

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF

D.C.E. INC., GP
RAUNCHY Restaurants Inc., GP
Lost Isle
Via River Rte 13 Miles W of
Stockton, CA 95209

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FILE

PETITION FOR CONDITIONAL
LICENSE

For Issuance of an On-Sale General Public Eating Place
License and Duplicate On-Sale General Public Eating Place License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, the premises to be licensed is located in an area in which there is a significant law enforcement problem; and,

WHEREAS, the issuance of the applied-for license without conditions would result in or add to an undue concentration of licenses; and,

WHEREAS, the issuance of the applied-for license without conditions would not serve public convenience or necessity; and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

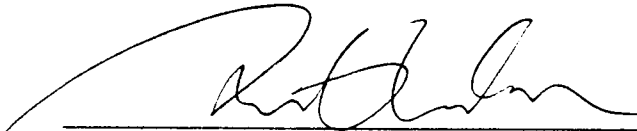
1. Licensee to provide a licensed uniformed security officer at all times the premises is open for business as follows:
 - a. One licensed uniformed security officer for patrons from 50 to 100.
 - b. One additional uniformed security officer for every 100 patrons or fraction thereof in excess of the first 100 patrons.
2. Licensee notify the San Joaquin County Sheriff Department and the Department of Alcoholic Beverage Control at least two weeks in advance of any pre-scheduled special event held at the business location.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 29th DAY OF November, 1994.



Applicant/Petitioner



Applicant/Petitioner

SECTION 23038

ACKNOWLEDGMENT

If you are licensed as a bona fide public eating place, you must be prepared to serve the usual assortment of foods commonly eaten at different times of the day. Meals do not necessarily have to be served continuously, but at least during the normal breakfast hours, the normal lunch hours, and the normal dinner hours.

Premises must be regularly kept open and in a bona fide manner used for the serving of meals to guests for compensation.

- 1) "Regularly kept open" - Premises which operate as a bona fide public eating place shall be considered regularly kept open provided they make actual and substantial sales of meals during the normal meal hours at least five days a week. Normal meal hours are considered to be:

Breakfast	6 a.m. - 9:00 a.m.
Lunch	11 a.m. - 2:00 p.m.
Dinner	6 p.m. - 9:00 p.m.

- 2) "Used in a bona fide manner" - Premises will be considered as being used in a bona fide manner if:
 - (a) There is a real offer of holding out to sell meals when the premises are open (as provided for above.
 - (b) Actual and substantial sales of meals are made to guests for compensation.

Incidental, sporadic or infrequent sales of meals or a mere offering of meals without actual sales shall not be deemed sufficient to consider premises as being used in a bona fide manner.

- 3) "Meals" - Means the usual assortment of food commonly ordered at various hours of the day. The service of such food and victuals only as sandwiches or salads shall not be deemed compliance with this requirement. However, certain specialty entrees, such as: pizza, fish, ribs, etc., and an assortment of other foods, such as: soups, salads or desserts, may be considered a meal.
- 4) Premises must be equipped and maintained in good faith for sales to, and consumption by, the public of meals upon the premises.
 - (a) "Equipped and maintained in good faith"
 - (i) Premises must possess, in operating condition, such conveniences for cooking foods as stoves, ovens, broilers, or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed.
 - (ii) Premises must possess the necessary utensils, table service, and condiment dispensers with which to serve meals to the public.
 - (iii) Premises must make an actual offer or holding out of sales of food to the public by such devices as menus, posters or signs.
 - (iv) Premises must possess a supply of goods adequate to make substantial sales of meals.
- 5) Food facilities must be maintained in a sanitary condition and the premises must be equipped with a proper amount of refrigeration for keeping of food on the premises and be equipped with such other facilities as are necessary to comply with all regulations of the local health department.

I understand that failure to comply with the above requirements may result in suspension or revocation of my Alcoholic Beverage License.

Signed X  X 11/28/97
Date X 12-15-95