

**OAK RIDGE BEER PERMIT BOARD
REGULAR MEETING**

Municipal Building Training Room – Room 104
Wednesday, August 3, 2016
5:15 p.m.

AGENDA

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

United Way of Anderson County (Application #1544 – Class E)
Naomi Asher, Supervisor of Beer Sales
Fundraiser on September 15, 2016 (4pm – 9pm)
Jackson Square

Aldi #14 (Application #1545 – Class B)
Aldi Inc. (Tennessee), Owner
John Presnell Larkin, Manager
111 Woodland Terrace E.

Aid to Distressed Families of Appalachian Counties (ADFAC) (Application #1546 – Class E)
Katheryn Shearer, Supervisor of Beer Sales
Fundraiser on October 25, 2016 (5pm – 10pm)
St. Mary’s Church Parish Life Center
327 Vermont Avenue
4. NEW MANAGER APPROVAL APPLICATIONS – None

Rhonda Hamilton
BPOE Elks Lodge No. 1684
684 Emory Valley Road
Replacement Manager
5. NEW / OLD BUSINESS
 - A. Reports from Oak Ridge Police Department (if any)
 - B. Discussion of Curbside Beer Service
6. ADJOURNMENT

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

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

PRESENT: Chairman Barton Bailey, Wende Doolittle, Secretary Darren Osborne, Theresa Scott, Debra Solmonson, and Danny Whitson

ABSENT: David Mosby

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney / Staff Liaison to Board
Brad Jenkins, Lieutenant

AUDIENCE MEMBERS: Allies for Substance Abuse Prevention, Oak Ridge Today, Assistant to the City Manager, Owner of Back 2 Brewski's, and two persons whose names were not known

ROLL CALL

Chairman Bailey called the meeting to order at 5:15 p.m. All members were present except Mr. Mosby.

APPROVAL OF MINUTES

Secretary Osborne moved, seconded by Ms. Doolittle, to approve the minutes of the May 4, 2016 regular meeting and the motion passed 5-0, with Ms. Scott abstaining from the vote.

APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVALS

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

Ms. Annis was present to discuss the application. Having had no problems with these events in the past, Ms. Scott moved, seconded by Ms. Solmonson, to approve the application and the motion carried unanimously.

Crafter's Brew Market & Social (Application #1542 – Class B and C)
Christopher Dale Keever, Owner/Manager
856 Oak Ridge Turnpike
(Under construction)

This item was considered at the end of the meeting after discussion of possible ordinance amendments.

Mr. Keever was present to discuss his application. Chairman Bailey stated the application was subject to passage of the life safety inspection and proper zoning requirement as Mr. Keever stated he had not yet spoken with Kathryn Baldwin, Director of Community Development, regarding zoning. Mr. Keever discussed his business plans for an establishment similar to the Bearden Beer Market with patio seating and an anticipated open date in early August 2016.

The Board went over the ID policy, surveillance, parking lot responsibilities, and overserving. Ms. Scott moved, seconded by Secretary Osborne, to approve the applications subject to passage of life safety and zoning, and the motion carried unanimously.

APPLICATIONS FOR NEW MANAGER APPROVALS

None

NEW BUSINESS/OLD BUSINESS

Red Lobster

Kathy Todd, Manager of Red Lobster, met with the Board at the Board's request to discuss the recent minor compliance operation conducted by the Tennessee Alcoholic Beverage Commission (TABC) where an employee of Red Lobster sold beer to a minor. Ms. Todd explained the circumstances stating this was a fairly new employee but one that possessed a server permit from the ABC. Ms. Todd stated this employee did not make a calculation error but rather did not even ask for the patron's ID which was against their policy to ID all who appear under 30. Ms. Todd stated this employee was terminated and new processes have been put into place such as requiring ID of all patrons purchasing alcohol, requiring the date of birth of the patron to be placed on the ticket beside the drink order so that the bartender can also verify the age of the patron, and a manager checking in the dining room as well. Ms. Todd stated the employees were devastated that the business failed the compliance check. It was suggested by members of the Board for Red Lobster to test their employees to make sure they are checking IDs and to possibly adopt a mentor program for new employees. The Board decided to take no further action as Ms. Todd's explanations and subsequent actions were a sufficient response to the incident.

Reports from Oak Ridge Police Department

None

Discussion of Potential Ordinance Amendments

Eight potential ordinance amendments were brought to the Board for review and recommendation (see attachment). Chairman Bailey moved, seconded by Ms. Scott, to approve Items 1, 3, 4, 7, and 8 without modification and the motion carried unanimously.

Item 2, growlers, was discussed by the Board with Joe Fahy, Manager of Food City, and Mr. Keever both of whom have intentions of selling growlers in the near future. Both were on board with the limitations set forth in the proposed ordinance language regarding maximum size of the container and sealing the container. After discussion of growlers generally, the Board suggested one modification to the definition (to delete the materials a growler can be made from) (see attachment, modification shown as a strikethrough). Ms. Solmonson moved, seconded by Secretary Osborne moved, to approve Item 2 with the modification and the motion carried unanimously.

Chairman Bailey moved, seconded by Ms. Scott, to approve Item 5 without modification and the motion carried unanimously.

Ms. Solmonson moved, seconded by Ms. Scott, to approve Item 6 without modification and the motion carried unanimously.

Ms. Dunn stated the next step would be for her office to communicate with the City Manager about moving forward with these proposed amendments for Council's consideration.

ADJOURNMENT

There being no other business to come before the Board, Ms. Scott moved, seconded by Secretary Osborne, to adjourn the meeting at 6:20 p.m. and the motion carried unanimously.

