and merchandise is allowed below the 42-inch height. An Americans With Disabilities Act compliant aisle width must be maintained between any below window shelving/merchandise and other shelving/merchandise. Except for

3 aisles in the center of the north section of the store, all freestanding shelving/merchandise not located along a solid (windowless) wall is restricted to a height of 60 inches. This height includes merchandise on the top shelf. With respect to the 3 aisles in the center of the north section of the store, they shall be restricted to 72 inches plus the height of small grocery items. They shall be under camera surveillance.

- (e) The licensee shall remove all items which obstruct the cashier's clear view of customers entering and exiting the store.
 - (f) The licensee shall keep all aisles clear of excess merchandise, except when restocking of shelves is occurring on a delivery day.
8. SECURITY CAMERAS. The licensee shall install and maintain in good working order a commercial quality security camera and monitoring system with videotaping. The system shall have multiple cameras covering the inside of the store, the rear lot, and the abutting sidewalk, and a monitor at the cashier stand. Videotapes shall be kept for at least one week before recycling and shall be made available to the police upon request. The Licensee shall have until March 1, 2003 to add the camera covering the rear lot.
9. ENVIRONMENTAL.
- (a) The licensee shall take responsibility for emptying trash in the three containers outside the store and keeping the planters clean of trash.
 - (b) The licensee shall comply with Minneapolis Code, Section 259.125, which requires all dumpsters to be enclosed by screening.
 - (c) The licensee shall remove all graffiti inside and on the exterior of the building.
10. COMPLIANCE WITH OTHER CODES AND RULES. The licensee shall comply with other laws and regulations including those relating to fire, building and housing maintenance, environmental regulation, food manufacturing and service, and check cashing. If the licensee engages in the purchase, sale, or exchange of used merchandise, it shall obtain a secondhand goods dealer license.
11. ADMINISTRATIVE FINE. CUP Foods shall pay a fine in the amount of \$1,000.00 (one thousand dollars), due within 30 days after the effective date of this action.

12. NOTICE OF CERTAIN VIOLATIONS. With respect to violations of these conditions relating to window and door signage, aisle and merchandise height and stacking, nonfunctioning security camera equipment, and graffiti, the Licensee shall be given written notice and 48 hours to cure such violations. However, this notice provision shall not excuse such violations nor prevent subsequent license penalties if the violations are continuing or repetitious.