

CONDITIONAL USE AGREEMENT

WHEREAS, Constantin Tousis, agent for TTDH, Inc., d/b/a Better Day BP desires to acquire a "Class B" fermented malt beverage and intoxicating liquor license for 2100 Douglas Avenue, Racine, Wisconsin; and

WHEREAS, the Public Safety and Licensing Committee has concerns regarding the factors set out in § 125.12(3m), Wisconsin Statutes, for the public health, safety and welfare of the neighborhood where Better Day BP is located.

NOW, THEREFORE, it is agreed by and between Constantin Tousis and the Public Safety and Licensing Committee, as follows:

1. The Public Safety and Licensing Committee will recommend to the Common Council that Constantin Tousis be issued a "Class B" fermented malt beverage and intoxicating liquor license, on the following conditions:
 - (a) That neither Constantin Tousis nor any officer, agent, official or employee of TTDH, Inc. d/b/a Better Day BP will sell any single containers (i.e., individual cans or bottles) of fermented malt beverages to any customer at any time; and
 - (b) That no packaged intoxicating liquors will be sold for on or off site consumption.
2. Any violation of the conditions set out above shall be grounds for revocation and/or nonrenewal.

Dated this ___ day of August, 2008.

TTDH, INC.

Constantin Tousis

CITY OF RACINE

Vice Chairman Aron Wisneski
Public Safety & Licensing Committee

APPROVED AS TO FORM:

ATTEST:

Robert K. Weber

By: _____
Janice Johnson-Martin
City Clerk