

In the Matter of the License of: )  
 )  
Rt 76 Tobacco and Vape, Inc. )  
13553 Julie Drive )  
Poplar Grove, IL 61065 ) 23 AA 01  
 )

B. In the case of a second violation within a two-year (2-year) period, any person shall be fined not less than two hundred fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).

C. In the case of a third violation or subsequent offense within a two-year (2-year) period, any person shall be fined not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00).

**Title 2, Chapter 10, Sec. 2-10-19: SUSPENSION AND REVOCATION OF LICENSE:**

A license shall be suspended or revoked for any violation of this chapter after notice and opportunity to be heard as follows:

A. In the case of a first violation, the licensee shall be fined two hundred dollars (\$200.00) and shall be notified in writing of penalties levied for further violations.

B. In the case of a second violation, the licensee shall be fined five hundred dollars (\$500.00) and the tobacco license shall be suspended for not less than thirty (30) consecutive business days nor more than three (3) months. Tobacco retailers must remove all tobacco merchandise from all areas accessible to the public while the license is suspended.

C. In the case of a third violation, the licensee shall be fined one thousand dollars (\$1,000.00) and the tobacco license shall be suspended for not less than six (6) months nor more than eighteen (18) months from the date of suspension. Tobacco retailers must remove all tobacco merchandise from all areas accessible to the public while the license is suspended.

D. In the case of a fourth violation, the licensee shall be fined one thousand dollars (\$1,000.00) and the license shall be revoked. All tobacco merchandise must be removed from all areas accessible to the public.

Any licensee found to have violated any of the provisions of this chapter shall pay to the village costs of the hearing on such violation. Costs may include, but not be limited to: court reporter's fees, the cost of preparing and mailing notices and orders and all other miscellaneous expenses incurred by the village or such lesser sum as the city attorney may allow.

The licensee shall pay said costs to the village within thirty (30) days of notification of the costs. Failure to pay said costs within thirty (30) days of notification is a violation of this chapter and may cause the levy of an additional fine.

On March 29, 2023, the Village of Poplar Grove was alerted to the fact that Rt 76 Tobacco and Vape, Inc. failed a tobacco compliance check on 3/28/2023. On 3/28/2023, Deputy Charles Schutz of the Boone County Sheriff's Department and minor G.E.S., arrived at Rt 76 Tobacco and Vape, Inc. located at 13553 Julie Drive in Poplar Grove, IL. G.E.S. and Deputy Schutz both went inside of the store and G.E.S. went to the front counter and requested a vape device. The clerk, Caitlin-Cheyenne M. Finn, asked G.E.S. for identification and appeared to look at the Illinois Drivers License presented by G.E.S. which indicated that G.E.S. was 16 years of age. Ms. Finn completed the sale of a Mr. Fog Switch Raspberry Sour Apple vape device to G.E.S. Ms. Finn accepted cash from G.E.S. and printed a receipt for the purchase of the vape device. Deputy Schutz approached Ms. Finn and advised her that she just sold tobacco to a minor and issued her a Boone County citation. All these events occurred in the Village of Poplar Grove, County of Boone, State of Illinois.

At the above hearing, you shall be given the opportunity to appear and defend against such charges. Please take notice that at said hearing you may be represented by an attorney, and you may call witnesses on your behalf.

President Don Sattler  
Village President  
Village of Poplar Grove, Illinois

Date: April 12, 2023

By:

  
Village Attorney

**Affidavit of Service**

The undersigned hereby affirms that he served the foregoing **Notice of Hearing for Possible Revocation or Suspension of Tobacco Retailers License or Other Penalties** upon:

Rt 76 Tobacco and Vape, Inc.  
Attn: Gary Garab, Registered Agent  
520 Pearl Avenue  
Loves Park, IL 61111

Rt 76 Tobacco and Vape, Inc.  
Attn: Mageb Abbas, President  
5090 Grand Cape Road  
Rockford, IL 61109

by placing true and correct copies of the same via U.S. mail, postage prepaid, and by Certified Mail by depositing the same in a U.S. mailbox in Rockford, Illinois, on or about the hour of 5:00 p.m. on April 12, 2022.

A handwritten signature in blue ink, appearing to read "D. Kurlinkus", is written over a horizontal line.

David J. Kurlinkus  
Village Attorney for Village of Poplar Grove  
Sosnowski Szeto, LLP  
6735 Vistagreen Way, Suite 300  
Rockford, IL 61107  
(815) 900-7272