

**OAK RIDGE BEER PERMIT BOARD
REGULAR MEETING**

Municipal Building Training Room – Room 104
Tuesday, May 12, 2015
5:00 p.m.

AGENDA

1. ATTENDANCE
2. APPROVAL OF MINUTES – February 9, 2015
3. APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS

Application #1518
Oak Ridge Rotary Community Fund for
Dragon Boat Race at Melton Lake (May 29-30,2015)
Supervisor: Christopher Copelan
Class E Permit
4. NEW MANAGER APPROVAL APPLICATIONS

None
5. NEW / OLD BUSINESS

Reports from Oak Ridge Police Department (if any) – Information, Action May Be Taken
6. ADJOURNMENT

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

Municipal Building Training Room – Room 104
Monday, February 9, 2015
12:00 noon

PRESENT: Chairman Randy Tedford, Secretary Barton Bailey, David Mosby, Darren Osborne, Theresa Scott, and Wendy Williams

ABSENT: Debra Solmonson

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney / Staff Liaison to Board
Alan Massengill, Deputy Chief of Police

AUDIENCE MEMBERS: Michael Foster, Allies for Substance Abuse Prevention (ASAP)
Elizabeth Pettit, ETSU Student

ROLL CALL/ATTENDANCE

Chairman Tedford called the meeting to order at 12:00 noon. All members were present except Debra Solmonson who notified the Legal Department in advance of her absence.

APPROVAL OF MINUTES

Ms. Dunn noted a correction to the minutes regarding the proposed date of the new meeting schedule and indicated the minutes erroneously referred to the third Tuesday of each month instead of the second Tuesday of each month, which error had been corrected. Secretary Bailey moved, seconded by Ms. Scott, to approve the minutes of the January 12, 2015 regular meeting and the motion passed unanimously.

APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVALS

None

APPLICATIONS FOR NEW MANAGER APPROVALS

Heath Lowe, Manager
Walgreens #3137
1299 Oak Ridge Turnpike

Mr. Lowe was present to discuss his application. The Board noted Mr. Lowe was previously approved by the Board but had to formally come back for approval due to a change in ownership of Walgreens which prompted a new beer permit application (approved at the January 12, 2015 meeting). Deputy Chief Massengill reported no problems with this establishment.

Chairman Tedford moved, seconded by Ms. Scott, to approve the manager application and the motion carried unanimously.

NEW BUSINESS/OLD BUSINESS

Inquiry by Mr. Mosby

Mr. Mosby asked for information regarding the beer permit process in light of Walgreen's application. The process was explained as to what triggers a new beer permit application for an existing business (name change, ownership change, or location change). The recent relocation of Kroger's was given as another example other than Walgreens where a change in the establishment resulted in an application for a new beer permit. Ms. Pettit, who was attending the meeting for class credit, also inquired about the Board's process for denials and revocations of beer permits, which was also explained.

Reports from Oak Ridge Police Department

Deputy Chief Massengill reported on a public intoxication arrest that occurred on December 13, 2014 at Throttle Down. According to the police report, Throttle Down called the police when a patron was too intoxicated to drive. It is unknown from the report whether Throttle Down over-served the patron or if the patron's condition (she reported that her condition may have been a result of alcohol mixing with her prescription medication).

Ms. Scott moved, seconded by Secretary Bailey, for the Legal Department to send a letter on the Board's behalf to obtain more information from Throttle Down on the incident. The Board discussed whether the letter would indicate the Board's "thanks" for contacting the police regarding an intoxicated patron or if further information was needed first to know whether Throttle Down contributed to the patron's intoxicated state. The Board's consensus was that information was needed first, and the letter would simply seek further information. The motion carried unanimously.

New Meeting Schedule

The Board was reminded that City Council would be considering their request to change the meeting schedule at tonight's Council meeting. Ms. Dunn stated if the resolution passed as written, the next meeting of the Board would be scheduled for Tuesday, March 10, 2015 at 5:00 p.m. in the Municipal Building Training Room. Ms. Scott stated she would not be available for that meeting.

ADJOURNMENT

There being no other business to come before the Board, Secretary Bailey moved, seconded by Ms. Osborne, to adjourn the meeting at 12:23 p.m. and the motion carried unanimously.

Respectfully submitted,

Barton Bailey, 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: OAK RIDGE ROTARY COMMUNITY FUND

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 PO BOX 6331 OAK RIDGE, TN 37831 Telephone Number _____

Type of Event DRAGON BOAT RACE

Date(s) of Event FRIDAY (5/29) AND SATURDAY (5/30)

Time(s) of Event* FRIDAY AT 4:00 PM TO SATURDAY APPROXIMATELY 4:00 PM

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

DRAGON BOAT RACE MAY 31, 2014

Time during which applicant desires to sell/distribute beer: FRIDAY 4:00 PM TO 11:00 PM
SATURDAY 10:00 AM TO 4:00 PM

Specific location where beer will be sold/distributed and consumed: OAK RIDGE MARINA AND PAVILION

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

CHRISTOPHER ALBERT COPELAN

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

ASST. MANAGER OF RESTAURANTS THAT SOLD BEER AND WAITER THAT SERVED AND SOLD BEER. ALSO OVERSAW BEER SALES AT LAST YEAR'S EVENT.

* Time cannot exceed seventy-two (72) hours

6. Name, mailing address and telephone number of the property owner, if other than the business owner: CITY OF OAK RIDGE PO BOX 1 OAK RIDGE, TN 37830

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? NO

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? NO

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: Faith Missionary Baptist Church 1.6 miles
School: Glenwood Elementary School 1.6 miles

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

ALL BEER DRINKERS MUST OBTAIN AN UNIQUE NONREMOVAL WRISTBAND. TO OBTAIN BAND VOLUNTEER WILL VERIFY AGE BY VIEWING A STATE ISSUED PICTURE ID. VOLUNTEER THROUGHOUT THE VENUE WILL

MONITOR ANYONE DRINKING BEER WILL HAVE A BAND. IF NOT, THEY WILL NOTIFY TEAM LEADER AND BEER WILL BE CONFISCATED. ALSO ALL EXITS WILL BE MONITORED

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:

TO ENSURE BEER IS CONSUMED INSIDE THE VENUE.

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 10th day of April 2015


Signature of Applicant

Sworn to and subscribed before me this 10th day of April, 2015

My commission expires: Nov. 25, 2017


Notary Public

