OAK RIDGE BEER PERMIT BOARD
REGULAR MEETING

Municipal Building Training Room – Room 104
Monday, August 12, 2013
12:00 Noon

AGENDA

1. ATTENDANCE

2. APPROVAL OF MINUTES – Regular Meeting of July 15, 2013

3. APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS

(None)

4. NEW MANAGER APPROVAL APPLICATIONS

Melanie Butts
Bread Box #3471
680 Emory Valley Road

5. SHOW CAUSE HEARING

Show Cause Hearing # 2013-04
Applebee's Neighborhood Bar & Grill
1213 Oak Ridge Turnpike
Class "C" Beer permit # 1220, Approved: 6/8/1998
Owner: Quality Restaurant Concepts LLC
Manager: Amy Ann Steele (Approved 6/14/2010)

At the July 15, 2013 meeting, the Board unanimously voted to hold a Show Cause Hearing for Applebee's regarding the sale of beer to a minor which occurred on March 18, 2013 as part of a minor compliance check conducted by the Tennessee Alcoholic Beverage Commission.

6. NEW / OLD BUSINESS

Show Cause Hearing # 2013-03 – Back 2 Brewski's

Nang Crossno, owner of Back 2 Brewski's, asked if it were possible to speak to the Board about the show cause hearing that took place on July 15, 2013 in order to offer additional information to the Board. In reviewing the history of the Board, it is unprecedented to reopen a show cause hearing; however, the matter has been placed on the agenda *in the event* the Board wishes to discuss the matter.

7. ADJOURNMENT

Legal Notice Published in *The Oak Ridger*
Thursday, August 1, 2013

MINUTES

UNAPPROVED

MINUTES OF THE
OAK RIDGE BEER BOARD
Regular Meeting

Municipal Building Training Room – Room 104
Monday, July 15, 2013
12:00 noon

PRESENT:	Theresa Scott, Debra Solmonson, Chairman Randy Tedford, and Wendy Williams
ABSENT:	Secretary Barton Bailey and Colin Colverson
ALSO PRESENT:	Tammy Dunn, Senior Staff Attorney Alan Massengill, Deputy Police Chief Daniel Freytag, Police Officer John Thomas, Police Officer
AUDIENCE MEMBERS:	Mark Watson, City Manager Michael Foster, Allies for Substance Abuse Prevention John Huotari, Oak Ridge Today Pedro Otaduy, Citizen

ATTENDANCE

Chairperson Tedford called the meeting to order at 12:03 p.m. All members were present except for Secretary Bailey and Mr. Colverson.

ACTING SECRETARY

In the absence of Secretary Bailey, Chairman Tedford nominated Ms. Solmonson to be Acting Secretary and the nomination was seconded by Ms. Scott. By unanimous vote, Ms. Solmonson was elected Acting Secretary for the meeting.

APPROVAL OF MINUTES

Chairman Tedford asked if there were any objections to voting on the minutes of May 13, 2013 and June 10, 2013 meetings together. Acting Secretary Solmonson inquired if she could vote on the May 13, 2013 meeting minutes since she was absent from the meeting. Chairman Tedford stated she was not prohibited from voting on the minutes. Chairman Tedford moved, seconded by Acting Secretary Solmonson, to vote on the minutes collectively and the motion passed unanimously.

Ms. Williams pointed out a typographical error on page 1 of in the May 13, 2013 meeting minutes regarding a vote (listed as 5-0-1 when it should have been 4-0-1). The typographical error was corrected.

Chairman Tedford moved, seconded by Acting Secretary Solmonson, to approve the corrected minutes of the May 13, 2013 meeting and the June 10, 2013 meeting and the motion carried unanimously.

APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS

Application No. 1479
Bread Box #3471
680 Emory Valley Road
GPM Southeast, LLC – Owner
Donna Kay Mayberry – Manager
Class "B" Permit

Ms. Kathy Yeazel, representative of owner, and Ms. Melanie Butts, manager, were present to discuss the beer permit application. Ms. Mayberry was not present for her manager application as she is no longer employed with the business. Ms. Butts is the new manager and will complete a manager application for consideration at the next regular meeting of the board.

Chairman Tedford inquired about the ID policy. Ms. Yeazel stated IDs will be required for all beer purchases and the employees are TIPS certified. Chairman Tedford inquired about knowledge of the City's beer ordinances and Ms. Yeazel stated she is aware of the ordinances. Chairman Tedford reminded them of the parking lot responsibilities regarding no beer consumption and of the need to call the police when trouble arises. Ms. Williams had a question on one application not being stamped by a notary, however, it was determined that the application without the notary stamp was the manager application which is no longer under consideration by the board.

Chairman Tedford moved, seconded by Acting Secretary Solmonson, to approve the beer permit application. Prior to the vote, Pedro Otaduy inquired whether the public had a right to speak at the meeting. Chairman Tedford allowed Mr. Otaduy to speak provided the comment was germane to the issue. Mr. Otaduy inquired of the applicant if she received a letter from the City reminding her to be present. Ms. Yeazel stated she was the local representative of the owner and was told by headquarters to appear at the meeting and that it was also on the City's website. Mr. Otaduy stated he wanted to know if the City was following their rules.

The Board resumed the vote on the beer permit application and the motion carried unanimously.

Application No 1480
Comfort Inn
433 S. Rutgers
Mitesh Patel and Ricky Patel – Owners
Kate Groover and Renee Golden – Managers
Class "D" Permit

Ms. Groover and Ms. Golden were present as representatives of the owner and in their capacity as managers. Ms. Williams inquired about how beer sales would take place and Ms. Groover stated it would be for manager receptions, guests, and special occasions. Ms. Groover inquired about the hours of sale for a Class D Permit and Ms. Dunn informed Ms. Groover of the hours of sale per City Code.

