

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

IN THE MATTER OF THE APPLICATION OF

DRY CREEK RANCHERIA OF POMO INDIANS
DBA: RIVER ROCK CASINO
3250 HWY 128 EAST, GEYSERVILLE, CA 95441-8908

} FILE 47-396835
}
} REG. 16084780
}
}
}
}

**PETITION FOR CONDITIONAL
LICENSE**

For Issuance of an On-Sale General Eating Place - License

Under the Alcoholic Beverage Control Act

WHEREAS, Petitioner has filed an application for the issuance of the above-referred-to license for the above-mentioned premises; and,

WHEREAS, the Petitioner has entered into a Tribal-State Gaming Compact with the State of California; and,

WHEREAS, the Petitioner is operating Class III gaming as defined by 25 USC section 2703(8) on the licensed premises; and,

WHEREAS, Petitioner intends to exercise privileges of the license throughout the premises including on the patio and porte cochere; and,

WHEREAS, the exercise of license privileges by Petitioner under the applied-for license at this time without the below-described conditions may interfere with the quiet of enjoyment of the nearby residents' property; and,

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

NOW, THEREFORE, the undersigned petitioner does hereby petition for a conditional license as follows, to-wit:

- 1 Persons under the age of 21 years shall not be permitted to remain in any room in which Class III gaming activities are being conducted unless the person is en-route to a non-gaming area of the premises, except that employees under the age of 21 years old shall be permitted in such areas in the performance of their duties as employees.
- 2 Persons under the age of 18 years shall not be permitted to remain in any room in which Class III gaming activities are being conducted unless the person is en-route to a non-gaming area of the

CW

Initials

premises.

- 3 Petitioner shall report to the Department in writing any change in membership of the elected tribal Board of Directors. This report shall be made within 30 days of the change.
- 4 Outdoor live entertainment events held outside the premises shall be limited to Fridays, Saturdays, Sundays, federal or California state holidays, or the day before a federal or California state holiday and shall be limited to the outdoor parking lot. These outdoor live entertainment events shall start on or after 10:00 am and shall end on or before 10:00 pm. There shall be no live entertainment events of any kind, either indoor or outdoor, which involve fighting (including boxing and mixed martial arts) or nude, topless, or semi-nude entertainment.
- 5 At no time shall noise emanating from the premises or areas adjoining the premises under the Petitioner's control interfere with the quiet enjoyment of nearby residents. With respect to noise generated in connection with live outdoor entertainment events, noise or amplified music shall emanate only from the porte cochere, the patio area, or the outdoor parking lot, and shall be limited to Fridays, Saturdays, Sundays, federal or California state holidays, or the day before a federal or California state holiday, between 10:00 am and 10:00 pm.
- 6 Petitioner shall regularly police the area under its control in an effort to prevent loitering of persons about the premises.
- 7 On Monday through Friday, the sale, service, and consumption of alcoholic beverages shall be permitted between the hours of 10:00 am and 2:00 am of the following day. On Saturdays, Sundays, and federal or California state holidays, the sale, service, and consumption of alcoholic beverages shall be permitted between the hours of 6:00 am and 2:00 am of the following day.
- 8 "Happy hour" or reduced-price alcoholic beverage promotions shall be permitted only between the hours of 5:00 pm and 8:00 pm each day of the week.
- 9 Off-sale privileges shall be limited to wine only.
- 10 The premises parking lot shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
- 11 Between the hours of 5:00 pm and 2:00 am of the following day or at any time outdoor live entertainment events are held, the Petitioner shall provide a minimum of five uniformed security guards, of whom one shall be assigned to the parking lot. At all other times alcoholic beverages are sold, the Petitioner shall provide a minimum of two uniformed security guards, of whom one shall be assigned to the parking lot. At all times alcohol is being sold, served, or consumed at the premises, the Petitioner shall maintain order at the premises and the parking lot so as to prevent any activity which would interfere with the nearby residents' quiet enjoyment of their property.
- 12 No more than two alcoholic beverages shall be sold or served to any one person during any transaction. This shall not apply to bottles of wine sold in a restaurant with a meal, wine served for tasting and sampling purposes, or wine sold for consumption off the premises.
- 13 There shall be no minimum drink requirement at the premises.

- 14 Signs prohibiting the removal of alcoholic beverages shall remain posted at all points of exit from the premises. These signs shall be of sufficient size so as to be easily seen and read by patrons exiting the premises.
- 15 Petitioner shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control including but not limited to the parking lot and parking structures.

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 agrees 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 understands that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the licenses.

DATED THIS 12th DAY OF June, 20 17.

[Redacted Signature]
Applicant/Petitioner

[Redacted Signature]
Applicant/Petitioner