

**OAK RIDGE BEER PERMIT BOARD
REGULAR MEETING**

Municipal Building Training Room – Room 104
Wednesday, June 1, 2016
5:15 p.m.

AGENDA

1. ATTENDANCE
2. APPROVAL OF MINUTES – May 4, 2016 Regular Meeting
3. APPLICATIONS FOR NEW BEER PERMIT AND ASSOCIATED MANAGER APPROVAL APPLICATIONS

Free Medical Clinic of Oak Ridge (Application #1541 – Class E)
Sharon Lee Annis, Supervisor of Beer Sales
Fund Raising Dinner on August 13, 2016 (5pm – 11pm)
St. Mary’s Church Parish Life Center
327 Vermont Avenue

Crafter’s Brew Market & Social (Application #1542 – Class B and C)
Christopher Dale Keever, Owner/Manager
856 Oak Ridge Turnpike
(Under construction)
4. NEW MANAGER APPROVAL APPLICATIONS – None
5. NEW / OLD BUSINESS
 - A. Red Lobster
 - B. Reports from Oak Ridge Police Department (if any)
 - C. Discussion of Potential Ordinance Amendments (see attachment)
6. ADJOURNMENT

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

Municipal Building Training Room – Room 104
Wednesday, May 4, 2016
5:15 p.m.

PRESENT: Chairman Barton Bailey, Wende Doolittle, David Mosby, and Secretary Darren Osborne

ABSENT: Theresa Scott, Debra Solmonson, and Danny Whitson

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

AUDIENCE MEMBERS: Stacey Pratt, Allies for Substance Abuse Prevention

ROLL CALL

Chairman Bailey called the meeting to order at 5:14 p.m. Members present were Chairman Bailey, Ms. Doolittle, Mr. Mosby, and Secretary Osborne. Members absent were Ms. Scott, Ms. Solmonson, and Mr. Whitson, all of which notified the Legal Department of their intended absence prior to the meeting.

APPROVAL OF MINUTES

Ms. Doolittle moved, seconded by Secretary Osborne, to approve the minutes of the April 6, 2016 regular meeting and the motion passed unanimously.

APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVALS

Ichiro (Application #1540 – Class C)
Zhu's Ichiro, Inc., Owner
Yi Zhang, Manager
1150 Oak Ridge Turnpike

Mr. Hui Zhu (owner) and Mr. Yi Zhang (manager) were present to discuss the application. Ms. Dunn stated all background check information had come in without issue; however, the restaurant was still under renovation so the life safety inspection was not yet complete. Mr. Zhang discussed the restaurant's plans to open in May with 4 or 5 servers who will all be TIPS trained. He also discussed his plan to continue a process that he was subject to in Arizona which is to ID all patrons who sit at the bar. He stated all patrons purchasing beer will be ID'd and the Board discussed the need to monitor the parking lot and to call the police if needed.

Having no further discussions, Chairman Bailey moved, seconded by Secretary Osborne, to approve the applications subject to passage of the life safety inspection and the motion carried unanimously.

APPLICATIONS FOR NEW MANAGER APPROVALS

None

NEW BUSINESS/OLD BUSINESS

Reports from Oak Ridge Police Department

Deputy Chief Smith reported on a recent Alcoholic Beverage Commission minor compliance check conducted in Oak Ridge in which three businesses sold beer/alcohol to a minor. Chairman Bailey moved, seconded by Mr. Mosby, to request representatives from the businesses to come before the Board to discuss what occurred. The motion carried unanimously.

ADJOURNMENT

There being no other business to come before the Board, Chairman Bailey moved, seconded by Ms. Doolittle, to adjourn the meeting at 5:45 p.m. and the motion carried unanimously.

Respectfully submitted,

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: Free Medical Clinic of Oak Ridge

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 116 East Division Rd Telephone Number 483-3904

Type of Event Fund raising dinner

Date(s) of Event August 13 2016

Time(s) of Event* 5 - 11 pm

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

August 2015

Time during which applicant desires to sell/distribute beer: 5pm to 11pm

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

St Mary's School

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

Sharon Lee Annis

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

NONE

* Time cannot exceed seventy-two (72) hours

6. Name, mailing address and telephone number of the property owner, if other than the business owner: St Mary Church 327 Vermont Ave Oak Ridge TN

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: St Mary Church 327 Vermont Ave

School: St. Mary School 327 Vermont Ave Oak Ridge

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

Checking ID's and using bracelets
for those who wish to buy alcoholic
beverages

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:

NO

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.