Chairman Tedford reminded Ms. Groover and Ms. Golden about the responsibilities both inside and outside the premises pertaining to beer sales/consumption. Acting Secretary Solmonson inquired about the purchase of beer to take to an individual's hotel room. Ms. Groover stated patrons will be allowed to take beer back to their rooms. Chairman Tedford inquired about how they will control beer from being handed to an underage person. Ms. Groover stated they cannot control that in hotel rooms, but they do check routinely at the pool. Ms. Groover stated they also have employee walkthroughs and may request security for special events inside the hotel.

Acting Secretary Solmonson and Deputy Chief Massengill had concerns over the location of and access to beer inside the hotel. After discussions and other members' concerns, Ms. Groover stated they would place beer in a separate cooler that could be locked and also place the cooler in a more secure location. Ms. Groover also stated that video is kept for a designated length of time and would be available to the Police Department if needed. Ms. Scott had concerns about buying beer to take to a hotel room, but neither Ms. Groover or Ms. Scott knew what other hotels did in order to ensure beer is not being given to underage persons in a hotel room.

Mr. Otaduy asked to speak. Chairman Tedford stated he could but his comments needed to be directed to the board. Mr. Otaduy wanted to know if the applicants understood a specific state law provision. Chairman Tedford stated the applicants signed the application, which was notarized, indicating they understood and would follow the state laws and city ordinances pertaining to beer.

Chairman Tedford moved, seconded by Acting Secretary Solmonson, to approve the beer permit application and the manager applications subject to the beer being secured and the motion carried unanimously.

Application No. 1481
Free Medical Clinic of Oak Ridge
Tanya H. Vargas – Director
Fundraiser Event at St Mary's Life Center
August 11, 2013
327 Vermont Avenue
Class "E" Permit

Ms. Vargas was present to discuss the application. Ms. Vargas stated the event would be run the same as last year and the only change is the location of the event. Chairman Tedford asked if the event was a ticketed event for adults (21 and up), and Ms. Vargas stated it was. Ms. Vargas also stated they will monitor everyone who comes inside and there is only one entrance. The board commented that there were no problems at last year's event.

Acting Secretary Solmonson moved, seconded by Ms. Scott, to approve the beer permit application and the motion carried unanimously.

Application No 1482
Boys and Girls Club of Oak Ridge
Ann Likens and Lisa Green – Supervisors
Fundraiser Event at Lincoln's Sports Grille
July 27, 2013
119 S. Illinois Avenue
Class "E" Permit

Acting Secretary Solmonson stated she would recuse herself from this application due to her affiliation with the Boys and Girls Club of Oak Ridge. Ms. Green was present to discuss the application, as was Mr. Green (owner of Lincoln's). Ms. Green stated this was a ticketed event that was closed to the public. Mr. Green stated patrons would be ID'd and writstbanded for beer sales. Mr. Green also stated it would be business as usual for the employees to check IDs for beer sales as well.

Having no issues with the last event, Ms. Scott moved, seconded by Chairman Tedford, to approve the application and the motion carried by a vote of 3-0, with Acting Secretary Solmonson abstaining.

NEW MANAGER APPROVAL APPLICATIONS

Barry Bergren
Eagles
1650 Oak Ridge Turnpike

Mr. Bergren was present to discuss his application and explained his absence from the last two meetings. Chairman Tedford commented on some confusion regarding the statements on the application and Mr. Bergren explained that, as a trustee, he is a volunteer not an employee which is why he answered a particular question the way he did. Mr. Bergren also stated the bartenders are TIPS certified and they have monthly meetings. He also stated he has a zero tolerance policy. Deputy Chief Massengill stated the police have not had any issues at this location except for noise complaints, which Mr. Bergren said has been resolved.

Acting Secretary Solmonson moved, seconded by Ms. Scott, to approve the manager application and the motion carried unanimously.

Katherine I. Todd
Red Lobster
359 S. Illinois Avenue

Ms. Todd was present to discuss her application. When asked by Ms. Williams, Ms. Todd stated she has worked for Red Lobster for many years, but was recently transferred back to this location as manager in May 2013. Deputy Chief Massengill stated there have been no issues at this location.

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

Chairman Tedford moved, seconded by Ms. Scott, to move the discussion on Applebee's to the end of the agenda and the motion carried unanimously.

SHOW CAUSE HEARING

Show Cause Hearing # 2013-03
Back to Brewski's
144 Randolph Road
Class "C" Beer Permit #1457, Approved: 7/9/12
Owner: W. Nang Crossno
Manager: W. Nang Crossno and Wanda Reagan

Mr. Crossno and Ms. Reagan were both present for the hearing. Chairman Tedford swore in the witnesses and then explained the procedure for the hearing.

Officer Daniel Freytag testified to his experience in law enforcement with the City of Oak Ridge. Officer Freytag explained the circumstances that led him to arrest a man for public intoxication outside of Back 2 Brewski's in the early morning hours of April 14, 2013. Upon his arrival to a disturbance call, Officer Freytag was told one of the participants in the disturbance had left the premises and the other remained inside. Officer Freytag noticed a suspicious person outside the establishment hiding behind a pillar, who was determined to be intoxicated and was arrested for public intoxication. Officer Freytag stated this person was in no condition to safely walk home. Officer Freytag testified that the person indicated he had been drinking at Back 2 Brewski's and had three beers.

Ms. Williams stated she was amazed that the business allowed this patron to leave. Mr. Crossno stated the patron was erratic and did not pay his tab, but he did not see him falling over and did not see him as a danger. Mr. Crossno stated he asked the bartender to ask the patron to leave and at that time the patron was not incapable of leaving. Mr. Crossno brought the patron's tab with him to the hearing but could not answer Ms. Scott's questions regarding when the tab was started though Mr. Crossno expected it was about 10:00/10:30 p.m.

Officer John Thomas testified that he arrived to the same disturbance call and talked to on-site security. Officer Thomas testified he was given the names of the patrons involved in the disturbance, one of whom left the premises prior to the officer's arrival. Officer Thomas testified he observed the remaining patron and stated the patron was injured from the fight, smelled of alcohol, and his mannerisms were consistent with being intoxicated. Officer Thomas stated the patron refused to give details of the disturbance and asked to go to jail. Officer Thomas searched the patron incident to arrest and found approximately 5 grams of marijuana on his person. Officer Thomas later took the patron to the hospital. Officer Thomas testified the patron did not deny the marijuana was his. Officer Thomas gave some details on the start of the fight, which appeared to begin in the restroom.

Ms. Scott asked Mr. Crossno if he knew when this patron arrived at the establishment. Mr. Crossno was not sure, but stated the patron generally arrived at 10:00 p.m. but was now banned from the premises. Mr. Crossno estimated 20 people were inside the establishment that evening and that a manager was on duty along with two security/bouncer personnel. Officer Thomas estimated 20 people outside and 10 people inside when he arrived.

Acting Secretary Solmonson asked who called the police about the disturbance. Mr. Crossno stated he requested the call and Ms. Reagan called the police. Mr. Crossno stated he did not see the beginning of the fight but did suggest the one patron finish his game of pool and then leave.

Deputy Chief Massengill stated there have been past issues at the establishment including motorcycles driving inside the premises. Mr. Crossno stated he was the one who called the police when that happened. Mr. Crossno stated it involved two motorcycles driven by patrons who thought it would be funny. Mr. Crossno also stated he did not expect his bouncers to physically stop a motorcycle.

Ms. Scott referenced newspaper articles mentioning Back 2 Brewski's where Mr. Crossno stated he was trying to make a good bar. Ms. Scott also referenced newspaper articles where arrested individuals said they were drinking at Back 2 Brewski's.

Acting Secretary Solmonson inquired why the cameras were not working properly. Mr. Crossno stated he was in a dispute with the company because the cameras did not operate as promised. Acting Secretary Solmonson stated she was a strong supporter of this business because it was a small business and she has stood behind them, however, she had concerns.

Ms. Scott brought up past issues where Mr. Crossno promised to repair a window in February 2012 and the window was still unrepaired. And now the cameras are not operational.

Mr. Crossno stated his business has declined which he believes is in response to his no tolerance policy, which he accepts because he wants a safe place. Mr. Crossno stated it is the nature of the business to have issues, but he is diligent about ID'ing patrons and cutting them off. Mr. Crossno stated he believes he does this better than most.

Deputy Chief Massengill emphasized that—as with other businesses—most calls involve problems due to patrons with high levels of intoxication. On this night, two patrons were beyond where they should have been before being cut off from beer consumption. Further, if there were drugs in a patron's system, it was still Mr. Crossno's responsibility to monitor the intoxication level. Deputy Chief Massengill stated other businesses are under similar scrutiny by the Police Department.

Deputy Chief Massengill stated his concern is that the establishment is not cutting off patrons when they should.

Ms. Scott moved, seconded by Chairman Tedford, that Back 2 Brewski's has not shown sufficient cause for the board to not take negative action against the beer permit.

Mr. Crossno stated he has spent a lot of time trying to turn the business around and will definitely address the issue of cutting patrons off when needed. He stated he communicates with his bartenders by text. He also stated he would hate to lose his investment, and will do everything he can to abide by the regulations. He also stated 90% of his business is beer sales and it would shut down his business if he lost his permit.

Ms. Scott gave her reasons for making the motion that the business had not shown sufficient cause. She stated there was a disturbance which involved two intoxicated patrons and there were drugs. She stated this was a safety issue and she does not see any proof that they were operating as responsible managers/bartenders/owners at the time. She also stated she was not suggesting the business be shut down.

Mr. Crossno stated he could not completely eliminate the issues because it was the nature of the beast. He stated he believed he handled everything properly. Ms. Williams inquired what time the business closed and Mr. Crossno stated he closed at 3 am but last call was around 2:20 am. Ms. Williams stated he may want to consider last call at an earlier time and posting notice to that effect.

Ms. Scott inquired of Mr. Crossno when was the last time he took a training class and Mr. Crossno could not remember the date and said it had been awhile.

Acting Secretary Solmonson stated she understood their struggle but she does not see any internal controls in place to solve this problem.

The motion carried unanimously that Back 2 Brewski's had not shown sufficient cause for the board to not take any negative action against the beer permit.

Chairman Tedford reminded the board of their options to revoke, suspend, or issue a $1,000.00 civil penalty in lieu of suspension. Chairman Tedford stated the time had come where the issues could not be overlooked by the board.

Ms. Williams asked how long it would take to complete some training and suggested a suspension, but no civil penalty.

Deputy Chief Massengill wanted the Police Department's perspective to be clear. The business should recognize when to cut patrons off from drinking alcohol. In this instance, a patron was personally injured. He would like to see business owners step up, deal with the specific instance of cutting off patrons, and see the business owners testify regarding disturbances, etc., so the police can make arrests.

Ms. Scott stated Mr. Crossno signed the beer permit application indicating he would not serve intoxicated persons, and that he needs to take a class.

Ms. Scott moved, seconded by Ms. Williams, to suspend the beer permit for two weeks and to not offer a civil penalty, and the motion failed with a tie vote (2-to-2) with Ms. Scott and Ms. Williams voting in favor and Chairman Tedford and Acting Secretary Solmonson voting against.

Chairman Tedford moved, seconded by Acting Secretary Solmonson, to suspend the beer permit for two weeks beginning September 1, 2013; however, the second week of the suspended would be lifted if Back 2 Brewski's (1) submitted a list of all employees who have not had recent (within one year) training classes in alcohol sales and/or did not have valid server permits to the Legal Department by 5:00 p.m. on July 17, 2015, and (2) said employees—including Mr. Crossno and Ms. Reagan—completed such training and submitted proof thereof to the Legal Department by 5:00 p.m. on August 30, 2013. The motion carried unanimously.

NEW / OLD BUSINESS

Applebee's Neighborhood Bar & Grill

On June 13, 2013, the City's Legal Department received communication from the State of Tennessee Alcoholic Beverage Commission regarding a sale of beer to a minor at Applebee's Neighborhood Bar & Grill in violation of Tennessee Code Annotated §57-4-203(b)(1)(B). According to the State, this was the second offense for sale of beer to a minor within a one year period.

Ms. Scott moved, seconded by Ms. Williams, to hold a show cause hearing for Applebee's for sale of beer to a minor at the next regular meeting and the motion carried unanimously. The motion included a requirement for the following persons to be present at the hearing: the manager, regional manager, bartender on duty at the time of the unlawful sale, and the employee who made the unlawful sale.

ADJOURNMENT

Ms. Scott moved, seconded by Chairman Tedford, to adjourn the meeting and the motion carried unanimously.

Respectfully submitted,

Barton Bailey, Secretary

APPLICATIONS

CITY OF OAK RIDGE, TENNESSEE
APPLICATION FOR APPROVAL AS MANAGER

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 Breadbox
   Business Address 680 Emory Valley Rd Oak Ridge TN 37830

2. Manager's Full Name Melanie Beth Butts

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:
   Andersons Hilltop Market (6yrs)
   Breadbox (3yrs)

5. Manager's Work History:
   How long have you been employed at the business? 3years
   Date you became Manager: 4/1/13
   Name of Previous Manager: Donna Mayberry Date left: 4/1/13
   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? yes
   If so, where and when: Breadbox, Anderson Hilltop Market
   Have you ever been a manager of an establishment with a beer permit? no
   Have you ever had a beer permit refused, suspended or revoked? no
   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? no
   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):
   We card everybody everytime when they try to buy beer, Regardless of who they are.

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 16th day of July, 2013.

Signature of Applicant

Sworn to and subscribed before me this 16th day of July 2013

My commission expires: 7/26/2014

Notary Public 7/16/2013

ANGELA E BUCKNER
STATE OF TENNESSEE NOTARY PUBLIC
ANDERSON COUNTY
My Commission Expires 07-26-2014

SHOW CAUSE HEARING

(INCLUDES THREE EXHIBITS)

<u>Show Cause Hearing # 2013-04</u>
Applebee's Neighborhood Bar & Grill
1213 Oak Ridge Turnpike
Class "C" Beer permit # 1220, Approved: 6/8/1998
Owner: Quality Restaurant Concepts LLC
Manager: Amy Ann Steele (Approved 6/14/2010)

At the July 15, 2013 meeting, the Oak Ridge Beer Permit Board unanimously voted to hold a Show Cause Hearing for Applebee's regarding the sale of beer to a minor occurring on March 18, 2013 as part of a minor compliance check conducted by the Tennessee Alcoholic Beverage Commission (TABC). The vote included a requirement that the following persons to be present at the hearing: the manager, regional manager, the bartender on duty at the time of the unlawful sale, and the employee who made the unlawful sale. The notice of the Show Cause Hearing was hand-delivered by Sergeant Carl Webb, Oak Ridge Police Department, to Ryan Landry, Manager, on July 16, 2013. A copy of the notice is attached and labeled as Exhibit A (One Page). A letter with a copy of the notice was also mailed to Bobby Prince, Regional Manager. A copy of the letter is attached and labeled as Exhibit B (Two Pages).

On June 13, 2013, the TABC transmitted information to the City of Oak Ridge that Applebee's was found to be in violation of state law for selling beer to a minor (Tennessee Code Annotated §57-4-203(b)(1)(B)). The following information is provided based upon TABC documents:

- On March 18, 2013 Applebee's served a minor a Bud Light Draft Beer after checking the minor's Tennessee driver's license which showed the minor was 19 years old.
- This is the second violation at Applebee's for sale of beer to a minor within a one year period.
- Applebee's and the TABC signed an Agreed Order on June 12, 2013 where Applebee's agreed to a five day suspension of its liquor-by-the-drink permit; agreed to pay a $500.00 civil penalty in addition to the suspension; and agreed that if a sale of beer to a minor occurs within the next three years the TABC will initiate revocation proceedings.
- The Agreed Order was signed by Bobby Prince as Regional Manager for Applebee's.
- The suspension was served from June 23, 2013 through June 27, 2013.

TABC Special Agent Derrick Dalton will be present for the hearing to answer any questions of the Board.

A copy of the information transmitted to the City from the TABC is attached and labeled as Exhibit C (Nine Pages).

By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit for the sale of beer to a minor <u>or</u> to offer the imposition of a civil penalty (not to exceed $2,500.00) in lieu of suspension. By City Code §8-712(3), if a civil penalty is imposed in lieu of suspension, the permittee has seven days to pay the civil penalty before the suspension shall be imposed and, if paid, the suspension is deemed withdrawn.

By City Code §8-712(9), prior suspensions and other disciplinary actions taken by the Board against a permittee may be considered by the Board for a determination of disciplinary action in any show cause hearing. A review of the beer permit file revealed no prior suspensions or disciplinary actions against Applebee's for the Board to consider.

A decision of the Board to either suspend or revoke must be posted at the main entrance to the establishment and remain posted for the duration of the suspension or revocation.

SHOW CAUSE HEARINGS – GENERALLY

Section 4.D. of the Board's Rules and Procedures govern the procedure for show cause hearings, which shall be conducted as nearly as practicable in accordance with judicial tribunal proceedings.

In the past, the Beer Board has used the following procedure for show cause hearings:

1. The Chairman announces the reason for hearing, specifying the establishment's name and the incident(s) that resulted in the Board voting to hold the show cause hearing.

2. The Chairman swears in all witnesses – "Everyone who may give testimony, please come forward. Raise your right hand. Do you swear or affirm that the testimony you give in this hearing will be the truth, the whole truth and nothing but the truth?"

3. Testimony – The Board may hear testimony from the City and the establishment. Board members may ask questions of the witnesses. This is the establishment's opportunity to show cause as to why the Board should <u>not</u> take any negative action against the establishment's beer permit(s).

4. Discussion – After testimony, the Board discusses whether the establishment has shown cause as to why the Board should not take action against the beer permit. If a member feels the establishment has not shown sufficient reasons for the Board to not take action against the beer permit, then the motion would read as follows:

   > "I move that [name of establishment] HAS NOT SHOWN adequate cause as to why the Board should not take action against the beer permit."

   If a member feels the establishment has shown sufficient cause, then the motion would read the same without the "not" inserted above.

   > "I move that [name of establishment] HAS SHOWN adequate cause as to why the Board should not take action against the beer permit."

   If there is a majority vote that the establishment has <u>not</u> shown sufficient cause for the Board to not take negative action, the next decision for the Board is what action to take against the beer permit(s).

   The Board may revoke or suspend a beer permit. A revocation is permanent removal of the beer permit. A suspension is temporary and can be effective for any time period up to eleven months and twenty-nine days. If a suspension is the decision, the Board may also choose to accept a civil penalty in lieu of said suspension (maximum. $1,000 per violation for non-sales to minors). An establishment has seven days to pay any civil penalty imposed or the suspension will take effect.

The Board is requested to be specific in your action(s) and specific as to the grounds for your action(s).

A court reporter is provided by the City for all show cause hearings which enables a transcript of the hearing to be available should an establishment appeal the decision of the Board. Please speak clearly for the court reporter and do not speak over each other or witnesses. The court reporter can only be expected to transcribe what is said by one person at a time in order to provide, if needed for court purposes, a complete and accurate verbatim accounting of the hearing.

EXHIBIT A

ON BEHALF OF THE OAK RIDGE BEER PERMIT BOARD

CITY OF OAK RIDGE

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

HAND-DELIVERED BY ORPD

July 16, 2013

Amy Steele, Manager, and Bobby Prince, Regional Manager
Applebee's (Owner: Quality Restaurant Concepts, LLC)
1213 Oak Ridge Turnpike
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2013-04 – August 12, 2013 – Notice to Appear

Ms. Steele and Mr. Prince,

On July 15, 2013, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Applebee's in response to communication the City received from the Tennessee Alcoholic Beverage Commission (TABC) regarding a sale of beer to a minor (under the age of twenty-one) in violation of Tennessee Code Annotated §57-4-203(b)(1)(B) occurring on March 18, 2013. According to TABC records, this is the second offense for sale of beer to a minor within the past year.

The Show Cause Hearing has been set for **Monday, August 12, 2013**, immediately following the regular meeting of the Board which begins at 12:00 noon. The meeting and the show cause hearing will both take place in the Training Room (Room 104) of the City's Municipal Building located at 200 S. Tulane Avenue. The show cause hearing will be Applebee's opportunity to explain to the Board why negative action should not be taken against the beer permit. By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit for the sale of beer to a minor or impose a civil penalty up to $2,500.00 in lieu of suspension.

The board also required the following employees to be present at the show cause hearing: the Beer Board approved manager (Ms. Steele), the regional manager (Mr. Prince), the bartender on duty at the time of the sale of beer to a minor, and the employee who served beer to the minor. According to the citation, Richard Hicks was the manager on duty at the time of the violation and was issued the citation.

If you have any questions regarding the show cause hearing process, please feel free to call my office at (865) 425-3530 however, this office cannot offer you any legal advice regarding the show cause hearing. You have the right to be represented by legal counsel at the hearing, however, the City will not provide an attorney for you.

Sincerely,

Tammy M. Dunn

Tammy M. Dunn
Senior Staff Attorney/Staff Liaison to the Board

Delivered to: Applebee's

Left the original with: Ryan Landry 07-28-1984 Manager

Sgt. T. E. Webb Jr.
Oak Ridge Police Department

07-16-2013
Date

CITY OF
OAK RIDGE

LEGAL DEPARTMENT
Telephone: (865) 425-3530
Fax: (865) 425-3420
Email: tdunn@oakridgetn.gov

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

July 16, 2013

Bobby Prince
Applebee's Regional Manager
713 Pine Valley Road
Knoxville, Tennessee 37923

Re: Quality Restaurant Concepts, LLC d/b/a Applebee's located at 1213 Oak Ridge Turnpike, Oak Ridge, Tennessee 37380 – Show Cause Hearing Before Beer Board

Mr. Prince:

Attached to this letter is a copy of the Oak Ridge Beer Permit Board Show Cause Notice to Appear that is being delivered by the Oak Ridge Police Department to Applebee's. This is being mailed to you at the address provided by the Tennessee Alcoholic Beverage Commission to ensure you are also in receipt of the notice since the Beer Board is requiring your presence at the hearing as well. The show cause hearing has been set for Monday, August 12, 2013.

As mentioned in the Notice to Appear, my office cannot provide any legal advice to Applebee's regarding the show cause hearing, however, if you have questions about the show cause hearing process you are welcome to contact me at (865) 425-3530.

Sincerely,

Tammy M. Dunn

Tammy M. Dunn
Senior Staff Attorney / Staff Liaison to the Oak Ridge Beer Permit Board

Enclosure: Notice to Appear

EXHIBIT B

ON BEHALF OF THE OAK RIDGE BEER PERMIT BOARD

CITY OF OAK RIDGE

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

HAND-DELIVERED BY ORPD

July 16, 2013

Amy Steele, Manager, and Bobby Prince, Regional Manager
Applebee's (Owner: Quality Restaurant Concepts, LLC)
1213 Oak Ridge Turnpike
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2013-04 – August 12, 2013 – Notice to Appear

Ms. Steele and Mr. Prince,

On July 15, 2013, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Applebee's in response to communication the City received from the Tennessee Alcoholic Beverage Commission (TABC) regarding a sale of beer to a minor (under the age of twenty-one) in violation of Tennessee Code Annotated §57-4-203(b)(1)(B) occurring on March 18, 2013. According to TABC records, this is the second offense for sale of beer to a minor within the past year.

The Show Cause Hearing has been set for **Monday, August 12, 2013**, immediately following the regular meeting of the Board which begins at 12:00 noon. The meeting and the show cause hearing will both take place in the Training Room (Room 104) of the City's Municipal Building located at 200 S. Tulane Avenue. The show cause hearing will be Applebee's opportunity to explain to the Board why negative action should not be taken against the beer permit. By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit for the sale of beer to a minor or impose a civil penalty up to $2,500.00 in lieu of suspension.

The board also required the following employees to be present at the show cause hearing: the Beer Board approved manager (Ms. Steele), the regional manager (Mr. Prince), the bartender on duty at the time of the sale of beer to a minor, and the employee who served beer to the minor. According to the citation, Richard Hicks was the manager on duty at the time of the violation and was issued the citation.

If you have any questions regarding the show cause hearing process, please feel free to call my office at (865) 425-3530 however, this office cannot offer you any legal advice regarding the show cause hearing. You have the right to be represented by legal counsel at the hearing, however, the City will not provide an attorney for you.

Sincerely,

Tammy M. Dunn

Tammy M. Dunn
Senior Staff Attorney/Staff Liaison to the Board

Delivered to: Applebee's

Left the original with: _____

_____
Oak Ridge Police Department

_____
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**

June 13, 2013

Ms. Tammy Dunn
City of Oak Ridge
Senior Staff Attorney
P.O. Box 1
Oak Ridge, Tennessee 37831

RE: Quality Restaurants Concepts, LLC d/b/a Applebee's Neighborhood Bar & Grill

Dear Ms. Dunn,

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 within a one-year period. As a result, the licensee has agreed to a five (5) day suspension of their liquor-by-the-drink permit and a $500.00. Pursuant to § 57-4-202, I have enclosed a copy of the executed Agreed Order, as well as the violation report and the citations that were issued.

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

Sincerely,

Ginna Winfree

Ginna Winfree
Staff Attorney

/gw
Enclosures

Certificate of Service

I, the undersigned, hereby certify that a true and exact copy of the foregoing Final Order has been sent by certified mail via the United States Postal Services, with sufficient postage to make it to its destination, Ms. Tammy Dunn, City of Oak Ridge, Senior Staff Attorney, P.O. Box 1, Oak Ridge, Tennessee, 37831 on this the 13th day of June 2013.

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

TABC,	)	
	)	
vs.	)	RI 13-0299
	)	
Quality Restaurant Concepts, LLC	)	
d/b/a Applebee's Neighborhood Bar & Grill	)	
1213 Oak Ridge Turnpike	)	
Oak Ridge, TN 37830	)	
Permit Number 18059	)	
Respondent,	)	

AGREED ORDER

As evidenced by the signatures of TABC Staff Attorney, Ginna Winfree and Respondent, Bobby Prince, Regional manager, it was determined that:

- Respondent, Quality Restaurant Concepts, LLC d/b/a Applebee's ("Applebee's") admits the Tennessee Alcoholic Beverage Commission ("TABC") has jurisdiction over the matters herein contained.

- Upon TABC investigation and by TABC report, the TABC has charged Applebee's, with committing the following violation: T.C.A. § 57-4-203(b)(1)(B), Sale of beer and/or malt beverages to a minor.

- As a result, citation RI 13-0315 was issued.

- Applebee's hereby agrees to a five (5) day suspension of liquor-by-the-drink permit number 18059.

- This suspension shall take place from June 23, 2013 through June 27, 2013.

- In addition, Applebee's will pay to the TABC a civil penalty in the amount of $500.00. This penalty shall be in paid in full prior to the re-instatement of liquor-by-the-drink permit 18059.

- Applebee's agrees that this settlement will be used in any further proceedings for enhancement purposes.

- This Agreed Order shall serve as notice that if T.C.A. § 57-4-203(b)(1)(B) is violated within the next three (3) years that the TABC will initiate revocation proceedings.

- Applebee's waives all rights to a hearing and appeal under the provisions of T.C.A. §§ 4-5-101, 57-4-202 and 57-3-201.

It is therefore so Ordered, that the settlement of this matter is by consent without having afforded either party the opportunity for a contested case hearing held pursuant to the Tennessee Administrative Procedures Act.

Entered into this 12th day of June, 2013.

Approved for Entry by:

Ginna Winfree

Ginna Winfree,
Staff Attorney, TABC
Davy Crockett Tower
500 James Robertson Parkway, 3rd Floor
Nashville, Tennessee 37243-0755

Bobby Prince
Representative for Respondent
Regional Manager
713 Pine Valley Road
Knoxville, Tennessee 37923

Certificate of Service

I, the undersigned, hereby certify that a true and exact copy of the foregoing Final Order has been sent by certified mail via the United States Postal Services, with sufficient postage to make it to its destination, Quality Restaurant Concepts, LLC, Bobby Prince, 713 Pine Valley Road, Knoxville, Tennessee, on this the 18th day of June 2013.

Ginna Winfree

Ginna Winfree

STATE OF TENNESSEE

ALCOHOLIC BEVERAGE COMMISSION

CITATION

To: Applebee's
1213 Oak Ridge Turnpike
Oak Ridge, TN 37830

Permit # 18059

RI 13-0315

TABC Report Date: 3-21-13

This establishment is in violation of the following statutes and/or rules governing the sale of alcoholic beverages by licensees: **Sale of beer and/or malt beverages to a minor is a violation of TCA §57-4-203(b)(1)(B)**

This violation(s) may be resolved by indicating the option you intend to exercise by circling either A or B below. Then sign this document and return it to the TABC at our Nashville address.

A. HEARING: If you do not agree with the violation(s) against you or wish to contest them, you may request a hearing to the TABC at the address stated below. At such a hearing, you may be represented by counsel, cross-examine witnesses, present your own proof and have the right to judicial review.

B. AGREEMENT: If you do not wish to contest the violation(s), you may agree to settle by accepting these particular terms: $ ~~**1500.00Fine:**~~ revocation

This offer will remain open for twenty (20) calendar days from the date noted below. By agreeing to settle this matter as set forth in paragraph B above, you are waiving your right to a hearing. When the TABC receives payment in full and this original citation signed by authorized agent of licensee, this TABC will consider this matter administratively closed. Existing criminal charges pending as a result of the same factual scenario which resulted in this citation are not affected by this agreement.

However, failure to respond within the aforementioned twenty (20) days by (1) requesting a hearing; (2) paying the fine in full; or (3) contacting this office to discuss the merits of the citation, will result in the matter being set for a hearing which could result in a default judgment and additional administrative costs. You or your attorney may wish to discuss the charge(s) with appropriate TABC staff. You may do so by calling the Nashville Office at (615) 741-1602. Mail payments or correspondence to:

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
226 CAPITOL BLVD., SUITE 300
NASHVILLE, TN 37243-0755

APR 26 2013

G. Keith Bell

Authorized Agent of Licensee (Date)

TABC Authorized Signature (Date)

EXHIBIT C

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
LIQUOR BY THE DRINK/PRIVATE CLUB
REPORT OF VIOLATION

DATE: 3/21/2013 **RI: 13-0315**

TO: Mark Hutchens - CLEO

FROM: SA Wade Hurst

BUSINESS NAME: Applebee's Neighborhood Grill
ADDRESS: 1213 Oak Ridge Turnpike
CITY/ZIP: Oak Ridge, Tn. 37830
LICENSE NO.: 18,059
EXPIRATION DATE: July 8, 2013
MANAGER/CLERK: (ON DUTY): Richard Hicks

STATE LAWS:

- ☐ Warning Signs at Retail Establishments (Pregnancy Sign) TCA 57-1-211
- ☐ Restaurant Requirements (Seating Days of Operation) 57-4-102(29)(A)
- ☐ Expiration of Licenses TCA 57-4-201 [Ref: TCA 57-3-213]
- ☐ Exterior Signs TCA 57-4-203(a)
- ☐ Sales To Minors Prohibited TCA 57-4-203(b)(1)(A){Liquor}
- ☒ Sales To Minors Prohibited TCA 57-4-203(b)(1)(B){Beer}
- ☐ Selling to Intoxicated Customer TCA 57-4-203(c)
- ☐ Hours of Sale TCA 57-4-203(d)
- ☐ Restrictions on Sealed or Unsealed Packages, or Gifts TCA 57-4-203(e)
- ☐ Ownership of Alcoholic Beverages Sold TCA 57-4-203 (g)
- ☐ Server Permit Violation TCA 57-4-203(h)
- ☐ Prohibited Sexual or Pornographic Conduct TCA 57-4-204
- ☐ Buying Liquor From Non-Wholesaler TCA 57-3-404(b)
- ☐ Possession Gambling Device(s) TCA 39-17-505(a)
- ☐ Health Inspection Displayed TCA 68-14-317(d)
- ☐ Delinquent in Filing and/or Paying LBD Taxes Three (3) Times During Licensed Year TCA 57-4-304(b)(1)
- ☐ Collection of Taxes, Bond of Licensee TCA 57-4-302 (3)(A)
- ☐ Other:

RULES & REGULATIONS:

Liquor By the Drink:

- ☐ Advertising 0100-1-.01
- ☐ Business Management Restricted 0100-1-.03(1)
- ☐ Consumption on Licensed Premises 0100-1-.03(2)
- ☐ Free Access to Licensed Premises 0100-1-.03(3)
- ☐ Refusal of Cooperation 0100-1-.03(4)
- ☐ Licensees Not to Combine 0100-1-.03(5)
- ☐ Sanitary And Fire Standards 0100-1-.03(7)
- ☐ On-Premises Sale By Bottle Restricted 0100-1-.03(8)
- ☐ On-Premises Employees' Activities Restricted 0100-1-.03(9)
- ☐ Restriction As To Age of Dispensing Employees 0100-1-.03(10)
- ☐ Dual Interests Prohibited 0100-1-.03(11)
- ☐ License Surrender if Business Discontinued 0100-1-.03(13)
- ☐ Prohibited Practices 0100-1-.03(14)
- ☐ Happy Hour Restrictions 0100-1-.03(15)
- ☐ Business Name Change 0100-1-.03(16)
- ☐ Display of License 0100-1-.03(17)
- ☐ Seating 0100-01.03(19)
- ☐ Limitation on Credit Sales 0100-6-.04
- ☐ Other:

Private Club:

- ☐ Change of Manager 0100-1-.05(4)
- ☐ Membership Application Procedures 0100-1-.05(7)(a)
- ☐ Complete Membership Roster 0100-1-.05(8)(a)
- ☐ Dispensing to Non-Members 0100-1-.05(8)(c)
- ☐ Membership (100 Members) 0100-1-.05 (8)(f)
- ☐ Use of DBA Name 0100-1-.05 (8)(g)

Caterer:

- ☐ Catering License 0100-01-.06(1)
- ☐ Server's Permit Card 0100-01-.06(2)
- ☐ LBD Where Such Sales Authorized 0100-01-.06(3)
- ☐ Alcohol without Food 0100-01-.06(4)
- ☐ Notice of Catered Event 0100-01-.06(5)
- ☐ Alcohol Transportation 0100-01-.06(7)

Special Occasion Permits:

- ☐ Two Week Notice 0100-01-.07(2)

NARRATIVE (Should include all pertinent facts and details relating to violation for which cited): SEE ATTACHED NARRATIVE

REVIEWED BY
SAC [signature] 3/21/13
INIT
CLEO [signature] 4-17-13

STATE OF TENNESSEE UNIFORM CITATION RI 13-0315 CT-13-0147 No. EXHIBIT C 0579

COURT DATE

COMPLAINT - AFFIDAVIT ☐ DOS ☐ PD ☐ SO ☐ OTHER

AGENCY TABC | I.D. NO. 0191800

THE UNDERSIGNED BEING DULY SWORN UPON HIS OATH DEPOSES

VIOLATOR

NAME (FIRST)	(MIDDLE)	(LAST)	DATE OF BIRTH MO DAY YR	RACE	SEX
Richard	[redacted]	Hicks	[redacted]	W	M

ADDRESS [redacted] | TN RESIDENT? ☐ YES ☐ NO | SEAT BELT? ☐ YES ☐ NO

CITY [redacted] | STATE [redacted] | ZIP CODE [redacted] | SOCIAL SECURITY NUMBER [redacted]

DRIVER LICENSE NUMBER [redacted] | CLASS/TYPE LICENSE [redacted] | STATE [redacted] | EXPIRATION DATE MO DAY YR [redacted] | TELEPHONE NUMBER [redacted]

VEHICLE

☐ OWNED ☐ LEASED ☐ CARRIER | NAME | ADDRESS | ☐ MC ☐ CMV ☐ HAZ MAT ☐ ACCIDENT

DID UNLAWFULLY OPERATE/PARK A MOTOR VEHICLE:

MAKE	MODEL	YEAR	COLOR	LICENSE PLATE NUMBER	STATE	YEAR

LOCALE

UPON STREET/HIGHWAY	S.R. #	TRAVEL DIR. ☐N☐S☐E☐W	M.M. #	CITY/COUNTY	HIGHWAY TYPE ☐ 2-L ☐ 3-L ☐ 4-L ☐ DIV. ☐ I-RD	AREA ☐ BUSINESS ☐ SCHOOL ☐ RES. ☐ RURAL

VIOLATION

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE

01 ☐ SPEEDING _____ MPH IN _____ SPEED LIMIT ☐ ZONE ☐ PACING ☐ RADAR ☐ OTHER 591 ☐ OVERWEIGHT AXLE

02 ☐ RECKLESS DRIVING 20 ☐ DUI BAC _____ 103 ☐ REGISTRATION LAW

03 ☐ TRAFFIC CONTROL DEVICE 22 ☐ REV/SUS/CAN DL 393 ☐ CHILD RESTRAINT

☐☐☐ OTHER:

T.C.A. 57-4-203 | ORDINANCE: Sale to A Minor

NARRATIVE

On March 18, 2013 @ 6:15 pm the Tennessee Alcoholic Beverage Commission conducted a minor compliance operation at Applebees 1213 Oak Ridge Turnpike Oak Ridge TN 37830 the Defendant served a Bud light Draft Beer to a confident informant. The minor identification was checked by the Defendant The informant state of Tennessee driver license showed that her date of birth was 07-06-1993 age 19. This above incident occured in Anderson County.

[redacted]

OFFICER

THE UNDERSIGNED FURTHER STATES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW.

THIS 18 DAY OF March 20 13 TIME 6:30 ☐ AM ☒ PM

Special Agent Dennis Dalton 324

RANK OFFICER NAME (PRINT) BADGE/ID NO.

DO NOT WRITE IN SHADED AREA

COURT

IN THE 1 ☐ GENERAL SESSIONS COURT OF Anderson COUNTY NO. ☐☐ IN THE CITY OF Oak Ridge NO. ☐☐

2 ☐ JUVENILE COURT ☐ _____ COURT ON Mon THE 25 DAY OF March 20 13 TIME 9 ☒ AM ☐ PM

NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND/OR A FINE OF UP TO TWO THOUSAND FIVE HUNDRED DOLLARS ($2,500).

I UNDERSTAND THE ABOVE NOTICE, AND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT.

APPLEBEE'S NEIGHBORHOOD GRILL & BAR
1213 OAK RIDGE TURNPIKE
OAK RIDGE 37830

PERMIT # 18,059

CASE #	VIOLATION	CITATION DATE/AMOUNT	CONSENT ORDER/DATE/FINE
98-1322	EMPLOYEE PERMIT	12/16/1998	5634 02-24-99 $100.00
00-0966	EMPLOYEE PERMIT	10/10/2000	7556 12-08-00 $300.00
02-0237	EMPLOYEE PERMIT	3/13/2002	DISMISSED
02-0541	MANAGER QUESTIONNAIRE	8/1/2002	9474 10-28-02 $100.00
03-0053	NO PREGNANCY SIGN	1/14/2003	10061 06-27-03 $100.00
06-0584	MANAGER QUESTIONNAIRE X-2	06-28-06 $250.00	13644 07-18-06 $250.00
07-0129	MANAGER QUESTIONNAIRE	02-16-07 $175.00	15097 07-06-07 $175.00
09-0134	Employee Permits X -2	3-16-09 $250.00	18058 7-20-09 $250.00
09-147K	Emp Permits X-2	3-5-10 $250.00	20295 6-24-10 $250.00
11-0971	Manager Questionaire / Resfal Cooperate	11-10-11 $1625.00	22263 12-20-11 $1625.00
12-0241	Sale to Minor	5-3-12 $1500.00	23202 6-15-12 $1500.00