



City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Agenda

Beer Board

Tuesday, June 14, 2016

4:30 PM

Board Room

Approval of Minutes

1. [16-0535](#) Approval of Minutes from May 10, 2016 Beer Board.
2. [16-0505](#) Consideration of application from Kroger Limited Partnership I d/b/a Kroger #592, 1203 Murfreesboro Road, Scott Sharpe, Managing Agent, for On and Off Premises Consumption.

Attachments: [Kroger #592.pdf](#)
3. [16-0507](#) Consideration of application from Kona Macadamia, Inc. d/b/a Kona Grill, 1914 Galleria Blvd., Mike Lawless, Managing Agent, for On Premises Consumption.

Attachments: [Kona Grill.pdf](#)
4. [16-0508](#) Consideration of application for Puckett's Westhaven, LLC d/b/a Scout's Pub, 158 Front Street, Christopher Payne, Managing Agent, for On Premises Consumption.

Attachments: [Scout's Pub.pdf](#)
5. [16-0509](#) Consider application of Westhaven Foundation d/b/a Front Street Craft Beer Celebration, Front Street, Scott Ducaj, Managing Agent, for Special Event, On Premises Consumption. Event date and hours: August 6, 2016, 3:00 PM until 9:00 PM.

Attachments: [Front Street Craft Beer Celebration.pdf](#)
6. [16-0514](#) Consider application of Froy Inc. d/b/a Guac Mexican Restaurant, 1311 Murfreesboro Road, Suite #A, Brenda Herrera, Managing Agent for on premises consumption.

Attachments: [Guac.pdf](#)
7. [16-0515](#) Consideration of issuing Show Cause Notice to RIPS d/b/a Corner Pub as result of TBAC violation in February, 2016.

Attachments: [Corner Pub.pdf](#)

Other Business

Adjournment

ANYONE REQUESTING ACCOMMODATIONS DUE TO DISABILITIES SHOULD CONTACT A.D.A. COORDINATOR, AT 791-3277 AT LEAST 10 DAYS PRIOR TO THE MEETING, IF POSSIBLE.

APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF FRANKLIN

PURSUANT TO SECTION 8 CHAPTER 2 OF THE CODE OF THE CITY OF FRANKLIN, TENNESSEE, AND THE REQUIREMENTS OF 57-5-101 ET. SEQ. OF THE TENNESSEE CODE ANNOTATED, I HEREBY MAKE APPLICATION FOR:

☐ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☒ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

DATE OF EVENT _____
 HOURS OF EVENT _____

DATE PERMIT NEEDED ON OR BEFORE 6/6/2016

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. **Owner (Applicant)** KROGER LIMITED PARTNERSHIP I

 LIMITED PARTNERSHIP
 Person ___ Firm ___ Corp ___ LLC ___ Joint-stock co. ___ Syndicate ___ Association ___
2. **List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.**

99% - THE KROGER CO. 1014 VINE ST, CINCINNATI OH 45202

1% - KRGP 1014 VINE ST, CINCINNATI OH 45202 0% - CHRISTINE WHEATLEY, PRESIDENT
225 LAFAYETTE CIRCLE, CINCINNATI OH 45220

3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? YES
4. Under what trade name will this business operate?

KROGER #592

City of Franklin business account number 4520

5. Location of the business by street address. For special event, list location of the event.

1203 MURFEESBORO RD, FRANKLIN TN 37067

Phone number of the business 615-790-1124

6. Please give the following information on the person who will be managing the business. This person is an owner _____ or a managing agent X.

Name

Driver

Date

Home

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name KROGER BUSINESS LICENSE Title

Mailing Address PO BOX 305103

City, State, Zip NASHVILLE TN 37230

Daytime contact phone number 615-232-9557

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes _____ No X.

If so, specify number _____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

9. Do you own the premises on which you will operate? YES
If no, please give the name and address of the property owner.

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? NO If so, give particulars of each charge, court and date convicted.

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes No X If so, please give date, place and cause of said revocation.

12. Give the name and address of the former beer permittee at this establishment.

N/A

13. Give applicant's history of involvement in the beer business, if any.

KROGER HAS MANY ALCOHOL LICENSES IN MANY STATES

14. Give applicant's employment record for the past 10 years.

N/A

15. What is the exact nature of the business in which you are applying for a beer permit?
(Restaurant, tavern, motel, etc.)

RETAIL GROCERY STORE WITH GROWLER BAR

16. Will a full course menu be served? N/A
17. Will separate and sanitary facilities be maintained for men and for women? YES
18. Will dancing be allowed on your premises? NO
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? _____

TRAINING POLICY:

All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.
- (a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
 - (b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
 - (c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
 - (d) You will rigidly enforce the law against sales to minors.
 - (e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
 - (f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
 - (g) You will not attempt to transfer this permit to anyone else.
 - (h) You will display this permit in a prominent place in your establishment.
 - (i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
 - (j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
 - (k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

- (l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- (m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable \$250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

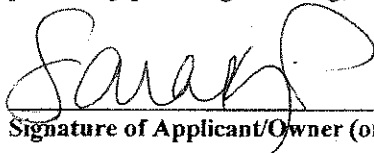
A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

I hereby make application to the City of Franklin Beer Board for a beer permit.

The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.

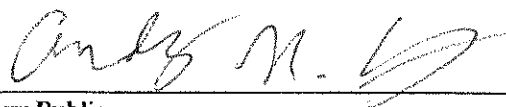


Signature of Applicant/Owner (or Authorized Corporate Officer) SARA.KEMP@KROGER.COM 615-232-9557

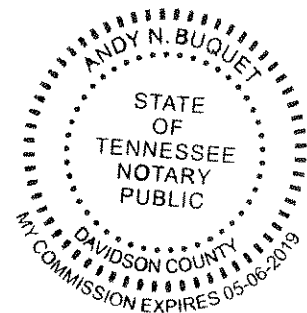
On behalf of: KROGER LIMITED PARTNERSHIP I

Name of Business Entity

Sworn to and subscribed before me this 3rd day of May, 2016


Notary Public

My Commission Expires: 5/6/19



Official Use Only

Application Fee \$	<u>250.00</u>	Date Paid	<u>5-5-16</u>
Privilege Tax \$	<u>58.00</u>	Date Paid	<u>5-5-16</u>
Board Meeting Date	<u>6.14.16</u>		



How to Handle the Selling of Restricted Sale Items

What is a Restricted Sale Item?

A restricted sale item is an item that requires the customer's Date of Birth (DOB) be entered into the register. Our policy is to physically verify the customer's ID when prompted for DOB. The cashier must enter into the register the DOB from the ID they verified. It is against company policy to enter a generic DOB into the register.

Restricted Sale Items and the Age Requirements to Purchase the Item

- **Alcoholic Beverages** – a person must be 21 years of age
- **Tobacco/Tobacco Related Products** - a person must be 18 years of age in GA, SC, & TN and a person must be 19 years of age in AL. **The only exception is for selling tobacco/tobacco related products. Any customer that appears to be under the age of 27, we must request the customer's ID.**
- **Fireworks** – a person must be 18 years of age
- **Adult Vitamins such as Metabolife** – a person must be 18 years of age
- **R Rated Videos** – a person must be 17 years of age
- **Spray Paint** – a person must be 16 years of age
- **Dry Ice** – a person must be 18 years of age
- **Dextromethorphan** such as cough medicines which normally have either DXM or DM in the name – a person must be 18 years of age

Cashiers

ALL PERSONS (REGARDLESS OF AGE) must be asked to show proper identification when purchasing restricted sale items. It shall be the duty of the person selling the restricted sale item TO REQUEST AN ID, AND TO BE FURNISHED WITH PROPER IDENTIFICATION in order to verify the age of the customer.

Some local ordinances require Cashiers to be a certain age in order to scan restricted sale items (for example alcoholic beverages). Each store is responsible for knowing their local ordinances and following those ordinances. If the Cashier is not old enough to scan the restricted sale item then it shall be the responsibility of the Associate (that is of age) scanning the restricted sale item to request PROPER IDENTIFICATION and enter the DOB into the register.

If an associate does not comply with the local laws and the company's rules the associates may be subject to fines, arrested by law enforcement and disciplinary action taken up to and including discharge by The Kroger Co.