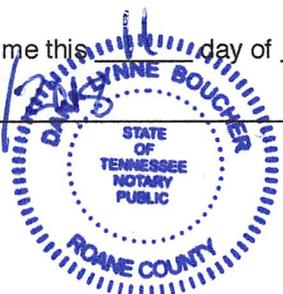
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives (hereinafter the "City") from any and all liability of whatever type for any damages, causes of action, personal property injuries 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 11 day of May, 2016.

Shan Lee Annis
Signature of Applicant

Sworn to and subscribed before me this 11 day of May, 2016.

My commission expires: 8/14/2018



Dana Lynne Boucher
Notary Public

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

Application for (check all that apply):

manufacturer (Class A Permit)
 hotel or club (Class D Permit)

on-premises consumption (Class C 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: Crafter's Brew Market & Social

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: 856 Oak Ridge Turnpike

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: 865-227-4560

5. Proposed date business will open under this ownership: July 15, 2016

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

Christopher Dale Keever

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

No prior experience. Currently working with similar business in Crossville, TN

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:

Christopher Dale Keever

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:

Christopher Keever, 108 South Seneca Road, Oak Ridge

11. Describe the nature of the business (ex. restaurant, bar, tavern, club, convenience store, etc.)
Craft beer market with on-site and off-site consumption of craft beer and international Bottled Beer.
12. Description of the business's footprint and parking areas available to/for the use of the business (attach drawing if available):
Business is located at 856 Oak Ridge Turnpike, Oak Ridge. Site is formerly Waterworks Pool & Spa demo site. Site will, upon approval, be remodeled with bathrooms & Building. Parking is along side West side of property and immediately behind the property on Talmeda Road. (Photos Attached)

13. Name, mailing address and telephone number of the property owner, if other than the business owner:
Whittenburg Enterprises, 123 Morningside Drive, Oak Ridge
Michael Morton, Property Manager (865) 220-9767

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. (Attached)

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? No
 If yes, where and under what business name? N/A

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? No

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

N/A

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? No

If yes, explain: N/A

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.

Unitarian Universalist church: 1500 Oak Ridge Turnpike, Oak Ridge

Jefferson Middle School: 200 Fairbanks Road, Oak Ridge

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

Drivers license will check by server of anyone attempting to purchase beer. Anyone sitting with someone drinking beer will have their ID checked to avoid second party consumption. Business will be 21 and up after 9:00 pm. All servers will have appropriate Licensing.

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.

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 17th day of May, 2016.

Christopher D Kevel
Signature of Applicant

Sworn to and subscribed before me this 17th day of May, 2016.

My commission expires: Commission Expires
Sept 19, 2018

Teresa Adcock
Notary Public



**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 Crafter's Brew Market & Social
Business Address 856 Oak Ridge Turnpike, Oak Ridge

2. Manager's Full Name Christopher Dale Keever

3. Request is made as (check which applies): * same as business owner
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):

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 20th day of May 2016

Christopher D Keely
Signature of Applicant

Sworn to and subscribed before me this 20th day of May, 2016

My commission expires: 11/25/2017

Joann S. Gram
Notary Public


POTENTIAL BEER ORDINANCE UPDATES

The following ordinance amendments are presented to the Beer Board for review and recommendation. A recommendation for or against is not an indication of whether the amendment will be presented to City Council for consideration by city staff; however, absent special circumstances, amendments pertaining to beer are brought before the Beer Board for a recommendation prior to City Council consideration.

1. City Code §8-601. Definitions.

- (1) "Beer" means ~~beer, sale or other malt beverages, or any other beverage having an alcoholic content of not more than five percent (5%) by weight~~ **a beverage defined as beer by Tennessee Code Annotated §57-5-101.**

Rationale: State law compliance. 2014 Public Chapter 861, effective January 1, 2017, establishes a higher percentage alcohol content for beer. See new definition below:

Tennessee Code Annotated §57-5-101. Traffic in alcoholic beverages of less than eight percent (8%) permitted -- Brewers' and wholesalers' interests restricted.

- (b) For purposes of this title, "beer" means beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than eight percent (8%) by weight, except wine as defined in § 57-3-101; provided, however, that no more than forty-nine percent (49%) of the overall alcoholic content of such beverage may be derived from the addition of flavors and other nonbeverage ingredients containing alcohol.

