



Nicholas O. Meyer
Director
Legal Department

July 29, 2021

John Slater
Red Lamp Inc. dba True Colors
211 Elm Street
Rockford, IL 61101
Via Hand Delivery

RE: Red Lamp, Inc dba True Colors – DELINQUENT RENT; CEASE and DESIST

Dear Mr. Slater:

This letter is to address several ongoing issues with your business, Red Lamp, Inc. dba True Colors.

True Colors currently has outstanding back rent owed to the City of Rockford in amounts totaling \$18,730.43 for the months September 2020 through May 2021 and July 2021. True Colors has made only one rent payment since September 2020. That payment was made in June 2021.

The City does not accept Red Lamp's offer dated June 3rd to pay \$10,000 to satisfy all rent balances owed from September, 2020 – May, 2021.

The City proposes that Red Lamp make a lump sum payment of \$10,148.43 on August 1, 2021 to be applied to the outstanding and unpaid rent through February 2021. The remaining outstanding delinquency for the months March-May 2021 and August 21 through would total \$8,582. The City will accept two equal payments of \$4,291 to be made on September 1st and October 1st in addition to the regular monthly rent payment of \$1,716.40 for each of those months.

True Colors currently also owes the City for \$400 for false alarm fees, which must be paid no later than August 13, 2021.

Please also keep in mind that the current lease terminates on October 31, 2021.

The following issues must also be addressed immediately:

1. It is my understanding that True Colors may be operating the business in violation of certain conditions of its liquor license, including using the premises as a night club, charging a cover charge, and/or having a dance floor, DJ, or live entertainment exceeding (3) performers. These types of activities are specifically prohibited under True Colors' liquor license. A copy of the relevant conditions of approval are attached hereto. To the extent True Colors is operating in violation of these conditions, they must cease doing so immediately.

2. In addition, it has come to my attention that True Colors may be operating as a sexually oriented business as defined in the City of Rockford Zoning Ordinance. This type of use is prohibited in a C-4, urban City of Rockford, Illinois USA



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mixed use district without satisfy the performance use requirement and issuance of a certificate of zoning compliance by the City. For your reference, a sexually-oriented business includes an establishment which, as one of its principal business purposes, offers for sale instruments, devices, or paraphernalia which are designed for sexual activities. A commercial establishment may have other principal business purposes, but such other business purposes will not exempt the establishment from being categorized as a sexually oriented business. The relevant sections of the City of Rockford Zoning Ordinance are 90-003-CC and 22-002-G. To the extent True Colors is operating in violation of these ordinances, they must cease doing so immediately.

3. It is also my understanding that True Colors may be operating its kitchen in violation of the 2015 International Mechanical Code, as adopted by the City. Specifically, True Colors is cooking food items in grease without the required hood. Sec. 507.2 of the Code states that "Type I hoods shall be installed where cooking appliances produce grease or smoke as a result of the cooking process." Please cease operating Red Lamp's kitchen in violation of the Code immediately.

4. It has been reported that True Colors is storing items that are obstructing their rear exit and the rear exit of a neighboring business in violation of the 2015 International Building Code, as adopted by the City. Sec. 1003.6 (Means of Egress Continuity) states that obstructions shall not be placed in the minimum width or required capacity of a means of egress. Please remove the obstructions immediately. This is a life and safety issue. All items must be removed no later than Friday, July 30th at 3pm.

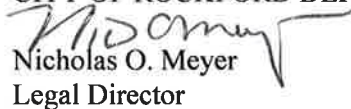
Finally, the Rockford Police Department has reported an increase in police calls for service at True Colors over the last few months, including disorderly and violent activity. We are requesting a meeting with you, your legal counsel, Rockford Police Department, and other City staff no later than August 13, 2021 to discuss True Colors' plan to address the security issues at its establishment. It is my understanding that True Colors is utilizing a private security company, Zero Tolerance Security, which that does not have required licenses from the Illinois Department of Financial & Professional Regulation. Please have your legal counsel contact me with your available dates and times.

As you are aware, the City has not issued a 2021 liquor license to True Colors, but the City has not sought closure of the business pending resolution of the outstanding balances for rent and fines owed. However, City staff may take further action, including seeking condemnation and/or emergency 7-day suspension of True Colors' liquor license for cause if the issues set forth above are not addressed immediately.

Should you have any questions or concerns, please feel free to contact our office at (779) 348-7154.

Sincerely,

CITY OF ROCKFORD DEPARTMENT OF LAW


Nicholas O. Meyer
Legal Director

Hand delivered by:

I certify that I hand delivered a true and correct copy of this letter to Red Lamp, Inc. dba True Colors at the address listed above on July 29, 2021 at _____ pm.