How to Handle the Selling of Restricted Sale Items

Proper Identification Requirements:

1. A picture to compare with the person making the purchase
2. A date of birth to determine the age of the person making the purchase
3. A name printed on the license
4. A physical description of the person (height, weight, sex, eye color, and hair)

Identification that we accept:

Any Government issued ID such as Driver's License - State Issued ID - Military ID – Passport

Identification that we cannot accept:

Any non-government issued ID such as College/University IDs – Expired IDs – Social Security – Government Work ID

Entering the Date of Birth into the Register:

- Once the proper identification has been verified, the cashier **MUST** enter the actual date of birth listed on the proper identification they verified. It is against company policy to enter a generic DOB into the register.
- We cannot enter a DOB that is generic or just given to us by the customer.
- If the cashier enters an invalid date of birth (ie: not old enough, DOB entered incorrectly) that causes the register to display "**B027 Not for Sale**", then a supervisor must be called for further assistance. The Cashier will need to clear the message and continue scanning other items in the transaction until the supervisor arrives.

Supervisor/Customer Care Associates

The **supervisor** will need to:

- Rescan the restricted sale item being purchased
- The register will display "**B791 Override Req – Multiple DOB Entered**"
- Request **PROPER IDENTIFICATION** from the Customer
 - (See above for Proper Identification Requirements)
- Once the proper identification has been verified, the Supervisor/Customer Care Associate **MUST** enter the actual date of birth listed on the proper identification they verified. It is against company policy to enter a generic DOB into the register.
- A manager override is required

Transaction Monitoring

All transactions are monitored by our Risk Management Department.



How to Handle the Selling of Restricted Sale Items

Alcohol and Tobacco Sales Policy

Beer and Wine Sales Policy

A. A person must be 21 years of age to buy Beer or Wine.

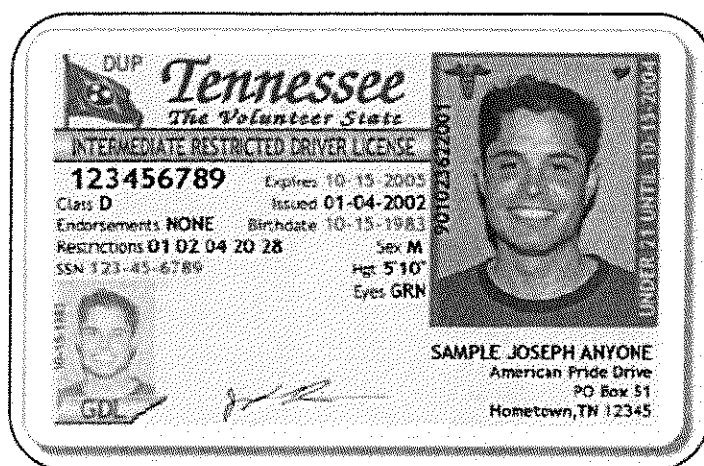
B. The following policy will apply to all cashiers/clerks selling beer or wine:

ALL PERSONS (REGARDLESS OF AGE) must be asked to show proper identification when purchasing alcoholic beverages. IT SHALL BE THE DUTY OF THE PERSON SELLING OR OTHERWISE FURNISHING such alcoholic beverage to REQUEST TO SEE AND TO BE FURNISHED WITH PROPER IDENTIFICATION in order to verify the age of the person.

The key to the above is: IT SHALL BE THE DUTY OF THE SELLER (ASSOCIATE) - to request PROPER IDENTIFICATION. Proper identification is a driver's license or state issued ID that meets the following four requirements:

1. A picture to compare with the person making the purchase.
2. A date of birth to determine the age of the person making the purchase.
3. A name printed on the license.
4. A physical description of the person (height, weight, sex, eye color, and hair).

****If you are presented with a Driver's License that has the Red, indicating that the person was under the age of 21 at the time the license was issued (See BELOW) STOP!!! DO NOT ENTER THE DATE OF BIRTH. You must call a member of management and they will enter in the customer's DOB to complete the transaction. If a manager is not available, you must refuse the sale. An MOD cannot approve the sale.**



RED means STOP!!!

C. No beer or wine is to be sold to any person who is apparently already intoxicated. If at any time there is a question, you are to alert a member of management.



How to Handle the Selling of Restricted Sale Items

- D. There will be no refunds on beer or wine.
- E. Food Stamps cannot be used to purchase beer or wine.
- F. No beer or wine will be sold on Sunday, unless allowed by law.
- G. If scanned incorrectly; the customer does not receive the product free.
- H. Cashier age requirements are based on your local ordinance for selling beer and wine. Know the age requirement applicable for your store.
- I. In addition to the policies outlined above, each county has different regulations governing the times that alcoholic beverages can be sold. See your store manager for local time regulation for your area.

Violation of these rules will be cause for disciplinary action up to, and including discharge, and are a violation of state law that may subject associates to legal fines and imprisonment.

Tobacco Sales Policy

- A. A person must be eighteen (18) years of age, to buy tobacco products, cigarettes, or tobacco related objects.
- B. The following policy will apply to all cashiers/clerks selling cigarettes and smokeless tobacco products.

When a reasonable or prudent person could reasonably be in doubt as to whether or not the person to whom a tobacco product is to be sold or otherwise furnished is actually **26 years of age or younger**, IT SHALL BE THE DUTY OF THE PERSON SELLING OR OTHERWISE FURNISHING such tobacco products TO REQUEST TO SEE AND TO BE FURNISHED WITH PROPER IDENTIFICATION in order to verify the age of the person.

IT SHALL BE THE DUTY OF THE SELLER (ASSOCIATE)-TO REQUEST PROPER IDENTIFICATION.

Proper identification is a driver's license or state issued ID that meets the following four requirements:

1. A picture to compare with the person making the purchase.
 2. A date of birth to determine the age of the person making the purchase.
 3. A name printed on the license.
 4. A physical description of the person (height, weight, sex, color of eyes and hair)
- C. Food stamps cannot be used to purchase cigarettes or tobacco related products.
 - D. If scanned incorrectly the customer does not receive the product free.



How to Handle the Selling of Restricted Sale Items

Violation of these rules will be cause for disciplinary action up to, and including discharge, and are a violation of state law that may subject associates to legal fines and imprisonment.

Associate Name: _____ EUID #: _____

Associate Signature: _____ Date: _____

POLICE DEPARTMENT

Deborah Y. Faulkner, EdD
Chief of Police



Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

May 9, 2016

TO: Chief Deborah Y. Faulkner *DF*

FROM:

Mary E. Casteel
Mary E. Casteel, Communications Support Coordinator

SUBJECT: Beer Board Background Checks

A check of Franklin Police Department records was completed on Scott Sharpe, Managing Agent for Kroger and found to be clear.

A check was completed through LexisNexis/Accurint and found to be clear.

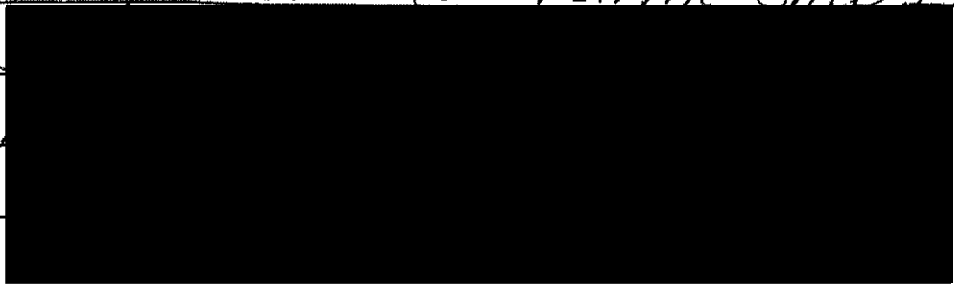
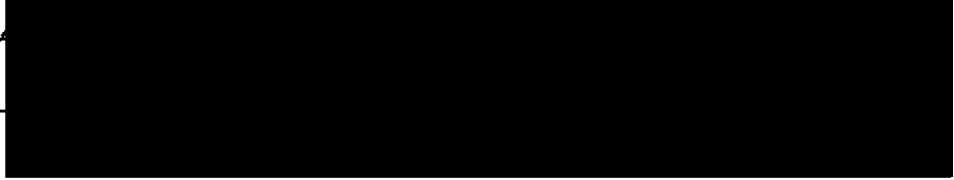
Requested by: Christy McCandless

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-5-16
TO: POLICE CHIEF
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT
BEER BOARD MEETING DATE 6-14-16

- ☒ Applicant is requesting a temporary permit. Please return ASAP.
☐ Please return by _____ to provide information for Beer Board meeting agenda.

Name of Business Kroger #592
Location of Business 1203 Murfreesboro Rd
Name of applicant Kroger Limited Partnership
Managing Agent 
Drivers License # 
Date of Birth 

- ☐ Recommend. Based on information available to date, the applicant has no record requiring denial of the permit under the provisions of Title 8 of the Franklin Municipal Code.
☐ Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION
FRANKLIN POLICE DEPT

By _____

Date _____

Approved _____
Signature

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-5-16

TO: CODES DEPT
FIRE DEPT

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

☐ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☒ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☒ Applicant is requesting a temporary permit. Please return ASAP.

☐ Please return by _____ to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

Name of Business Kroger #592

Location of Business 1203 Murfreesboro Rd

CODES DEPT

Building Inspector

Date

FIRE DEPT

Wayne Mobley
Fire Inspector

5-11-16
Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-5-16
TO: CODES DEPT
FIRE DEPT
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☐ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☒ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☒ Applicant is requesting a temporary permit. Please return ASAP.

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Beer Board Meeting Date 6-14-16

Name of Business Kroger #592

Location of Business 1203 Murfreesboro Rd

CODES DEPT

[Signature]
Building Inspector

5-6-16
Date

FIRE DEPT

Fire Inspector

Date

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

CITY OF FRANKLIN

PURSUANT TO SECTION 8 CHAPTER 2 OF THE CODE OF THE CITY OF FRANKLIN, TENNESSEE, AND THE REQUIREMENTS OF 57-5-101 ET. SEQ. OF THE TENNESSEE CODE ANNOTATED, I HEREBY MAKE APPLICATION FOR:

☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT DATE OF EVENT _____
 HOURS OF EVENT _____

DATE PERMIT NEEDED _____

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. Owner (Applicant) Kona Macadamia, Inc.
 Person ___ Firm ___ Corp ☒ LLC ___ Joint-stock co. ___ Syndicate ___ Association ___
2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.
Kona Restaurant Holdings, Inc.
7150 E Camelback Rd # 333, Scottsdale AZ 85251
3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? Yes
4. Under what trade name will this business operate?
Kona Grill
 City of Franklin business account number 20789

5. **Location of the business by street address. For special event, list location of the event.**

1914 Galleria Blvd., Franklin, TN 37067

Phone number of the business 480-922-8100

6. **Please give the following information on the person who will be managing the business. This person is an owner _____ or a managing agent ☒.**

Name

Drivers

Date of

Home p

7. **Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.**

Name Christi Hing **Title** CFO

Mailing Address 7150 E. Camelback Rd., Suite 333

City, State, Zip Scottsdale, AZ 85251

Daytime contact phone number 480-922-8100

8. **Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes _____ No ☒.**

If so, specify number _____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

9. Do you own the premises on which you will operate? No
If no, please give the name and address of the property owner.

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? No If so, give particulars of each charge, court and date convicted.

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes ___ No X If so, please give date, place and cause of said revocation.

12. Give the name and address of the former beer permittee at this establishment.

13. Give applicant's history of involvement in the beer business, if any.

n/a - Kona Grill is a Restaurant Company with no involvement in the beer business other than selling it at

restaurant locations

14. Give applicant's employment record for the past 10 years.

n/a - applicant's owner is a Corporation

15. What is the exact nature of the business in which you are applying for a beer permit?
(Restaurant, tavern, motel, etc.)

Restaurants serving alcoholic beverages

16. Will a full course menu be served? Yes
17. Will separate and sanitary facilities be maintained for men and for women? yes
18. Will dancing be allowed on your premises? No
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? _____

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I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.

Christy Hing

Signature of Applicant/Owner (or Authorized Corporate Officer)

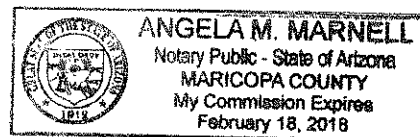
On behalf of: Kona Macadamia, Inc.

Name of Business Entity

Sworn to and subscribed before me this 6th day of May, 2016

[Signature]
Notary Public

My Commission Expires: 2.18.18



Official Use Only

Application Fee	\$ <u>550.00</u>	Date Paid	<u>5-19-16</u>
Privilege Tax	\$ <u>58.00</u>	Date Paid	<u>5-25-16</u>
Board Meeting Date	<u>6, 14, 16</u>		

Alcohol Consumption Policy

Proper identification is required by all persons ordering alcoholic beverages. Five types of valid identification are accepted by Kona Grill: 1) Driver's license (US and Canada), 2) a military ID card, 3) a passport, 4) in-state ID card, or 5) Mexican Voter Registration Card (photo and DOB). All accepted identification must have a photo. All ID's must NOT be expired. If a guest presents an ID with any discrepancy or without a photo, notify a manager before serving alcohol.

You can only serve one drink to any one person for his/her own consumption at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed.

Servers may be held responsible under Dram Shop Laws for damages incurred by intoxicated guests. Dram shop Law; basically meaning if you serve someone and they do out and hurt someone then you can be held responsible as the third party. To protect yourself from this liability, you must make a reasonable effort to prevent a guest from becoming intoxicated.

Whenever a guest is drinking too quickly or too much, the server or bartender must notify the manager. Co-workers can incur both civil and criminal liability for serving alcohol to a person who is intoxicated. Co-workers can also be terminated for serving alcohol to a minor and may be subject to a fine by the local liquor control board. Kona Grill will not serve alcohol to anyone, including Co-workers, after closing hours.

Furthermore, once a guest is cut off they have 30 minutes to leave the premises.

2 Sake Bombers per person Max.!!!!

Monitoring Your Guest

Service, Responsibility and Liability

By law, servers and managers have the right and responsibility to refuse service of alcohol to any person who appears to be intoxicated, who is under the legal drinking age, or who is a known, habitual alcoholic.

If someone enters your station visibly intoxicated, you are obligated to try and prevent that individual from driving away. If he/she insists on leaving, notify the manager so he/she or she can notify the police. Also, offer a sober alternative (taxi) in the presence of a witness, and document it immediately.

Points to Remember

- Guests who consume alcohol until they become intoxicated, guests who are allowed to drive away drunk, and minors who are served alcohol are considered to be a danger to themselves and others.
- Intoxicated guests must not be served alcohol and they must not be allowed to drive away drunk.

- If a guest you serve becomes intoxicated and has an accident and injures himself/herself or someone else, you may be responsible under criminal and civil law.
- If you serve a guest while he/she is intoxicated, you could be guilty of a criminal or civil violation. You could become a convicted felon.
- You could be financially responsible under common law or state legislation. The victim or the family of the victim could sue you, the owner, the establishment, or all three. This is called third party liability.
- Policies and procedures not only help prevent incidents, but also help establish a defense against criminal action or civil liability.
- Responsible beverage service need not mean lower check averages and tips for the servers. Suggestive selling and promoting food really works.
- To serve alcohol responsibly, you have to monitor the guests which involves three things:
 1. Being aware of how much alcohol the guest has consumed.
 2. Rating the guest throughout his or her stay.
 3. Communication with your co-workers.

Counting and Timing

Keep track of the timing and number of drinks you have served each guest. Different drinks contain different amounts of alcohol. Count drinks served with one-half ounce of alcohol as one drink. Count drinks served with more alcohol as a drink and a half.

- 1 ¼ ounces of 80 proof liquor, 4 ounces of wine and 12 ounces of beer (even if it is a lite beer) contain the same amount of alcohol.
- Martini's and some specialty drinks, like a Long Island Ice Tea, contain more alcohol.
- Your body can eliminate only ONE DRINK PER HOUR. Once in the blood, alcohol is carried to the liver where it is broken down and passed from the body. The liver can process only one drink per hour. If a person consumes more than one drink per hour, the amount of alcohol in those extra drinks backs up and remains in the bloodstream. It begins to affect the brain and the guest's behavior.
- When the stomach is digesting food, it closes the valve leading to the small intestine and holds any alcohol with the food. Slowing the rate that alcohol is absorbed into the blood.

Foods that are fatty or high in protein take more time to digest, and therefore slows down the alcohol absorption even more.

How Alcohol Affects the Body

Alcohol affects people differently. Different variables are: body size, body type and gender, but it works in the body the same way for everyone.

- B.A.C. means Blood Alcohol Concentration and refers to how much alcohol is in the blood.
- The best ways to slow down the rate at which alcohol is absorbed in the bloodstream are to moderate the amount of alcohol consumed and to get the guest to eat food while drinking.
- How much alcohol is in the blood and in the brain, and how quickly it arrives there depends on several things: body size, body type and gender.

Body Size

A larger, heavier person will show fewer effects from alcohol than a smaller or lighter person.

Body Type

Given the same amount of alcohol, a muscular individual will have a lower blood alcohol concentration than a person with a large amount of body fat.

Gender

Women tend to absorb alcohol at a faster rate than men because they are usually smaller than men and have less water in their bodies. Water dilutes alcohol in the body.

Low-Risk Guests

Appear to be in good health, under no heavy stress or other emotional condition, with a normal appetite, and with some experience in drinking alcoholic beverages.

High-Risk Guests

Appearance of being tired, tense, irritated or emotionally upset, have not eaten or are dieting, are novice drinkers, are ill or on medication.

Green Light

Yellow Light

Red Light

Kona Grill's system for rating a guest's alcohol consumption is based on your average, everyday traffic light. The colors green, yellow and red are codes used to communicate with your co-workers the condition of a guest. Observe changes in a guest's behavior by initiating conversation. This will help you determine their level: green, yellow or red.

Green

Some indicators of a guest at the GREEN level are that they are relaxed, comfortable, may be talkative, happy. They can be served whatever they order. Suggest food to a green guest and keep track of the number of drinks they consume.

Yellow

Some indicators of a guest at the YELLOW level are that they are more talkative and somewhat louder... or quieter, relaxed inhibitions, overly friendly or giddy. In later yellow stages, their judgment may become impaired. They may increase the rate at which they drink and buy drinks for others, even total strangers. When they near the red, they might become argumentative, use foul language freely, and then their reactions start to slow down as they become uncoordinated.

- Notify the bartender and manager if you have someone in the yellow. It does not do any good if a guest is cut off and can still get drinks at the bar. Slow down the service of alcohol and go with food and non-alcoholic beverages. It is your job to notify the manager when a guest is in the yellow, before you have a problem.

Red

Some indicators of a guest at the RED level are that they may have a glassy – eyed look. Their movements may appear slow and uncoordinated. They may spill a drink, drop things, stumble or fall. They may lose their train of thought, make irrational statements or become hostile – even violent.

- Stop serving the guest alcohol and notify the manager. The manager on duty is the person who will cut off service to any guest who is visibly intoxicated. We do not want the guest to drive. If the guest gets into an accident and injures him or herself or someone else, you could be responsible. Let the manager handle the situation.
- Managers have been trained for certain situations and will know the best steps to take. They will remove a guest's drink if you believe they are intoxicated, enlist any sober friends who are present with an intoxicated person to drive, or will call a friend or a taxi for any visibly intoxicated guest. If an intoxicated guest refuses help or insists upon driving, the manager will call the police.

• It is a myth that a lot of coffee will sober up an intoxicated individual. Coffee, food or cold showers will not "sober up" an intoxicated individual. The only thing that works is time.

Minors

Of the 25,000 people a year killed on our highways in alcohol – related deaths each year, almost half are between the ages of 16 and 24, many of those minors. Minors who attempt to get served alcohol illegally may appear nervous, have no eye contact, and look young.

Verify Information– Check Expiration Date and Date of Birth

- Borrowed ID is the most common means used by minors to obtain alcohol. Nine times out of ten, the minor uses an expired ID.
- Check the expiration date first. Concentrate on the date of birth since that is the area most likely to have been altered. Know the year that a person would have to be born in to be of legal drinking age today.
- When presented with an out-of-state license, ask for a second piece of identification.

Look for Alterations

- Get your hands on the ID and really look at it to detect an altered ID. You may be able to feel a raised surface, an extra layer of laminate, or detect poor graphics.
- Look at the picture and the description, and compare it to the person before you. Make sure the photo has the correct background color and the person is standing at the correct angle.
- Make sure the type style and border are consistent with legitimate IDs.
- Make sure the ID number has the correct number of digits and begins with the correct letter on number. Refer to the current ID book in the office if you have any concerns or are unfamiliar with a certain state license.

If You Have a Guest That Turns Out to be Underage

Don't be judgmental. Be tactful and diplomatic, telling them politely but firmly that you will not be able to serve them any alcohol. Suggest a non-alcoholic beverage. Be diligent with watching the table to ensure that a minor does not obtain an alcoholic beverage from someone else. By law, you have the right and the responsibility to refuse alcohol to anyone who appears to be intoxicated or under the legal drinking age. There is no defense, legally or otherwise, if you serve alcohol to a minor and that minor is arrested or causes an accident. You could be arrested and the restaurant could lose its liquor license.

- Co-workers are not allowed to sit at the bar to eat or drink in uniform at any time.
- If you are found serving a minor you will be terminated immediately. NO EXCEPTIONS – THIS IS A ZERO TOLLERACE POLICY.

POLICE DEPARTMENT

Deborah Y. Faulkner, EdD
Chief of Police



Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

May 26, 2016

TO: Chief Deborah Y. Faulkner *DF*

FROM: *Mary E. Casteel*
Mary E. Casteel, Communications Support Coordinator

SUBJECT: Beer Board Background Checks

A check of Franklin Police Department records was completed on Michael Lawless, Managing Agent for Kona Grill and found to be clear.

A check was completed through LexisNexis/Accurint and found to be clear.

Requested by: Christy McCandless

EA
5/27/16

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-19-16

TO: POLICE CHIEF

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT

BEER BOARD MEETING DATE 6-14-16

- ☐ Applicant is requesting a temporary permit. Please return ASAP.
- ☒ Please return by 5-26-16 to provide information for Beer Board meeting agenda.

Name of Business Kona Grill

Location of Business 1914 Galleria Blvd

Name of applicant Kona Macadamia Inc

Managing Agent

Drivers License

Date of Birth

- ☐ Recommend. Based on information available to date, the applicant has no record requiring denial of the permit under the provisions of Title 8 of the Franklin Municipal Code.
- ☐ Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION
FRANKLIN POLICE DEPT

By _____

Date _____

Approved _____
Signature

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-19-16

TO: CODES DEPT
FIRE DEPT

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☐ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 5-26-16 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

Name of Business Kona Grill

Location of Business 1914 Galleria Blvd

CODES DEPT

[Signature]
Building Inspector

5-19-16
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE:

5-19-16

TO:

CODES DEPT
FIRE DEPT

FROM:

CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE:

BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☐ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 5-26-16 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date

6-14-16

Name of Business

Kona Grill

Location of Business

1914 Galleria Blvd

CODES DEPT

Building Inspector

Date

FIRE DEPT

Fire Inspector

Date

Wayne Mobley

5-19-16

APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF FRANKLIN

☒ ON PREMISES PERMIT
____ OFF PREMISES PERMIT
____ ON AND OFF PREMISES PERMIT
____ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
____ SPECIAL EVENTS PERMIT DATE OF EVENT _____
 HOURS OF EVENT _____

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. Owner (Applicant) Andrew E. Marshall
- Person ___ Firm ___ Corp ___ LLC X Joint-stock co. ___ Syndicate ___ Association ___
2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.
- Please see attachment
3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? yes
4. Under what trade name will this business operate?
- Puckett's Westhaven ^{LLC} dba Scout's Pub
- City of Franklin business account number 20528

5. Location of the business by street address. For special event, list location of the event.

158 Front Street Franklin, TN. 37064

Phone number of the business 404-801-0373 / N/A

6. Please give the following information on the person who will be managing the business. This person is an owner _____ or a managing agent ☒.

Name _____

Drivers li _____

Date of bi _____

Home pho _____

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name Rebecca Johns Title Business Administrator

Mailing Address 94 E. Main St.

City, State, Zip Franklin, TN 37064

Daytime contact phone number 901-338-6274

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes _____ No ☒.

If so, specify number N/A. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

N/A

9. Do you own the premises on which you will operate? NO
If no, please give the name and address of the property owner.

Rick English 1717 Championship Blvd. Franklin, TN 37064

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? NO If so, give particulars of each charge, court and date convicted.

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes ___ No X If so, please give date, place and cause of said revocation.

12. Give the name and address of the former beer permittee at this establishment.

N/A - New building

13. Give applicant's history of involvement in the beer business, if any.

Puckett's Restaurant + Grocery Franklin, Chattanooga, Nashville,
Columbia. Puckett's Boathouse, Homestead Manor

14. Give applicant's employment record for the past 10 years.

Puckett's Restaurant + Grocery

15. What is the exact nature of the business in which you are applying for a beer permit?
(Restaurant, tavern, motel, etc.)

Restaurant

16. Will a full course menu be served? YES
17. Will separate and sanitary facilities be maintained for men and for women? YES
18. Will dancing be allowed on your premises? NO
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? NO

TRAINING POLICY:

All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.
- (a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
 - (b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
 - (c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
 - (d) You will rigidly enforce the law against sales to minors.
 - (e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
 - (f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
 - (g) You will not attempt to transfer this permit to anyone else.
 - (h) You will display this permit in a prominent place in your establishment.
 - (i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
 - (j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
 - (k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

- (l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- (m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable \$250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

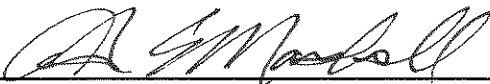
A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

I hereby make application to the City of Franklin Beer Board for a beer permit.

The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

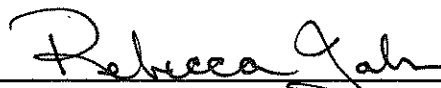
I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.



Signature of Applicant/Owner (or Authorized Corporate Officer)

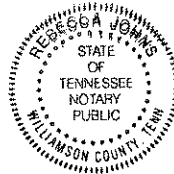
On behalf of: Puckett's Weatheren, LLC
Name of Business Entity

Sworn to and subscribed before me this 18 day of May, 2016



Notary Public

My Commission Expires: 10-20-19



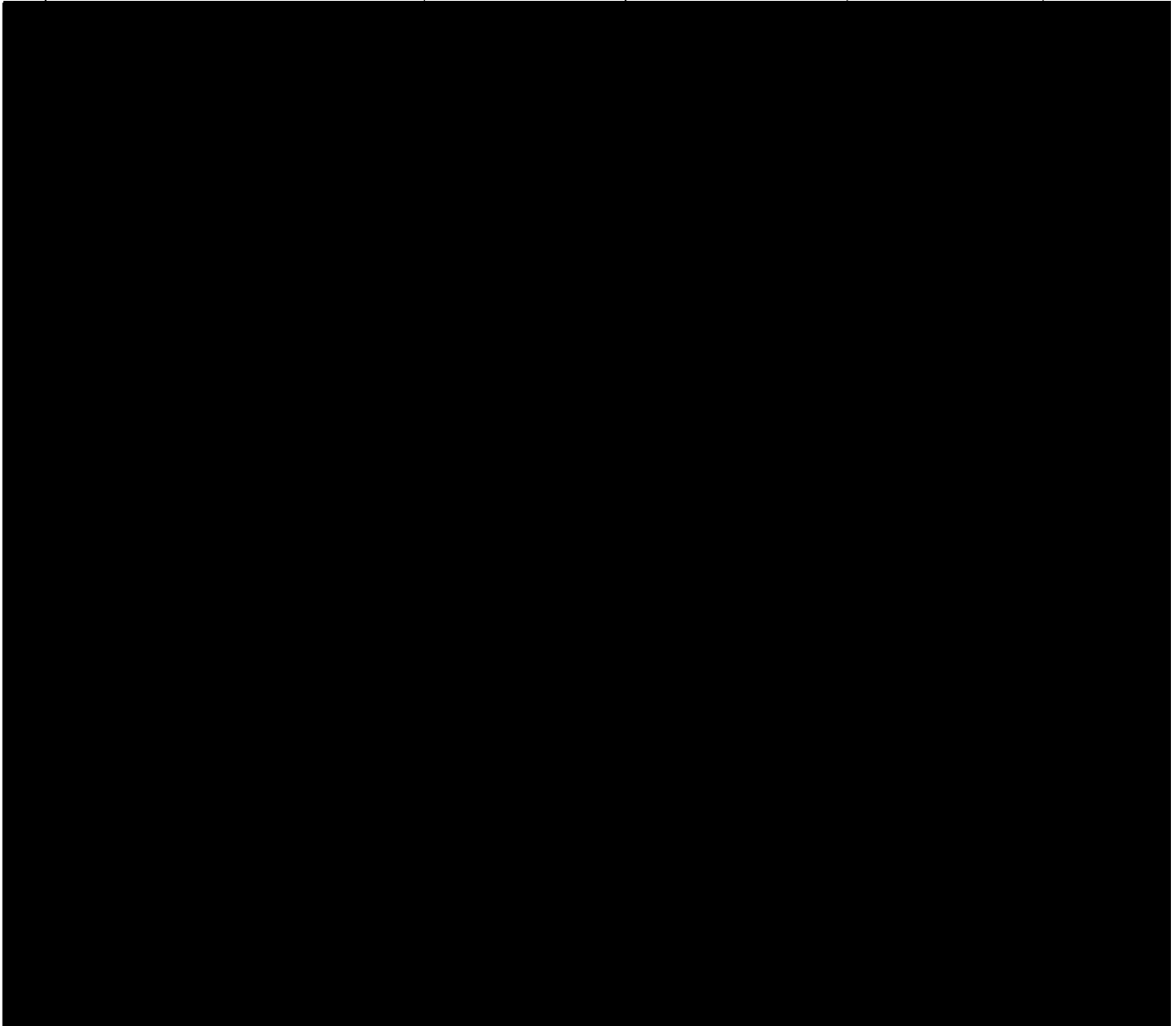
NOTARY PUBLIC
Rebecca Johns
My Commission Expires
October 20, 2019
STATE OF TENNESSEE

Official Use Only

Application Fee \$	<u>250.00</u>	Date Paid	<u>5-31-16</u>
Privilege Tax \$	<u>58.00</u>	Date Paid	<u>5-31-16</u>
Board Meeting Date	<u>6, 14, 16</u>		

SCHEDULE A

Names and Addresses of Members	Initial Capital Contributions*	Percentage Interests	Membership Units
---	---	---------------------------------	-----------------------------



Officers

President:	Andrew Marshall
Secretary:	Janet Marshall
Tax Matters Member:	Andrew Marshall

GENERAL INFORMATION

Cuisine: Home Made Southern Comfort Food

Hours of Operation:

Breakfast: Sun. – Sat. (7 days) 7am to 11am

Lunch: Sun. – Sat. (7 days) 11am to 3pm

Dinner: Tue. – Sat. 3pm to 9pm

(Fridays & Saturdays close after show ends)

Credit Cards: American Express, Visa, MasterCard, & Discover

GUEST SERVICE

The guest's satisfaction is our number one priority. We strive to build repeat guest by providing exceptional service that surpasses their expectations and which is always consistent. There is always a way to fulfill the guest's needs - we never tell a guest "No".

TEAMWORK

Teamwork is the key to success at Puckett's. Everyone works together to service our guests. You are a team player first, before you are a Manager, Host, Busser, Server, Cook, or Dishwasher. Your positive and helping attitude is the key to successful teamwork. It makes all of our jobs easier and more fun while at the same time meets the needs of our guests. Always arrive at work with a positive attitude!

OPEN DOOR MANAGEMENT POLICY

As Managers at Puckett's, we know that from time to time unforeseen problems or situations may arise. We want you to feel free to discuss these with us so that it doesn't affect your job. All problems can be resolved but only if you're willing to discuss them with us. We encourage your input and participation regarding ideas, questions, concerns or suggestions regarding the operation of our restaurant. Your opinions are highly valued!

PAYCHECKS

Our pay periods run from Sunday through Saturday. The pay period is for 2 weeks, Paychecks arrive the following Thursday after the end of the pay period.

ALCOHOL POLICY

- It is illegal to knowingly serve an intoxicated guest. It is everyone's responsibility to monitor the amount of alcohol served to a guest.
- Last Call is determined and given by the manager on duty only.
- You may be served as a paying guest on your day off.
- Always get an I.D. from anyone that could be suspected of being under age. Err on the safe side.
- All servers are personally responsible for knowledge and adherence to all local, state, and federal liquor laws

SCHEDULES

- We write schedules for one week.
- You are responsible for submitting any requests in writing two weeks prior to the requested date off using the Schedule Request book only.
- On special dates (holidays, etc), requests will be granted on a first come, first serve basis.
- We will do all that we can to honor requests. However all requests are just that - requests; and

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-27-16

TO: POLICE CHIEF

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT

BEER BOARD MEETING DATE 6-14-16

☒ Applicant is requesting a temporary permit. Please return ASAP.

☐ Please return by _____ to provide information for Beer Board meeting agenda.

Name of Business Scout's Pub

Location of Business 158 Front Street

Name of applicant Puckett's Westhaver

Managing

Drivers L

Date of Bi

- ☐ Rec Based on information available to date, the applicant has no record requiring denial of the permit under the provisions of Title 8 of the Franklin Municipal Code.
- ☐ Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION
FRANKLIN POLICE DEPT

By _____

Date _____

Approved _____
Signature

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-27-16
TO: CODES DEPT
FIRE DEPT
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☒ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 6-2-16 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

Name of Business Scrout's Pub

Location of Business 158 Front St

CODES DEPT

[Signature]
Building Inspector

5-31-16
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-27-16

TO: **CODES DEPT**
FIRE DEPT

FROM: **CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR**

RE: **BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT**

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☒ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 6-2-16 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

Name of Business Scout's Pub A/P 9634

Location of Business 158 Front St A/P 104537
Suite 120

CODES DEPT

Building Inspector

Date

FIRE DEPT

Christina
Fire Inspector

JUL 1, 2016
Date

1627

APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF FRANKLIN

PURSUANT TO SECTION 8 CHAPTER 2 OF THE CODE OF THE CITY OF FRANKLIN, TENNESSEE, AND THE REQUIREMENTS OF 57-5-101 ET. SEQ. OF THE TENNESSEE CODE ANNOTATED, I HEREBY MAKE APPLICATION FOR:

☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☒ SPECIAL EVENTS PERMIT DATE OF EVENT 8/6/2016
HOURS OF EVENT 3pm - 9pm

DATE PERMIT NEEDED 8/6/2016

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. Owner (Applicant) SCOTT DUCAT - WESTHAVEN FOUNDATION
Person ☐ Firm ☐ Corp ☐ LLC ☐ Joint-stock co. ☐ Syndicate ☐ Association ☒

2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.

MARK McCutcheon - 1001 WESTHAVEN BLVD, 37064 FRANKLIN, TN
SCOTT DUCAT - P.O. Box 140835, NASHVILLE, TN 37212

3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? YES

4. Under what trade name will this business operate?

WESTHAVEN FOUNDATION - FRONT STREET CRAFT BEER CELEBRATION
City of Franklin business account number N/A

5. Location of the business by street address. For special event, list location of the event.
THIS EVENT WILL TAKE PLACE UNDER A TENT
AT THE LAKE ON FRONT STREET IN WESTHAVEN
TOWN CENTER
Phone number of the business 615-479-7751

6. Please give the following information on the person who will be managing the business. This person is an owner _____ or a managing agent X.

Name

Drive

Date

Home

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name SCOTT DUCAT Title DIRECTOR
FRONT STREET BEER
CELEBRATION
Mailing Address P.O. BOX 140835
City, State, Zip NASHVILLE, TN 37214
Daytime contact phone number 615-479-7751

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes _____ No X

If so, specify number _____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

9. Do you own the premises on which you will operate? NO
If no, please give the name and address of the property owner.

WESTHAVEN FOUNDATION
1001 WESTHAVEN BLVD, FRANKLIN, TN 37064

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? NO If so, give particulars of each charge, court and date convicted.

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes ___ No ☒ If so, please give date, place and cause of said revocation.

12. Give the name and address of the former beer permittee at this establishment.

LAST YEARS BEER FESTIVAL - MARK McCUTCHEN
1001 WESTHAVEN BLVD, FRANKLIN, TN 37064

13. Give applicant's history of involvement in the beer business, if any.

(10 YEARS)
FRANKLIN JAZZ FESTIVAL, CELEBRATION
OF NATIONS FESTIVAL (3 YEARS)

14. Give applicant's employment record for the past 10 years.

TIV EVENTS - PRODUCING FESTIVALS
20 YEARS

15. What is the exact nature of the business in which you are applying for a beer permit?
(Restaurant, tavern, motel, etc.)

WESTHAVEN 1 DAY - BEER FESTIVAL

16. Will a full course menu be served? YES
17. Will separate and sanitary facilities be maintained for men and for women? YES
18. Will dancing be allowed on your premises? NO
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? _____

TRAINING POLICY:

All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.

- (a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
- (b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
- (c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
- (d) You will rigidly enforce the law against sales to minors.
- (e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
- (f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
- (g) You will not attempt to transfer this permit to anyone else.
- (h) You will display this permit in a prominent place in your establishment.
- (i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
- (j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
- (k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

- (l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- (m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable \$250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

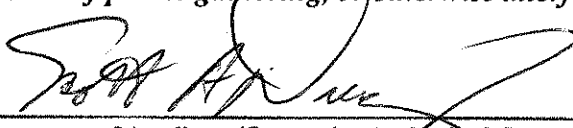
A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

I hereby make application to the City of Franklin Beer Board for a beer permit.

The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.

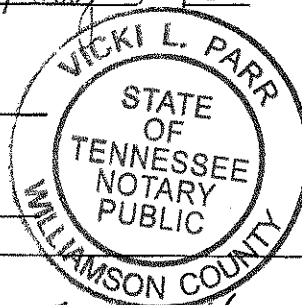

Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: WESTHAVEN FOUNDATION - FRONT STREET CRAFT BEER CELEBRATION
Name of Business Entity

Sworn to and subscribed before me this 27 day of May, 2016


Notary Public

My Commission Expires: 2/23/20



Official Use Only

Application Fee \$ 250.00 Date Paid 5-31-16

Privilege Tax \$ Date Paid

Board Meeting Date 6.14.2016

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-27-16

TO: POLICE CHIEF

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT

BEER BOARD MEETING DATE 6-14-16

☐ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 6-2-16 to provide information for Beer Board meeting agenda.

Name of Business Front Street Craft Beer Celebration

Location of Business Front Street (Westhaven)

Name of applicant Westhaven Foundation / Matt Ducaj

Managing

Drivers Lic

Date of Bir

- ☐ Reco
denia
- ☐ Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION
FRANKLIN POLICE DEPT

By _____

Date _____

Approved _____
Signature

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-27-16
TO: CODES DEPT
FIRE DEPT
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☒ SPECIAL EVENTS PERMIT

☒ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 6-27-16 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

Name of Business Front Street Craft Beer Celebration
Location of Business Front Street (Westhaven)

CODES DEPT

M. Haman
Building Inspector

5-31-16
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-27-16

TO: CODES DEPT
FIRE DEPT

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☒ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☒ SPECIAL EVENTS PERMIT

☐ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 6-2-16 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

Name of Business Front Street Craft Beer Celebration

Location of Business Front Street / Westhaven

CODES DEPT

Building Inspector

Date

FIRE DEPT

[Signature]
Fire Inspector

June 1, 2016
Date

16-28

APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF FRANKLIN

PURSUANT TO SECTION 8 CHAPTER 2 OF THE CODE OF THE CITY OF FRANKLIN, TENNESSEE, AND THE REQUIREMENTS OF 57-5-101 ET. SEQ. OF THE TENNESSEE CODE ANNOTATED, I HEREBY MAKE APPLICATION FOR:

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT DATE OF EVENT _____
 HOURS OF EVENT _____

DATE PERMIT NEEDED 06/01/2016

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. Owner (Applicant) FROY INC
Person ☐ Firm ☐ Corp ☒ LLC ☐ Joint-stock co. ☐ Syndicate ☐ Association ☐
2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.
BRENDA C. HERRERA 100%
7221 HIGHWAY 70 S APT 109, NASHVILLE, TN 37221
3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? YES
4. Under what trade name will this business operate?
GUAC MEXICAN RESTAURANT
City of Franklin business account number APPLIED FOR

5. Location of the business by street address. For special event, list location of the event.

1311 MURFREESBORO RD STE A, FRANKLIN TN 37064

Phone number of the business 615-224-3527

6. Please give the following information on the person who will be managing the business. This person is an owner ✓ or a managing agent .

Name

Driver

Date of

Home

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name Brenda C Herrera Title owner

Mailing Address 3921 APACHE TRAIL

City, State, Zip ANTIOCH, TN 37013

Daytime contact phone number 615-203-0288

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes No ✓.

If so, specify number . List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

9. Do you own the premises on which you will operate? YES
If no, please give the name and address of the property owner.

N/A

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? NO If so, give particulars of each charge, court and date convicted.

N/A

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes ___ No ✓ If so, please give date, place and cause of said revocation.

N/A

12. Give the name and address of the former beer permittee at this establishment.

KARA INC

1311² MURFREESBORD PIKE STE A FRANKLIN, TN 37064

13. Give applicant's history of involvement in the beer business, if any.

N/A

14. Give applicant's employment record for the past 10 years.

LASMARCAS (2011 - 2013)

CIGMA HEALTH SPRING (2013 - 2014)

COSINA MEXICAN (2014 - 2016)

15. What is the exact nature of the business in which you are applying for a beer permit?
(Restaurant, tavern, motel, etc.)

RESTAURANT

16. Will a full course menu be served? YES
17. Will separate and sanitary facilities be maintained for men and for women? YES
18. Will dancing be allowed on your premises? NO
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? N/A

TRAINING POLICY:

All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.
- (a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
 - (b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
 - (c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
 - (d) You will rigidly enforce the law against sales to minors.
 - (e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
 - (f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
 - (g) You will not attempt to transfer this permit to anyone else.
 - (h) You will display this permit in a prominent place in your establishment.
 - (i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
 - (j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
 - (k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

- (l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- (m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable \$250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

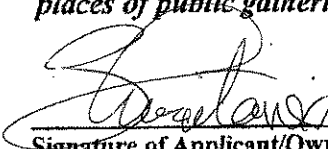
A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

I hereby make application to the City of Franklin Beer Board for a beer permit.

The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.


Signature of Applicant/Owner (or Authorized Corporate Officer)

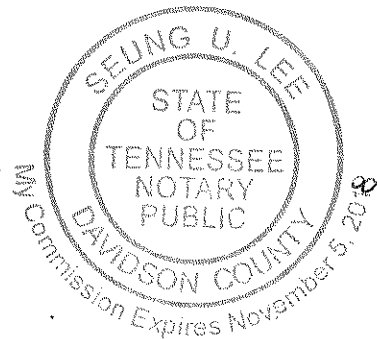
On behalf of:

Gnac Restaurant
Name of Business Entity

Sworn to and subscribed before me this 25th day of May, 2016


Notary Public

My Commission Expires: 11-5-2018



Official Use Only

Application Fee \$ 250.00 Date Paid 6-1-16

Privilege Tax \$ 58.00 Date Paid 6-1-16

Board Meeting Date 6-14-16

Guac Mexican Restaurant

~~1311~~ 1311 Murfreesboro Rd. Ste A
Franklin, TN 37064

Training Policy for serving alcohol and beer

- 1 We will not sell beer or any similar beverages except inside the establishment.
- 2 We will only sell beer and similar beverages in accordance with the terms of said permit
- 3 We will enforce the law against sales to minors.
- 4 Gambling will not be permitted at Guac Mexican Grill and the owners and staff understand that such activities will result in the revocation of the permit to sell beer and alcohol.
- 5 We will secure a certificate from the health department that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
- 6 We will not attempt to transfer this permit to anyone else.
- 7 We will display this permit in a prominent place in the premises.
- 8 We will not sell beer or any similar beverage between the hours of 3:00 AM and 8:00 AM during the week and between the hours of 3:00 AM 12:00 noon on Sunday.
- 8 We will prohibit the congregation of those who appear to be intoxicated, lawless, rowdy or prostitutes at our establishment.
- 10 We will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.
- 11 We will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- 12 We will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-31-16

TO: POLICE CHIEF

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT

BEER BOARD MEETING DATE 6-14-16

- ☒ Applicant is requesting a temporary permit. Please return ASAP.
- ☐ Please return by _____ to provide information for Beer Board meeting agenda.

Name of Business Guac Mexican Restaurant

Location of Business 1311 Murfreesboro Rd Ste A

Name of applicant Froy Inc.

Managing A

Drivers Lice

Date of Birth

- ☐ Recommend. Based on information available to date, the applicant has no record requiring denial of the permit under the provisions of Title 8 of the Franklin Municipal Code.
- ☐ Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION
FRANKLIN POLICE DEPT

By _____

Date _____

Approved _____
Signature

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-31-16
TO: CODES DEPT
FIRE DEPT
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
- ☐ OFF PREMISES PERMIT
- ☐ ON AND OFF PREMISES PERMIT
- ☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
- ☐ SPECIAL EVENTS PERMIT

- ☒ Applicant is requesting a temporary permit. Please return ASAP.
- ☐ Please return by _____ to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16 (Change in Ownership)

Name of Business Guac Mexican Restaurant

Location of Business 1311 Mauneeboro Rd Ste A

CODES DEPT

[Signature]
Building Inspector

6-2-16
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5-31-16

TO: CODES DEPT
FIRE DEPT

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ☒ ON PREMISES PERMIT
☐ OFF PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

☒ Applicant is requesting a temporary permit. Please return ASAP.

☐ Please return by _____ to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6-14-16

(change in ownership)

Name of Business Guac Mexican Restaurant

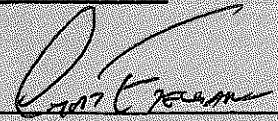
Location of Business 1311 Murfreesboro Rd # A

CODES DEPT

Building Inspector

Date

FIRE DEPT



Fire Inspector

June 1, 2016

Date



STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY, 3RD FLOOR
NASHVILLE, TENNESSEE 37243-0755



PHONE 615.741.1602

FAX 615.741.0847

February 3, 2016

Attn: City of Franklin
Beer Board
109 Third Ave S, Suite 141
Franklin, TN 37604

RE: RIPS, INC
DBA Corner Pub
1916 Columbia Hwy
Franklin, TN 37604

Attn: Beer Board

The above captioned establishment has been found in violation of T.C.A. § 57-4-203(b)(1)(B) - Sale of beer and/ or malt beverages to a minor. This is the second sale to a minor since 2013. As a result, the licensee has agreed to a five (5) day suspension of their liquor-by-the-drink permit. Pursuant to § 57-1-214, I have enclosed a copy of the Agreed Order and the citation issued by the TABC.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

Ginna Winfree, Assistant Director
Tennessee Alcoholic Beverage Commission
500 James Robertson Parkway
Davy Crockett Tower, 3rd Floor
Nashville, Tennessee 37243

Certificate of Service

I, the undersigned, hereby certify that a true and exact copy of the foregoing Beer Board Notice has been sent by certified mail via the United States Postal Services, with sufficient postage to make it to its destination, City of Franklin (Beer Board) at 109 Third Ave S, Suite 141, Franklin, TN 37064 on this the 3rd day of February, 2016

Ginna Winfree
Ginna Winfree

STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
3RD FLOOR
NASHVILLE, TENNESSEE 37243-0755
PHONE 615-741-1602
FAX 615-253-3782

IN THE MATTER OF:

TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION

PETITIONER

V.

RIPS, INC

DBA CORNER PUB

1916 COLUMBIA HWY

FRANKLIN, TN 37604

LICENSE NO. 60232

RESPONDENT

RI 2285

AGREED ORDER

As evidenced by the signatures of Tennessee Alcoholic Beverage Commission Assistant Director, Ginna Winfree, and Agent for Respondent, Daniel Rippey, it was determined that:

1. Respondent, RIPS, Inc., dba Corner Pub ("Corner Pub") admits the Tennessee Alcoholic Beverage Commission ("TABC") has jurisdiction over the matters herein contained.
2. Upon TABC investigation and by TABC report, the TABC has charged Corner Pub with committing the following violation: T.C.A. § 57-4-203(b)(1)(B), Sale of beer/malt beverage to a minor.
3. As a result of the violation of T.C.A. § 57-4-203(b)(1)(B), citation RI #2285 was issued on December 8, 2015.
4. Corner Pub was also cited for sale to a minor on August 16, 2013. As a result, citation RI 1654 was issued. A civil penalty of \$1,500 was assessed and paid.
5. Corner Pub hereby agrees to a five (5) day suspension of permit number 60232.
6. This suspension shall begin on Sunday, January 31, 2016 at 12:01 a.m. and will conclude on Thursday, February 4, 2016 at 11:59 p.m.