2. City Code §8-608. Growlers. [New provision]

Growlers may be sold under an off-premises beer permit in accordance with the provisions of this section. The term "growler" means a glass, ceramic or stainless steel container not to exceed sixty-four ounces (64 oz.) that is filled by the permit holder's employee with beer from a keg. Growlers may only be filled from kegs purchased by the permit holder from a duly licensed wholesaler. Growlers must be filled in a manner that is sanitary and meets all applicable food and alcohol handling laws and standards. Each growler must be securely sealed and removed from the premises in its original sealed condition. Each growler shall be sealed in such a manner that one can tell if it has been opened after having been sealed (ex. heat shrink plastic or locking caps). Consumption of beer on premises is strictly prohibited, except samples of tap beer offered for sale in growlers may be made available, however, individual samples shall not exceed one ounce (1 oz.) per sample and no one individual may be offered or consume more than four (4) samples per business day.

Rationale: This change is intended to specifically allow the sale of growlers with limitations on allowing samples and sealing requirements to avoid open container issues.

3. City Code §8-701. Permit required.

- (2) Permits shall be issued by the city in the name of the owner of the business or ~~establishment selling or distributing beer~~ **other entity responsible for the premises for which the permit is sought**, whether a person, firm, corporation, joint-stock company, syndicate, association, or ~~other legal~~ **governmental** entity **where the governing body has authorized such sales of beer.**

Rationale: State law compliance. 2014 Public Chapter 754, effective April 1, 2014, specifically allows governmental entities to obtain a beer permit (Tennessee Code Annotated §57-5-103).

4. City Code §8-701. Permit required.

- (8) A permit is not required for homemade beer when such beer is made, consumed, stored, and transported in accordance with the limitations set forth in Tennessee Code Annotated §57-5-111.**

Rationale: State law compliance. 2015 Public Chapter 69, effective April 6, 2015, adds a new provision in state law regarding homemade beer and when a permit is not required for it. Has limitations on amount can brew and restrictions on transportation (Tennessee Code Annotated §57-5-111).

5. City Code §8-702. Classes of permits.

- (1) Class A. A manufacturer's permit to a manufacturer of beer for the manufacture, possession, storage, sale, distribution, and transportation of the product of such manufacturer, not to be consumed by the purchaser upon or near the premises of such manufacturer **unless such manufacturer also possesses an on-premises beer permit.**

Rationale: This change is intended to address situations where a business manufactures beer on-site but also sells the beer for on-premises consumption. (Ex. Calhoun's in Turkey Creek and Downtown Grill & Brewery in Market Square both brew beer on-site and have consumption of beer on-site.)

6. City Code §8-702. Classes of permits.

There shall be ~~five (5)~~ **six (6)** classes of permits issued under chapters 6, 7, and 8 of this title, as follows:

...

- (6) Class F. A combined, dual "on-sale" (on-premises consumption) and "off-sale" (off-premises consumption) permit to any person or legal organization engaged in the sale of beer where beer is to be consumed by the purchaser upon or off the premises of the seller. While not a permit specifically for catering businesses, this permit classification will be the permit applied for by catering businesses.**

Rationale: This change will accomplish two purposes. One, it will allow businesses who want a dual permit to operate under one permit which will lower their initial application fee as well as their annual privilege tax amount. This is a more business-friendly approach to the permitting process. Serving both on and off premises under one beer permit is allowed under state law (Tennessee Code Annotated §57-5-103(a)(5)). Two, it will clarify the catering permit process. Right now caterers obtain a Class B permit which is really more geared toward convenience and grocery stores. This will give caterers a better category of permit to apply for and will allow their events to be held both on-site and off-site provided they have the property owner's permission for beer to be consumed at the event location.

7. City Code §8-703. Application generally.

- (3) The application shall state the name of the owner or all owners of such businesses; and, if a corporation, shall state the name of all stockholders holding at least ~~ten percent (10%)~~ **five percent (5%)** of more of the stock.

Rationale: State law compliance (Tennessee Code Annotated §57-5-105).

8. City Code §8-703. Application generally.

- (8) While applicants are encouraged to apply for a beer permit in advance of opening or buying the business, the board's approval of a beer permit(s) will be invalid if the business is not open under the applicant's ownership within six (6) months of the board's approval.**

Rationale: This will address the issue of a permit being applied for and approved, but not actually issued until a significant time has passed due to the permit holder not securing the business in a timely manner.