Cc: Attorney George Hampilos (via email)

City of Rockford, Illinois USA

425 East State Street Rockford, Illinois 61104-1068 USA
Phone – 779-348-7154 Fax - 815-967-6949 www.rockfordil.gov

STATE OF ILLINOIS)
)
COUNTY OF WINNEBAGO) SS

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting Legal Director and ex officio Keeper of the Records and Seal of the City of Rockford, Winnebago and Ogle Counties, Illinois (the "City"), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the City Council (the "City Council") thereof.

I do further certify that on the 9th day of September 2020 there was published in pamphlet form, by authority of the City Council, a true, correct and complete copy of Ordinance No. **2020-203-O** and said resolution was so published on said date readily available for public inspection and distribution, in sufficient number, at my office as Legal Director and ex officio Keeper of the Records and Seal located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City, this 9th day of September 2020.

[SEAL]



LEGAL DIRECTOR AND *EX OFFICIO*
KEEPER OF THE RECORDS AND SEAL

ORDINANCE NO. 2020- 203 -O

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKFORD, WINNEBAGO AND OGLE COUNTIES, ILLINOIS, THAT:

Pursuant to Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford, Illinois, passed October 22, 2012 approved October 25, 2012 and published on October 25, 2012 the following amendments to the Liquor and Tobacco Ordinance are hereby approved.

Upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following Establishment:

John Slater/Red Lamp Inc., dba Blue Line Sports Bar for the Sale of Liquor by the drink in conjunction with a restaurant, bar and grill, video gaming and outdoor seating in a C-4, Urban Mixed Use Zoning District at **211 Elm Street** is hereby approved. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor Codes
3. Hours are limited to seven (7) days a week 11 a.m. to 2 a.m., Monday through Sunday
4. Window display signage shall be limited to 20% of window surface area
5. There shall not be a cover charge, dance floor, DJ's and no live entertainment exceeding three (3) performers
6. The restaurant use shall not operate as a nightclub
7. The sale of liquor by the drink in the outdoor seating area shall be limited to the area shown on Exhibit F
8. That the windows shall not be covered with bars or other devices that block the windows
9. Any pending general ordinance case(s) must be resolved prior to issuance of the license
10. All outstanding general ordinance fines must be paid prior to the issuance of the license
11. All conditions must be met prior to establishment of use

Sec. 3-55. Issuance, renewal of licenses; number of licenses

- (a) Licenses for all retail sale of alcoholic liquor hereunder shall be issued by

the mayor. The mayor may renew the license of all present licensees at the expiration of their license period; provided further that each applicant for a license or for the renewal thereof and the premises where such business is to be conducted comply fully with all the conditions and provisions of this chapter.

However, the mayor shall not issue more than 107 A licenses, 93 PKG licenses, 22 C licenses, 22 WB licenses, 10 GV licenses, 6 BC licenses, 20 CTR licenses, 16 WB50 licenses, 22 L50 licenses, 1 L50R, 4 L50R+VGT license, 5 E licenses and 2 TRK licenses for a total 330 licenses hereunder.

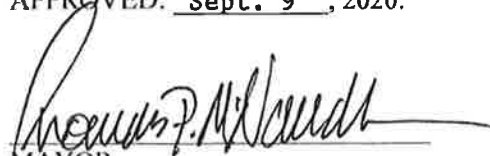
(b) Upon the surrender, revocation, or expiration without renewal of any liquor license issued pursuant to this chapter, the total number of liquor licenses permitted for the class under which the surrendered, revoked, or expired license was issued shall, upon the date of such surrender, revocation, or expiration, automatically reduce by the number of licenses surrendered, revoked, or permitted to expire without renewal on that date.

The provisions and sections of this Ordinance shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

All orders, resolutions, or ordinances in conflict herewith are hereby repealed insofar as such conflict exists, and this Ordinance shall take effect immediately upon its passage, approval, and publication, as required by law.

A full, true and complete copy of this Ordinance shall be published within ten (10) days after passage in pamphlet form by and under authority of the Corporate Authorities.

APPROVED: Sept. 9, 2020.


MAYOR

AYES: DURKEE, LOGEMANN, TUNBERG, FROST, HERVEY, THOMPSON-KELLY,
HOFFMAN, ROSE, BEACH, QUINONEZ, HANLEY, MCNEELY, CHIARELLI

NAYS: _____

ABSENT: ERVINS

ABSTAIN: _____

ATTESTED:

Nicholas O. Meyer
LEGAL DIRECTOR

PASSED: 9/8/20

APPROVED: 9/9/20

PUBLISHED: 9/9/20

FILED in my office this 9th day of September, 2020, and published in pamphlet form this 9th day of September, 2020 by order of the City Council of the City of Rockford, Illinois.

Nicholas O. Meyer
Legal Director and ex officio
Keeper of the Records and Seal

APPROVED BY:

Nicholas O. Meyer
Nicholas O. Meyer Legal Director

RECOMMENDED BY:

Lafakeria S. Vaughn
Lafakeria S. Vaughn, Assistant City Attorney