2285
TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor; Nashville, TN 37243-0755 PHONE: (615) 741-1602



REGULATORY CITATION

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL)= 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 8 DAY OF DECEMBER 20 15

PERMITEE: CORNER PUB ADDRESS: 1916 COLUMBIA HWY
CITY: FRANKLIN TN COUNTY: WILLIAMSON ZIP: 37064 PHONE: 615-595-7447
PERMIT NUMBER: 60232 EXPIRATION DATE: 4/02/2016

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

- ☒ 1 Sale of Alcoholic Beverage/Beer to Minor-\$1,500
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)
- ☐ Minor in Possession TCA§ 57-4-203(b)(2)(A)- \$1,500
- ☐ Sell/Furnishing Alcoholic Beverage to Visibly Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(e)
- ☐ Failure to Maintain Min Seating Requirements-\$300.00
TCA§57-4-102(29)(A); 57-3-211
- ☐ Failure to Properly Display Permit in a Conspicuous Place
TABC Rule #0100-1-03(17) - \$200.00
- ☐ Failure to Post "Pregnancy Warning " TCA§ 57-1-211 - \$150.00
- ☐ Other _____

No. of Counts

- ☐ Health Inspection Displayed TCA§ 68-14-317(d) \$150.00
- ☐ Employing Persons to Dispense Alcoholic Beverages W/O a Permit TCA§ 57-4-203(h); 57-3-204(4)(c) \$150.00
- ☐ Failure to Timely Renew TCA§57-4-201(a)(3); 57-3-213(a) \$350.00
- ☐ On Premises Sale By Bottle Restricted Rule #0100-1-.03(8) TCA§57-4-203(e)(1)-\$250.00
- ☐ Hours of Sale Violation TCA§57-4-203(d); 57-3-406(e) Rule #0100-1-.03(2); 0100-03-.13(4)-\$750.00
- ☐ Purchasing Alcoholic Beverages From Other Than A Licensed Wholesaler TCA§57-3-404 et seq.-\$1,500.00
- ☐ Other _____

NARRATIVE: SERVER, MR. JASON THOMAS, SERVED A 16 OZ BUD LIGHT DRAFT BEER TO A 18 YEAR OLD COOPERATING INDIVIDUAL. ID WAS CHECKED.

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 8 day of DECEMBER, 20 15.

PHILIPS
TENNESSEE ALCOHOLIC BEVERAGE COMMISSION SPECIAL AGENT

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ CALL. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount not later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by appearing before the Tennessee Alcoholic Beverage Commission: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, on the _____ day of _____, 20____ at _____, M. Failure to appear on the date and time noted above may result in additional administrative penalties and/or costs being assessed against you, including suspension and/or revocation of your TABC Permit. It has been explained to me and I understand the above notice, and my signature below is an acknowledgement of my understanding and not an admission of guilt.

Alison Corley
Signature of Recipient/Authorized Agent of Permittee

Date

Alison Corley / manager
Recipient's Name and Title (PRINT)

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ _____ (by business check, cashier's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waiving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee

Date

Authorized Agent of Permittee or Permittee's Name and Title (PRINT)



1654
TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
 500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor, Nashville, TN 37243-0755 PHONE: (615) 741-1602



REGULATORY CITATION

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL)= 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 16 DAY OF August, 20 13

PERMITEE: corner Pub ADDRESS: 1916 Columbia Hwy

CITY: Franklin TN COUNTY: Williamson ZIP: 37064 PHONE: 615-595-9447

PERMIT NUMBER: 60232 EXPIRATION DATE: 8/3/14

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

- ☒ Sale of Alcoholic Beverage/Beer to Minor-\$1,500
 TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)
- ☐ Minor in Possession TCA§ 57-4-203(b)(2)(A)- \$1,500
- ☐ Sell/Furnishing Alcoholic Beverage to Visibly Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c)
- ☐ Failure to Maintain Min Seating Requirements-\$300.00
 TCA§57-4-102(29)(A); 57-3-211
- ☐ Failure to Properly Display Permit in a Conspicuous Place
 TABC Rule #0100-1-03(17) - \$200.00
- ☐ Failure to Post "Pregnancy Warning" TCA§ 57-1-211 - \$150.00
- ☐ Other _____

No. of Counts

- ☐ Health Inspection Displayed TCA§ 68-14-317(d) \$150.00
- ☐ Employing Persons to Dispense Alcoholic Beverages W/O a Permit TCA§ 57-4-203(b); 57-3-204(4)(c) \$150.00
- ☐ Failure to Timely Renew TCA§57-4-201(a)(3); 57-3-213(a) \$350.00
- ☐ On Premises Sale By Bottle Restricted Rule #0100-1-03(8) TCA§57-4-203(e)(1)-\$250.00
- ☐ Hours of Sale Violation TCA§57-4-203(d); 57-3-406(e) Rule #0100-1-03(2); 0100-03-13(4)-\$750.00
- ☐ Purchasing Alcoholic Beverages From Other Than A Licensed Wholesaler TCA§57-3-404 et seq.-\$1,500.00
- ☐ Other _____

NARRATIVE: On 8/16/13 at 1804 hrs, a 20 year old CI working at the direction of the TABC did enter the above licensed premises, and was served a crown & coke by bartender Shauna Bolton. This did occur in the presence of TABC Agents.

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 16th day of August, 20 13

J. Huddleston
 TENNESSEE ALCOHOLIC BEVERAGE COMMISSION SPECIAL AGENT

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ 1500⁰⁰. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount not later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by appearing before the Tennessee Alcoholic Beverage Commission: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, on the 24th day of September, 20 13 at 9:30 A. M. Failure to appear on the date and time noted above may result in additional administrative penalties and/or costs being assessed against you, including suspension and/or revocation of your TABC Permit. It has been explained to me and I understand the above notice, and my signature below is an acknowledgement of my understanding and not an admission of guilt.

8/16/13 Shauna Bolton
 Signature of Recipient/Authorized Agent of Permittee Date Recipient's Name and Title (PRINT)

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ _____ (by business check, casher's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee Date Authorized Agent of Permittee or Permittee's Name and Title (PRINT)

West's Tennessee Code Annotated

Title 57. Intoxicating Liquors (Refs & Annos)

Chapter 1. Alcoholic Beverage Commission (Refs & Annos)

Part 2. Powers and Duties of Commission

T. C. A. § 57-1-214

§ 57-1-214. Alcoholic beverage sale license or beer permit; revocation or suspension; required notices

Effective: April 29, 2013

Currentness

(a)(1) In any county other than those included in §§ 57-4-202(d) and 57-5-108(p), if the alcoholic beverage commission suspends or revokes a license to sell alcoholic beverages on the premises at any establishment for any violation or violations as provided in chapter 4 of this title, then the commission shall notify the local beer board responsible for controlling the sale of beer or malt beverages within such county by certified mail, return receipt requested, of the action taken by the commission. Such notice shall include the record of evidence and the determination made by the commission in suspending or revoking the license of the establishment.

(2) Upon receipt of such notice, the local beer board may temporarily suspend the beer permit of the establishment and shall:

(A) Schedule a hearing for the next regularly scheduled meeting of the local beer board to be held at least fourteen (14) days following the date the local beer board receives the certified letter to provide an opportunity for the permit holder to appear and show cause why the permit to sell beer on the premises should not be suspended or revoked for a violation or violations as provided in chapter 4 of this title, based on actions taken by the commission; and

(B) Notify the individual or business entity, which is listed as the permit holder at the same location where the alcoholic beverage license had been suspended or revoked, of the date and time of the hearing.

(3) If the local beer board finds at a hearing that a sufficient violation or violations have occurred as provided in chapter 4 of this title, at such location, then the local beer board may suspend or revoke the permit to the same extent and at least for the same period of time as the commission has suspended or revoked the license of the establishment.

(4) If the permit holder fails to appear or decides to surrender the permit to the local beer board in lieu of appearing at the hearing, the permit may be suspended or revoked by the local beer board; provided, that if the permit is suspended or revoked, no permit to sell beer or malt beverages on the premises shall be issued by the local beer board to any person for the location where the commission had suspended or revoked the license for the period of time included in the decision of the commission.

(5) The decision of the local beer board is final, and any party aggrieved thereby may appeal the decision of the local beer board in accordance with § 57-5-108.

(b)(1) In any county other than those included in §§ 57-4-202(d) and 57-5-108(p), if a local beer board responsible for controlling the sale of beer or malt beverages finds a violation or violations, as provided in chapter 4 of this title, in the sale of beer or malt

beverages consumed on-premises of an establishment located within the local beer board's jurisdiction that result in the local beer board suspending the operation of or revoking the permit of the establishment where the violation or violations occurred, then the local beer board shall notify the executive director of the commission by certified mail, return receipt requested, of the action taken by the local beer board. Such notice shall include the record of evidence and the determination made by the local beer board in suspending or revoking the permit.

(2) Upon receipt of such notice, the executive director of the commission may take the action with respect to a violation or violations as provided in chapter 4 of this title, related to the license for the sale of alcoholic beverages for consumption on the premises at the location where the violation or violations of the chapter occurred.

(3) The suspension or revocation decision of the local beer board made pursuant to this subsection (b) is final, and any party aggrieved thereby may appeal the decision of the local beer board in accordance with § 57-5-108.

Credits

2013 Pub.Acts, c. 316, § 1, eff. April 29, 2013.

T. C. A. § 57-1-214, TN ST § 57-1-214

Current with laws from the 2016 Second Reg. Sess., eff. through February 1, 2016

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