

APPROVING A RETAIL TOBACCO STORE LICENSE FOR ZONE TOBACCO & CONVENIENCE, INC., LOCATED AT 110 E. HILLCREST DRIVE, DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb (the “City”) is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, Chapter 64 of the City’s Municipal Code regulates the licensing of Retail Tobacco Stores located in the City’s corporate limits; and

WHEREAS, Zone Tobacco & Convenience, Inc. (the “Licensee”) petitioned the City to approve a Retail Tobacco Store license for the property located at 110 E. Hillcrest Drive, DeKalb, Illinois (the “License”); and

WHEREAS, the City’s corporate authorities find that approving the License is in the City’s best interests for the protection of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this resolution are true, material, adopted and incorporated as Section One to this resolution.

SECTION 2: The City’s corporate authorities approve and authorize a Retail Tobacco Store License to Zone Tobacco & Convenience, Inc. for the premises located at 110 E. Hillcrest Drive, DeKalb, Illinois (the “Premises”), to the ownership identified in the Retail Tobacco Store License Application attached and incorporated as Exhibit A, subject to the following conditions:

1. All signage shall strictly conform to the City’s Unified Development Ordinance and Chapter 64 “Smoking Regulations” of the City’s Municipal Code as may be amended from time to time.
2. Licensee shall not utilize any form of temporary signage to advertise tobacco sales, promotional activities or other similar endeavors.
3. Licensee shall be required to complete all applicable inspections and obtain all other licenses required to lawfully use, occupy, maintain, and operate the Premises as a retail tobacco store prior to commencing operations.
4. Licensee shall provide proof that it has acquired required insurance coverages and paid all applicable fees prior to commencing operations.
5. Licensee shall comply with all applicable laws, regulations, ordinances, resolutions, and provisions of the City’s Municipal Code pertaining to the regulation and taxation of a retail tobacco store in the City.

SECTION 3: This resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City’s corporate authorities that if the terms of this resolution should be inconsistent with any non-preemptive state law, this resolution shall supersede state law in that regard within its jurisdiction.

SECTION 4: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 14th day of April 2025 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant