

**OAK RIDGE BEER PERMIT BOARD  
REGULAR MEETING**

**Municipal Building Training Room  
Monday, February 11, 2013  
12:00 Noon**

**AGENDA**

1. ATTENDANCE
2. APPROVAL OF MINUTES – Regular Meeting of January 14, 2013 and Special Meeting of February 4, 2013
3. APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS – None
4. NEW MANAGER APPROVAL APPLICATIONS  
  
Christina Slater  
Red Lobster #0702  
359 S. Illinois Avenue
5. NEW / OLD BUSINESS
  - A. SPIRITS Program – NO ACTION REQUIRED  
  
Ms. Nancy Zamora requested time during this meeting to make a brief presentation on the SPIRITS Program. Informational materials were given to members at the January 14, 2013 meeting as part of the agenda packet.
  - B. New Beer Permit Application and Manager Approval Forms – ITEM CONTINUED FROM JANUARY 14, 2013 MEETING  
  
Reference Legal Department Memorandum 12-69 (included in January 14, 2013 agenda packet) for initial background on subject. Updated forms are attached taking into consideration comments made at the January 14, 2013 meeting. (See Legal Department Memorandum 13-06, attached)
  - C. Privilege Tax Payments Update – ACTION MAY BE TAKEN  
  
As of February 5, 2013, the Oak Ridge Revitalization Effort is the only active beer permit holder to have not paid the required annual privilege tax payment. Attempts to contact Oak Ridge Revitalization Effort by mail and telephone have been unsuccessful. As required by City Code §8-708(2), a certified letter was sent on January 31, 2013 to Oak Ridge Revitalization Effort giving an additional ten (10) days to pay.
6. ADJOURNMENT

**MINUTES OF THE  
OAK RIDGE BEER BOARD**  
Regular Meeting

Training Room – Municipal Building  
January 14, 2013  
12:00 noon

PRESENT: Barton Bailey, Colin Colverson, Pedro Otaduy, Theresa Scott, Debra Solmonson,  
Randy Tedford and Wendy Williams

ABSENT: None

ALSO  
PRESENT: Tammy Dunn, Senior Staff Attorney  
Alan Massengill, Deputy Police Chief

**ATTENDANCE**

Mr. Tedford, as past chairman, called the meeting to order at 12:01 p.m.

**INTRODUCTION OF NEW MEMBERS**

Mr. Tedford, as past chairman, welcomed new members Pedro Otaduy and Wendy Williams.

Mr. Otaduy moved to reorganize the Order of the Agenda to hear the applications first. The motion died for lack of a second.

**ELECTION OF OFFICERS**

Mr. Tedford stated his willingness to continue as chairman, and Mr. Bailey stated his willingness to continue as secretary. Ms. Scott nominated Ms. Solmonson for chair; however, Ms. Solmonson respectively declined the nomination and nominated Mr. Tedford as chair and Mr. Bailey as secretary. Mr. Otaduy nominated himself as chair. Mr. Tedford stated he would like to continue in the office he has held for quite a number of years. Mr. Otaduy stated it was time for a change—stating no disrespect to Mr. Tedford—and asked whether the board should have term limits. Mr. Colverson moved, seconded by Mr. Bailey, to continue with the agenda and the motion carried by a vote of 6-to-1, with Mr. Otaduy voting against.

*Election of Chairman:*

A voice vote was held for the election of chairman as follows: Mr. Bailey voted for Mr. Tedford, Mr. Colverson voted for Mr. Otaduy, Mr. Otaduy voted for Mr. Otaduy, Ms. Scott voted for Mr. Tedford, Ms. Solmonson voted for Mr. Tedford, Mr. Tedford voted for Mr. Tedford, and Ms. Williams voted for Mr. Tedford. Mr. Tedford was elected chairman by a vote of 5-to-2.

*Election of Secretary:*

Chairman Tedford moved, seconded by Mr. Bailey, to approve Mr. Bailey as secretary and the motion carried by a vote of 6-to-1, with Mr. Otaduy voting against.

Mr. Otaduy took issue with a non-member of the board (Ms. Dunn) taking notes for the meeting and preparing the minutes, and stated his opinion that she runs the meeting. Mr. Otaduy stated the secretary did little work and questioned whether this was legal. Chairman Tedford stated Ms. Dunn, and sometimes Ms. Oran, takes notes for the board and prepares minutes and Ms. Dunn acts as legal advisor to the board. Mr. Otaduy stated Ms. Dunn has too much influence and encouraged the secretary to take notes/minutes. Chairman Tedford stated this was similar to how the City Clerk, not City Council, prepares minutes for Council's approval. Ms. Solmonson referenced the board's Rules and Procedures that the secretary attests to the correctness of the minutes, but there is no requirement that the secretary prepare the minutes.

Secretary Bailey moved, seconded by Ms. Solmonson, to proceed with the agenda and the motion carried by a vote of 6-to-1, with Mr. Otaduy voting against.

### **APPROVAL OF MINUTES**

Secretary Bailey pointed out a typographical error to be corrected on page 3 of the draft minutes – Mr. Morrison's approval was unanimous by the board and the draft minutes did not reflect that vote correctly. Ms. Solmonson asked a question about reference to the "Ask" program in the minutes. Mr. Otaduy objected to the draft minutes.

Mr. Otaduy asked Mr. Colverson if he moved to approve Application 1466 (Harvest Premium Buffet) subject to passing the life safety inspection (as indicated in the draft minutes) or moved to approve the application without limitation. Mr. Colverson stated his motion was subject to passage of the life safety inspection. Mr. Otaduy asked Secretary Bailey if he moved to approve Application 1469 (Homeland Foods Café) subject to passing the life safety inspection (as indicated in the draft minutes) or moved to approve the application without limitation. Secretary Bailey stated his motion was subject to passage of the life safety inspection. Mr. Otaduy then stated that response was not correct, that he knew for a fact that was not done as he knew someone who was at the meeting and she stated there were no restrictions. Mr. Otaduy moved to amend (Mr. Otaduy used the word "correct") the minutes for Homeland Foods Café to state the application was not pending passage of the life safety inspection. The motion died for lack of a second.

Mr. Otaduy referenced City Code §8-808 in support of his position on the life safety inspections. Ms. Scott asked Mr. Otaduy whether his questions were in reference to Homeland Foods Café and what his relationship was to the owner of that business. Mr. Otaduy stated he knew Ms. Scott was implying a conflict interest. Chairman Tedford asked Mr. Otaduy to answer the question. Mr. Otaduy stated his questions included Homeland Foods Café, owned by his wife. Ms. Scott stated Mr. Otaduy has a conflict of interest in being on the board and questioning the board about his wife's beer permit application. When argument began, Chairman Tedford called the meeting back into order.

Secretary Bailey moved, seconded by Ms. Williams, to approve the minutes as amended (typographical correction mentioned above) and the motion carried by a vote of 5-to-0-to-1, with Ms. Williams abstaining from the vote. Ms. Williams stated she abstained since she was not present at that meeting. No vote was recorded for Mr. Otaduy. Mr. Otaduy asked whether the minutes were amended for Homeland Foods Café and Chairman Tedford explained they were not as Mr. Otaduy's motion died for lack of a second. The minutes were corrected as to the typographical error only.

**APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS**

**Application No. 1472**

**Grove Market  
Mahendra Kumar Patel, Owner  
Vipel Patel, Manager  
133 Randolph Road  
Class "B" Permit**

Mr. Mahendra Patel and Mr. Vipel Patel were present to discuss their applications.

Chairman Tedford mentioned the beer permit application was missing some personal information on Mr. Vipel Patel as manager, but since the information was contained on Mr. Vipel Patel's manager application the board has sufficient information for the applications. Mr. Otaduy asked why the applications require the information if the board does not require the applicant to complete it, stating this made no sense. Ms. Scott stated the applications were filed on the same date and are contained in the same file, so the needed information is available and she was okay with it. Chairman Tedford stated he believed the lack of information on the beer permit application was not an attempt to deceive or defraud. Mr. Otaduy suggested the application form be amended to add a qualifying statement that not all information must be filled out if the information is available by other means.

Ms. Scott inquired as to the length of time the owner and manager have resided at the addresses given on the applications (2 years and 7 years, respectively), then inquired why their driver's licenses were out-of-state (Illinois and Georgia). Deputy Chief Massengill stated Tennessee law gives a person thirty (30) days to obtain a Tennessee driver's license upon relocation. The owner and manager stated they would comply.

Chairman Tedford explained beer could not be consumed in the parking lot and encouraged the owner and manager to call the police if needed for assistance, and that calls to the police were not looked upon unfavorably by the board. Chairman Tedford inquired about the ID policy and Mr. Vipel Patel stated all purchasers were required to show ID every time. Deputy Chief Massengill stated he has nothing negative to report for this location, and that calls in the past to the area did not originate from this location. When asked about the life safety inspection, Ms. Dunn stated it was completed and passed; however, local background checks were not complete. When asked about taking ownership, Mr. Mahendra Patel stated he was waiting on beer permit approval to take ownership.

Secretary Bailey moved, seconded by Ms. Scott, to approve the applications subject to a satisfactory local background check and sufficient proof of transfer of ownership of the business, and the motion carried by a vote of 6-to-1, with Mr. Otaduy voting against. Mr. Otaduy stated he did not support the motion because there were no grounds for denial and the applications should be approved without conditions.

**Application No. 1473**

**Abdulla Methani, Owner/Manager  
Barakat Business, LLC d/b/a Kwik Stop  
98 Arkansas Avenue  
Class "B" Permit**

Mr. Methani was present to discuss his applications.

Chairman Tedford inquired about the ID policy, and Mr. Methani stated he requires ID of all beer purchasers every time. Ms. Solmonson inquired about the number of employees and Mr. Methani stated he will hire one employee in addition to himself. Mr. Otaduy asked Mr. Methani if he received a letter reminding him of today's meeting and Mr. Methani stated he was told of the meeting date when he

submitted the application but did not receive a letter. Ms. Williams inquired about training of employees and Mr. Methani stated he will teach the policies to his employee. Ms. Solmonson inquired about Mr. Methani's formal training in beer sales. In response, Mr. Methani mentioned his prior work experience in beer sales; however, Ms. Solmonson and Mr. Colverson pointed out that on the application Mr. Methani stated he had not been employed at an establishment with a beer permit. Mr. Methani stated the application was incorrect and he made a notation on the application to change his response to that question. Mr. Colverson asked Mr. Methani if he understood he was attesting to the correctness of the statement now by indicating that change, and Mr. Methani said yes. Mr. Methani stated he received training through Eagle Distributing in Tennessee.

Ms. Scott and Ms. Solmonson inquired about ownership and Mr. Methani stated he is working for the current owner and was waiting for the beer permit to be approved before taking ownership. Secretary Bailey inquired about the life safety inspection and background check. Ms. Dunn stated the life safety inspection was completed and passed; however, the local background check was not complete.

Secretary Bailey moved, seconded by Ms. Scott, to approve the applications subject to a satisfactory local background check and sufficient proof of transfer of ownership of the business, and the motion carried by a vote of 6-to-1, with Mr. Otaduy voting against. Mr. Otaduy made a motion prior to the vote on this motion to approve the applications without restriction, and the motion died for lack of a second.

#### **NEW MANAGER APPROVAL APPLICATIONS** – None

#### **NEW / OLD BUSINESS**

##### **New Beer Permit Application and Manager Approval Forms**

Secretary Bailey commented that he liked the application forms. Ms. Scott commented she thought the forms looked clean. Ms. Williams commented she thought the applications were great. Ms. Scott requested the application form include a line for the applicant to indicate the date the business will open or when the owners will begin operation or take ownership. At least a majority of the board seemed receptive to this addition. Mr. Otaduy requested this item be postponed. Mr. Colverson moved, seconded by Chairman Tedford, that the board discuss the application forms but not take any action at this meeting and the motion carried unanimously.

Ms. Scott applauded the Legal Department for referencing State law on the application forms. Chairman Tedford asked whether special event applicants are required to prove their 501(c) status. Ms. Dunn stated they were not and Chairman Tedford recommended the application indicate such a requirement. At least a majority of the board seemed receptive to this addition.

Ms. Williams asked about wine and whether it was included in the beer permit. Ms. Dunn explained State law classifies wine separately than beer, so a beer permit does not give permission to sell wine and such permission must be obtained through the Alcoholic Beverage Commission.

Mr. Otaduy recommended requiring applicants to obtain a certified letter from the nearest church and school that such church/school does not mind if beer is sold at the location. Secretary Bailey stated this was not necessary and that in the time he has been on the board the board has never refused a beer permit for this issue. Ms. Scott stated church and school locations have been discussed at meetings before.

Mr. Otaduy stated he believed 18 year olds could sell beer however the application states those under 21 will not be directly employed in the sale or distribution of beer. The Board asked Ms. Dunn to suggest proper language on State law age limits on selling/serving beer.

Mr. Otaduy commented on the release language at the end of the application form and stated the second sentence was not needed. Mr. Colverson and Ms. Solmonson both stated the language is different. Secretary Bailey and Ms. Scott stated they were okay with the language as written.

Mr. Otaduy requested a line on the approval page to indicate when the reminder letter was sent to the applicant. Mr. Otaduy requested the "conditioned upon" language be removed. Mr. Otaduy stated the life safety inspection process makes no sense as it prevents the sale of beer due to code violations, however, the City has allowed the business to remain open. Mr. Otaduy referenced City Code §8-808 in support of his position. Deputy Chief Massengill responded that the inspection process is beneficial to the City and the board. Ms. Scott also responded that the inspection process has resulted in information being known to the board that otherwise would not have been known.

Mr. Colverson stated all members were appointed by City Council and City Code §8-705 states it is the opinion of the board members that matters for approval of applications, and that all members' opinions are equally relevant.

Mr. Colverson moved, seconded by Ms. Scott, to continue the discussion to the next meeting and determine at that meeting whether to take action, and the motion carried unanimously.

Mr. Otaduy moved that City Code §8-808 did not allow a delay in the permit because of life safety inspections. The motion died for lack of a second.

#### Verbal Report on Status of Privilege Tax Payments

Ms. Dunn reported that the following business had not paid the annual privilege tax payment: Food City, Food Lion, Hildago, Oak Ridge Revitalization Effort, Oliver's, Smokes 2 Go, Tienda Nony's #4, and Walgreen's. Secretary Bailey moved for a show cause hearing at the next meeting for all businesses that had not paid the privilege tax. Ms. Dunn reminded the board that City Code allows payment until January 31 and then requires a certified letter to be sent giving an additional 10 days to pay from receipt of the letter. Mr. Bailey withdrew his motion.

#### Newly Required Statistical Report Submitted to Tennessee Alcoholic Beverage Commission

Ms. Williams inquired whether the board could encourage the police department to conduct a sting operation. Ms. Dunn stated the board could make such a recommendation. Chairman Tedford reminded the board that such action required approval of the Juvenile Court Judge. Mr. Otaduy stated he was opposed to such action because it could be entrapment. Secretary Bailey moved, seconded by Ms. Scott, to request the police department to conduct a legal sting operation for the sale of beer to underage purchasers and the motion carried by a vote of 5-to-2, with Mr. Colverson and Mr. Otaduy voting against.

#### **ADJOURNMENT**

The meeting adjourned at 1:18 p.m. upon motion of Chairman Tedford, seconded by Secretary Bailey, and unanimous approval.

Respectfully submitted,

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Barton Bailey, Secretary

**MINUTES OF THE  
OAK RIDGE BEER BOARD  
Special Meeting**

Training Room – Municipal Building  
February 4, 2013  
12:00 noon

PRESENT: Barton Bailey, Pedro Otaduy, Theresa Scott, Debra Solmonson, Randy Tedford  
and Wendy Williams

ABSENT: Colin Colverson (gave prior notice of absence to Legal Department)

ALSO  
PRESENT: Tammy Dunn, Senior Staff Attorney  
Alan Massengill, Deputy Police Chief

**ATTENDANCE**

Chairman Tedford called the meeting to order at 12:00 noon.

**APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS**

**Application No. 1474**  
**Lynda Vinyard for St. Mary's Church**  
**327 Vermont Avenue**  
**Class "E" Permit**  
**Event: Mardi Gras Dinner/Auction on February 9, 2013**

Ms. Vinyard was present to discuss the application for St. Mary's Church. The Board discussed with Ms. Vinyard the event which is a silent auction and dinner for adults only (twenty-one years of age and older). Ms. Vinyard stated this particular event is new for this church and she only had four weeks' notice of the event. As such, could not make the deadline for the last meeting. Mr. Otaduy suggested their beer permit be extended since events are held without any problems. Chairman Tedford stated as the ordinances read now, each event requires separate approval for a special beer permit.

Mr. Otaduy moved, seconded by Chairman Tedford, to approve the application and the motion carried unanimously.

**ADJOURNMENT**

The meeting adjourned at 12:03 p.m. at the conclusion of the only item available for discussion.

Respectfully submitted,

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Barton Bailey, Secretary

LEGAL DEPARTMENT MEMORANDUM  
13-06

DATE: January 29, 2013

TO: Chairman and Members of the Oak Ridge Beer Permit Board

FROM: Tammy M. Dunn, Senior Staff Attorney / Beer Board Staff Liaison

SUBJECT: UPDATED BEER PERMIT APPLICATIONS AND MANAGER APPROVAL FORMS – ADDITIONS FROM JANUARY BEER BOARD MEETING

At the January 14, 2013 meeting, the board discussed the proposed updated beer permit applications and manager approval forms. This item was continued to the February 11, 2013 meeting for further discussion, with the possibility for action at the meeting.

There were a few suggested modifications made at the meeting. The suggestions that received a positive response from other members of the board were incorporated into the forms. New updated forms are attached to this memorandum for review, discussion, and possible action by the board at the February 11, 2013 meeting. An outline of the modifications follows.

Permanent Beer Permit Application (all classes except E)

- Additional line added (see item 5) for applicant to indicate a date when business will open/operate under applicant's ownership
- Change made to ninth bullet on signature page regarding sale/distribution of beer by employees

Special Event Beer Permit Application (Class E)

- Added a statement that applicant must submit proof of the organization's status with the application (see item 2).

Manager Approval Application

- Change made to ninth bullet on signature page regarding sale/distribution of beer by employees (same change as was made to the permanent beer permit application)

By City Code §8-801(2), persons eighteen (18) years or age and older are permitted to be employed in the sale/distribution of beer. Tennessee Code Annotated §57-5-301(e)(1) states it is unlawful for a person under twenty-one (21) years of age to possess beer for any purpose and it is unlawful for a person under twenty-one (21) years of age to transport beer for any purpose except in the course of employment. A violation of this statute is a Class A misdemeanor.

The course-of-employment exception is only applicable to transportation and not possession. This chapter of State law is silent on what the terms "possess" and "transport" mean, and it is unclear—

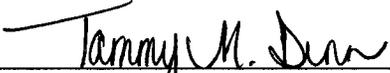
without extensive legislative history research—whether this language of the statute has been altered since the drafting of the original language in City Code §8-801(2). Regardless, the provisions of the statute supersede city ordinance.

In order to ensure no conflicts between the statute and the ordinance, and to ensure beer permit holders comply with this statute, the following language change is recommended to the ninth bullet point on the permanent beer permit application and the manager approval application forms:

- The business will comply with the provisions of Tennessee Code Annotated §57-5-301(e)(1) regarding possession and transportation of beer by persons under the age of twenty-one (21).

The language of City Code §8-801(2) will be reviewed again in the future along with the rest of the beer ordinances provisions as part of the City's process to ensure ordinances are in compliance with State law. It may be beneficial to seek an Attorney General's Opinion on this language at that time.

Please see Legal Department Memorandum 12-69 for other general information on the proposed updated applications.

  
\_\_\_\_\_  
Tammy M. Dunn

**CITY OF OAK RIDGE, TENNESSEE  
APPLICATION FOR BEER PERMIT**

Application for (check all that apply):

- \_\_\_\_\_ manufacturer (Class A Permit)
- \_\_\_\_\_ on-premises consumption (Class C Permit)
- \_\_\_\_\_ hotel or club (Class D Permit)
- \_\_\_\_\_ off-premises consumption (Class B Permit)

I hereby, as an owner or agent/representative of the business, make application to the Oak Ridge Beer Permit Board for a beer permit pursuant to the Oak Ridge City Code and Tennessee law. This application is based upon the following information:

1. Request is made for (check all that apply):
  - \_\_\_\_\_ new beer permit
  - \_\_\_\_\_ existing permit–name change
  - \_\_\_\_\_ existing permit–ownership change
  - \_\_\_\_\_ existing permit–change location
  - \_\_\_\_\_ existing permit–additional permit type
2. Name under which business will operate: \_\_\_\_\_

By Tennessee Code Annotated §57-5-103(a)(3)(C), a beer permit is only valid for the business operating under the name identified on the permit. A change in name will automatically invalidate the beer permit and a new permit must be obtained to continue to sell/serve beer. There is no grace period or holdover period for selling beer during this time.

3. Street address where business will operate: \_\_\_\_\_

By Tennessee Code Annotated §57-5-103(a)(3)(B), a beer permit is only valid for a single location and cannot be transferred to a new location. A permit is valid for all decks, patios, and other outdoor serving areas that are contiguous to the exterior of the building in which the business is located and that are operated by the business. A change in location will invalidate the beer permit and a new permit must be obtained to continue to sell/serve beer. There is no grace period or holdover period for selling beer during this time.

4. Business Telephone Number: \_\_\_\_\_
5. Proposed date business will open under this ownership: \_\_\_\_\_

6. Full Name of Applicant (Owner or Owner's Agent/Representative):  
\_\_\_\_\_

7. Applicant's prior experience selling/serving beer or other alcoholic beverage:  
\_\_\_\_\_  
\_\_\_\_\_

8. Type of business entity:  
Individual \_\_\_\_\_ Corporation \_\_\_\_\_ L.L.C. \_\_\_\_\_ Joint-stock Company \_\_\_\_\_  
Partnership \_\_\_\_\_ Other \_\_\_\_\_

9. Full name of the person to be the on-premise manager responsible for the direct daily operations of the business:  
\_\_\_\_\_

10. Name and mailing address of person to receive communication from the City and/or Beer Board (ex. annual privilege tax notices) as well as said person's relationship to the business:  
\_\_\_\_\_

11. Describe the nature of the business (ex. restaurant, bar, tavern, club, convenience store, etc.)

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12. Description of the business's footprint and parking areas available to/for the use of the business (attach drawing if available):

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13. Name, mailing address and telephone number of the property owner, if other than the business owner:

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NOTE: If the business owner is different from the property owner, you must submit a signed and notarized written statement from the property owner giving the applicant/business permission to sell or serve beer on the premises. Include this statement with the application.

14. Has any owner (having at least a five percent (5%) ownership interest) ever had a liquor license or beer permit suspended, revoked or denied? \_\_\_\_\_

If yes, where and under what business name? \_\_\_\_\_

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15. Has any owner (having at least a five percent (5%) ownership interest) or any person to be employed in the distribution or sale of beer been convicted of violating any law against possession, sale, manufacture or transportation of beer or intoxicating liquor, drugs, or narcotics or of a crime involving moral turpitude within the last ten (10) years? \_\_\_\_\_

If so, give particulars of each charge, court and date convicted.

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16. Does any owner have a business or personal relationship with any person who previously held a beer permit for this location, or with any person or entity who owned any portion of a business which previously held a beer permit at this location? \_\_\_\_\_

If yes, explain: \_\_\_\_\_

17. Name and address of the nearest church and school. By City Code §8-705, the Beer Board shall not approve a beer permit where, in the opinion of the board, such sale would interfere with schools, churches or other places of public gathering.

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18. Describe steps which will be taken to prevent the sale of beer to those under twenty-one (21):

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**NOTE: In accordance with Tennessee Code Annotated §57-5-103(d), all beer permit holders must provide documentation that they are duly registered for sales tax purposes. A copy of the sales tax registration certificate must be submitted with this application or within ten (10) days after being issued a beer permit.**

**INFORMATION REQUIRED FOR BACKGROUND INVESTIGATION**

In accordance with City Code, the criminal background of all beer permit applicants (owners and managers) will be investigated by the City of Oak Ridge, Tennessee. The following information is required to complete said background investigation(s). Any information that is confidential by Tennessee law will not be disclosed to the public in the event of a public records request for the beer permit application.

**Business Name:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Tennessee Sales Tax Number:** \_\_\_\_\_

Please complete the information below for all owners of the above-named business. An owner is defined as all persons, firms, corporations, joint-stock companies and/or associations having at least a five percent (5%) ownership interest in the business. Copy this page and submit multiple sheets if necessary.

**Full Name** \_\_\_\_\_

Date of Birth \_\_\_\_\_

Home Address \_\_\_\_\_

Sex \_\_\_\_\_

\_\_\_\_\_

Race \_\_\_\_\_

Previous Addresses (within the last ten years):

\_\_\_\_\_

Ownership Interest \_\_\_\_%

Social Security Number \_\_\_\_\_

Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

**Full Name** \_\_\_\_\_

Date of Birth \_\_\_\_\_

Home Address \_\_\_\_\_

Sex \_\_\_\_\_

\_\_\_\_\_

Race \_\_\_\_\_

Previous Addresses (within the last ten years):

\_\_\_\_\_

Ownership Interest \_\_\_\_%

Social Security Number \_\_\_\_\_

Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

**Full Name** \_\_\_\_\_

Date of Birth \_\_\_\_\_

Home Address \_\_\_\_\_

Sex \_\_\_\_\_

\_\_\_\_\_

Race \_\_\_\_\_

Previous Addresses (within the last ten years):

\_\_\_\_\_

Ownership Interest \_\_\_\_%

Social Security Number \_\_\_\_\_

Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

Applicant hereby solemnly swears or affirms the following:

- Every statement in this application is true and correct, and if any statement therein is false, the permit issued thereto may be revoked by the Beer Board, after notice of a hearing, in which event the burden shall be on the applicant to prove the correctness of all statements in the application.
- The owner(s) is(are) of good moral character and has/have sufficient legal interest in a suitable location as would entitle him/her/them to conduct the sale of beer.
- The City has my full authorization and release to obtain all relevant information to investigate and determine my character, qualifications, and suitability for the issuance of a beer permit.
- Neither myself nor any owner or manager has been convicted of driving under the influence within the past ten (10) years.
- Unlawful gambling and gaming devices will not be allowed in the business.
- Beer will not be sold or served to a person who appears to be intoxicated.
- Beer will not be sold or served to a person under the age of twenty-one (21).
- Persons under the age of twenty-one (21) will not be allowed to consume beer or other alcoholic beverage, nor will they be allowed to loiter on the premises.
- The business will comply with the provisions of Tennessee Code Annotated §57-5-301(e)(1) regarding possession and transportation of beer by persons under the age of twenty-one (21).
- All laws, ordinances, rules, and regulations governing the sale or distribution of beer will be observed and complied with, and all employees will be trained accordingly.
- Clean, sanitary facilities will be provided.
- The business will be conducted in an orderly, peaceable and lawful manner and no loud or obnoxious noises will be allowed.
- No beer or other alcoholic beverages will be sold or consumed on the premises except during lawful hours as set by city ordinance.
- The business is authorized to do business within the City of Oak Ridge and the State of Tennessee.
- Should any manager cease to act in such capacity, this fact shall be reported to the City's Legal Department at 425-3530 within five (5) days.
- Should any ownership change, this fact shall be reported to the City's Legal Department at 425-3530 within one (1) business day, and the beer permit shall be returned to the City.
- The City Manager (through the Oak Ridge Police Department) has full power, including right of entry, to enforce the beer ordinances and to inspect and investigate any reported or alleged violations without the necessity of a search warrant.
- The beer permit, once obtained, shall at all times be posted in a conspicuous place within the establishment that is easily seen by patrons.
- The beer permit may be revoked or suspended, after notice and a hearing by the Board, for any violations of the above statements, for any misinformation or omission contained within this application, for any violation of the Code of Ordinances, Title 8, Chapters 6-8, or for any violations of State law relating to beer, alcohol or crimes of moral turpitude.
- The applicant has ensured the business is in compliance with all zoning requirements for this location.

I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or other matters related to my application. I hereby waive all possible liability of the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives as stated above.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

For official use by the City/Oak Ridge Beer Permit Board:

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**Business Name:** \_\_\_\_\_

**Business Location:** \_\_\_\_\_

**Application/Permit Number:** \_\_\_\_\_

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**Advertised** \_\_\_\_\_

**Approved: Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Hearing Date** \_\_\_\_\_

**Conditioned upon:**

\_\_\_\_\_ **Nothing**

\_\_\_\_\_ **Passing the Life Safety Inspection**

\_\_\_\_\_ **Completed background investigation**

\_\_\_\_\_ **Proof of sale of business**

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**Signature of Beer Permit Board Secretary**

**CITY OF OAK RIDGE, TENNESSEE  
APPLICATION FOR APPROVAL AS MANAGER**

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I hereby make application to the Oak Ridge Beer Permit Board for approval as Manager pursuant to the Oak Ridge City Code. This application is based upon the following information:

1. Business Name \_\_\_\_\_  
Business Address \_\_\_\_\_
  
2. Manager's Full Name \_\_\_\_\_
  
3. Request is made as (check which applies):  
Additional Manager \_\_\_\_\_ Replacement of Prior Manager \_\_\_\_\_
  
4. Manager's prior experience selling/serving beer or other alcoholic beverage:  
\_\_\_\_\_  
\_\_\_\_\_
  
5. Manager's Work History:  
How long have you been employed at the business? \_\_\_\_\_  
Date you became Manager: \_\_\_\_\_  
Name of Previous Manager: \_\_\_\_\_ Date left: \_\_\_\_\_  
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
6. Beer Permit History:  
Have you ever been employed at an establishment with a beer permit? \_\_\_\_\_  
If so, where and when: \_\_\_\_\_  
Have you ever been a manager of an establishment with a beer permit? \_\_\_\_\_  
Have you ever had a beer permit refused, suspended or revoked? \_\_\_\_\_  
If so, where and when: \_\_\_\_\_
  
7. Manager's Criminal History:  
Have you ever been convicted of any violation of federal laws, state statutes, or city ordinances involving the possession, sale, manufacture or transportation of intoxicating liquors, drugs or narcotics, or of a crime of moral turpitude with the past ten years? \_\_\_\_\_  
If so, provide details of the offense and when you were convicted:  
\_\_\_\_\_  
\_\_\_\_\_
  
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INFORMATION REQUIRED FOR BACKGROUND INVESTIGATION**

In accordance with City Code, the criminal background the manager(s) will be investigated by the City of Oak Ridge, Tennessee. The following information is required to complete said background investigation(s). Any information that is confidential by Tennessee law will not be disclosed to the public in the event of a public records request for the beer permit application.

**Business Name:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

Please complete the information below.

**Full Name** \_\_\_\_\_

**Date of Birth** \_\_\_\_\_

**Home Address** \_\_\_\_\_

**Sex** \_\_\_\_\_

\_\_\_\_\_

**Race** \_\_\_\_\_

**Previous Addresses (within the last ten years):**

\_\_\_\_\_

\_\_\_\_\_

**Social Security Number** \_\_\_\_\_

**Driver's License Number** \_\_\_\_\_ **State** \_\_\_\_\_

**Telephone Number(s)** \_\_\_\_\_

Applicant hereby solemnly swears or affirms the following:

- Every statement in this application is true and correct, and if any statement therein is false, the permit issued thereto may be revoked by the Beer Board, after notice of a hearing, in which event the burden shall be on the applicant to prove the correctness of all statements in the application.
- I am of good moral character and as manager of the business am able to conduct the sale of beer.
- The City has my full authorization and release to obtain all relevant information to investigate and determine my character, qualifications, and suitability for the issuance of a beer permit.
- I have not been convicted of driving under the influence within the past ten (10) years. (Not applicable if manager also possesses a current server permit from the Tennessee Alcoholic Beverage Commission)
- Unlawful gambling and gaming devices will not be allowed in the business.
- Beer will not be sold or served to a person who appears to be intoxicated.
- Beer will not be sold or served to a person under the age of twenty-one (21).
- Persons under the age of twenty-one (21) will not be allowed to consume beer or other alcoholic beverage, nor will they be allowed to loiter on the premises.
- The business will comply with the provisions of Tennessee Code Annotated §57-5-301(e)(1) regarding possession and transportation of beer by persons under the age of twenty-one (21).
- All laws, ordinances, rules, and regulations governing the sale or distribution of beer will be observed and complied with, and all employees will be trained accordingly.
- The business will be conducted in an orderly, peaceable and lawful manner and no loud or obnoxious noises will be allowed.
- No beer or other alcoholic beverages will be sold or consumed on the premises except during lawful hours as set by city ordinance.
- Should I cease to act as manager, this fact shall be reported to the City's Legal Department at 425-3530 within five (5) days.
- The City Manager (through the Oak Ridge Police Department) has full power, including right of entry, to enforce the beer ordinances and to inspect and investigate any reported or alleged violations without the necessity of a search warrant.
- My manager approval may be revoked or suspended, after notice and a hearing by the Board, for any violations of the above statements, for any misinformation or omission contained within this application, for any violation of the Code of Ordinances, Title 8, Chapters 6-8, or for any violations of State law relating to beer, alcohol or crimes of moral turpitude.

I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or other matters related to my application. I hereby waive all possible liability of the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives as stated above.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**For official use by the City/Oak Ridge Beer Permit Board:**

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**Business Name:** \_\_\_\_\_

**Business Location:** \_\_\_\_\_

**Manager's Name:** \_\_\_\_\_

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**Advertised** \_\_\_\_\_

**Approved: Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Hearing Date** \_\_\_\_\_

**Conditioned upon:**

\_\_\_\_\_ **Nothing**

\_\_\_\_\_ **Completed background investigation**

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**Signature of Beer Permit Board Secretary**

**CITY OF OAK RIDGE, TENNESSEE  
APPLICATION FOR SPECIAL EVENT (CLASS E) BEER PERMIT**

I hereby, as an owner or agent/representative of the organization, make application to the Oak Ridge Beer Permit Board for a special event beer permit pursuant to the Oak Ridge City Code and Tennessee law. This application is based upon the following information:

1. Name of Organization: \_\_\_\_\_

2. Type of Organization (check one and submit proof of such status with the application):

\_\_\_\_\_ Bonafide charitable organization recognized under Section 501(c) of the Internal Revenue Code

\_\_\_\_\_ Bonafide non-profit organization recognized under Section 501(c) of the Internal Revenue Code

\_\_\_\_\_ Bonafide political organization recognized under Tennessee Code Annotated §2-10-101(a) (political campaign committee) or §2-13-101 (political party)

3. General Information – Organization:

Address of Organization \_\_\_\_\_ Telephone Number \_\_\_\_\_

Type of Event \_\_\_\_\_

Date(s) of Event \_\_\_\_\_

Time(s) of Event\* \_\_\_\_\_

Dates of previous events held within the City of Oak Ridge under a Class E Permit within the past twelve (12) months:

\_\_\_\_\_  
\_\_\_\_\_

Time during which applicant desires to sell/distribute beer: \_\_\_\_\_

Specific location where beer will be sold/distributed and consumed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. Full Name of Individual Responsible for Supervising the Sale/Distribution of Beer During Event:

\_\_\_\_\_  
\_\_\_\_\_

5. Individual's prior experience selling/serving beer or other alcoholic beverage:

\_\_\_\_\_  
\_\_\_\_\_

\* Time cannot exceed seventy-two (72) hours

6. Name, mailing address and telephone number of the property owner, if other than the business owner:

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NOTE: If the organization is not the property owner, you must submit a signed and notarized written statement from the property owner giving the organization permission to sell or serve beer on the premises for the event. Include this statement with the application.

If the property owner is the City of Oak Ridge, the written statement is not required; however, prior permission for the event and beer sales/distribution is required before beer can be served regardless of whether a beer permit is obtained. Additionally, the City requires a \$1,000,000 alcohol liability insurance policy naming the City as an additional insured for the event.

7. Has the organization or the individual responsible for supervising beer during the event ever had a liquor license or beer permit suspended, revoked or denied? \_\_\_\_\_

If yes, where and under what business name? \_\_\_\_\_

8. Has the organization or the individual responsible for supervising beer during the event been convicted of violating any law against possession, sale, manufacture or transportation of beer or intoxicating liquor, drugs, or narcotics or of a crime involving moral turpitude within the last ten (10) years? \_\_\_\_\_

If so, give particulars of each charge, court and date convicted.

9. Name and address of the nearest church and school. By City Code §8-705, the Beer Board shall not approve a beer permit where, in the opinion of the board, such sale would interfere with schools, churches or other places of public gathering.

Church: \_\_\_\_\_

School: \_\_\_\_\_

10. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):

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11. Are you requesting any exceptions to the Required Control Measures for Special Occasion Beer Permits as approved by the Oak Ridge Beer Permit Board? If so, please explain:

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**INFORMATION REQUIRED FOR BACKGROUND INVESTIGATION**

In accordance with City Code, the criminal background of all beer permit applicants will be investigated by the City of Oak Ridge, Tennessee. For special event beer permits, the background of the individual(s) responsible for supervising the sale/distribution of beer during the event will be checked. The following information is required to complete said background investigation(s). Any information that is confidential by Tennessee law will not be disclosed to the public in the event of a public records request for the beer permit application.

**Organization Name:** \_\_\_\_\_

**Organization Address:** \_\_\_\_\_

Only one individual must be named to be responsible for the supervision of beer sales/distribution during the event. However, the organization may submit an additional individual as an assistant supervisor if desired.

**Supervisor:**

Full Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Home Address \_\_\_\_\_

Sex \_\_\_\_\_

\_\_\_\_\_

Race \_\_\_\_\_

Previous Addresses (within the last ten years):

\_\_\_\_\_  
\_\_\_\_\_

Social Security Number \_\_\_\_\_

Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

**Assistant Supervisor:**

Full Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Home Address \_\_\_\_\_

Sex \_\_\_\_\_

\_\_\_\_\_

Race \_\_\_\_\_

Previous Addresses (within the last ten years):

\_\_\_\_\_  
\_\_\_\_\_

Social Security Number \_\_\_\_\_

Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

Applicant hereby solemnly swears or affirms the following:

- Every statement in this application is true and correct, and if any statement therein is false, the permit issued thereto may be revoked by the Beer Board, after notice of a hearing, in which event the burden shall be on the applicant to prove the correctness of all statements in the application.
- The applicant is of good moral character and has sufficient legal interest in a suitable location as would entitle him/her/them to conduct the sale of beer.
- The City has my full authorization and release to obtain all relevant information to investigate and determine my character, qualifications, and suitability for the issuance of a beer permit.
- Neither myself nor any official of the organization has been convicted of driving under the influence within the past ten (10) years.
- Unlawful gambling and gaming devices will not be allowed during the event.
- Beer will not be sold or served to a person who appears to be intoxicated.
- Beer will not be sold or served to a person under the age of twenty-one (21).
- Persons under the age of twenty-one (21) will not be allowed to consume beer or other alcoholic beverage, nor will they be allowed to loiter on the premises.
- Persons under the age of twenty-one (21) will not be directly employed in the sale/distribution of beer.
- All laws, ordinances, rules, and regulations governing the sale or distribution of beer will be observed and complied with, and all employees will be trained accordingly.
- Clean, sanitary facilities will be provided.
- The event will be conducted in an orderly, peaceable and lawful manner and no loud or obnoxious noises will be allowed.
- No beer or other alcoholic beverages will be sold or consumed on the premises except during lawful hours as set by city ordinance.
- The business is authorized to do business within the City of Oak Ridge and the State of Tennessee.
- Should any change occur in this application prior to the expiration of the Class E Permit, the City's Legal Department will be notified at 425-3530 as soon as possible.
- The City Manager (through the Oak Ridge Police Department) has full power, including right of entry, to enforce the beer ordinances and to inspect and investigate any reported or alleged violations without the necessity of a search warrant.
- The beer permit, once obtained, shall at all times be posted in a conspicuous place at the event that is easily seen by patrons, if available, and if not it shall be on site for inspection.
- The beer permit may be revoked or suspended, after notice and a hearing by the Board, for any violations of the above statements, for any misinformation or omission contained within this application, for any violation of the Code of Ordinances, Title 8, Chapters 6-8, or for any violations of State law relating to beer, alcohol or crimes of moral turpitude.
- The applicant has ensured the business is in compliance with all zoning requirements for the event location.

I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives (hereinafter the "City") from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or other matters related to my application. I hereby waive all possible liability of the City as stated above.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**For official use by the City/Oak Ridge Beer Permit Board:**

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**Business Name:** \_\_\_\_\_

**Business Location:** \_\_\_\_\_

**Application/Permit Number:** \_\_\_\_\_

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**Advertised** \_\_\_\_\_

**Approved: Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Hearing Date** \_\_\_\_\_

**Conditioned upon:**

\_\_\_\_\_ **Nothing**

\_\_\_\_\_ **Passing the Life Safety Inspection**

\_\_\_\_\_ **Completed background investigation**

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**Signature of Beer Permit Board Secretary**