Respectfully submitted,

Secretary

Attachment: Potential Beer Ordinance Updates (3 pages)

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 (40%)~~ **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.

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: United way of Anderson County
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 161-C Robertsville Rd. Telephone Number 865-483-8431

Type of Event Fundraiser / Community Event

Date(s) of Event 9/15/16

Time(s) of Event* 4 - 9 PM

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

Time during which applicant desires to sell/distribute beer: 4 - 8 PM

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

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

Naomi Asher / ABC card holders

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

Many non-profit events.

* 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

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: Oak Ridge Unitarian Universalist Church
School: Glenwood Elementary

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

each attendee will have their ID checked and
hand stamped - hand stamps will be checked at
the bar.

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 28th day of June, 2016.



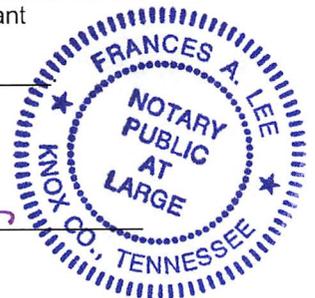
Signature of Applicant

Sworn to and subscribed before me this 28th day of June, 2016

My commission expires: July 6, 2019.



Notary Public



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

Application for (check all that apply):

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

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

1. Request is made for (check all that apply):
 new beer permit
 existing permit—name change existing permit—ownership change
 existing permit—change location existing permit—additional permit type
2. Name under which business will operate: Aldi #14

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: 111 Woodland Terrace E., Oak Ridge, TN 37380

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) 955-2534
5. Proposed date business will open under this ownership: This business is already open.

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

7. Applicant's prior experience selling/serving beer or other alcoholic beverage:
Applicant has not previously sold beer.

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:
John Presnell Larkin

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:
Darlene Thompson, Executive Assistant, 2080 Aldi Blvd., Mt. Juliet, TN 3122;

11. Describe the nature of the business (ex. restaurant, bar, tavern, club, convenience store, etc.)
Grocery Store
-
12. Description of the business's footprint and parking areas available to/for the use of the business (attach drawing if available):
see attached site plan
-
-
13. Name, mailing address and telephone number of the property owner, if other than the business owner:
Central Park Development, 1709 Midpark Road, Suite A-2, Knoxville, Tennessee 37921
- NOTE: If the business owner is different from the property owner, you must submit a signed and notarized written statement from the property owner giving the applicant/business permission to sell or serve beer on the premises. Include this statement with the application.
14. Has any owner (having at least a five percent (5%) ownership interest) ever had a liquor license or beer permit suspended, revoked or denied? 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.
New Life Church - 200 Lafayette Drive / Woodland Elementary School, 168 Manhattan Avenue
-
18. Describe steps which will be taken to prevent the sale of beer to those under twenty-one (21):
Please see attached form of training procedures.
-

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 23rd day of June, 16

~~ALDI INC. (TENNESSEE)~~

By: _____

David K. Behm, President Signature of Applicant

Sworn to and subscribed before me this 23rd day of June, 16

My commission expires January 4, 2019

Jeanette Meyer
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 Aldi Inc. (Tennessee)
Business Address 111 Woodland Terrace E., Oak Ridge, TN 37380

2. Manager's Full Name John Presnell Larkin

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:
Manager previously worked at Walgreens, where he sold beer.

5. Manager's Work History:
How long have you been employed at the business? 1+ year
Date you became Manager: March 2015
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):
Walgreens, 8950 Kingston Pike, Knoxville, TN 37923 20+ years, Manager

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? yes
If so, where and when: Walgreens 5/92-3/15
Have you ever been a manager of an establishment with a beer permit? yes
Have you ever had a beer permit refused, suspended or revoked? no
If so, where and when: n/a

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:

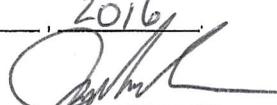
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):
Please see attached form of training procedures.

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 13th day of July, 2016.



Signature of Applicant

Sworn to and subscribed before me this 13th day of July, 2016.

My commission expires: 6/6/17.



Notary Public



**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: ADFAC, Aid to Distressed Families of Appalachian Counties

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 5953 Telephone Number (805) 483-2697

Type of Event Fundraiser

Date(s) of Event Oct. 25, 2014

Time(s) of Event* 5pm - 10pm

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

NA

Time during which applicant desires to sell/distribute beer: 5pm - 10pm

Specific location where beer will be sold/distributed and consumed: St. Mary's Catholic Church, Family LIFE CENTER

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

Volunteer (Mary Candida Seay) / Kathie Shearer
Katherine C. Shearer

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

Bar Manager, Elks Lodge, 4 years.
She has her State of TN ABC card.

* 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 Marys Catholic Church 327 Vermont Ave., Oak Ridge

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: NA

School: NA

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

we will check all I.D.'s!

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:

NA

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 19 day of July, 2016.

May Cadifa Sig
Signature of Applicant

Sworn to and subscribed before me this 19th day of July, 2016.

My commission expires: 11/25/2017.

Juan S. Oran
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 BPOE ELKS LODGE NO. 1684
Business Address 684 EMORY VALLEY RD. OAK RIDGE TN 37830

2. Manager's Full Name RHONDA CAROL HAMILTON

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:

Voluntary Bartender at Elks Lodge - various part time server/bartender jobs

5. Manager's Work History:

How long have you been employed at the business? VOLUNTEER

Date you became Manager: 6-1-16

Name of Previous Manager: Mr. JOHN CALVERT Date left: 5-31-16

Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):

TN Bank, 401 S. Illinois Ave, Oak Ridge, TN 37830 - Collections 5 years
Retired

6. Beer Permit History:

Have you ever been employed at an establishment with a beer permit? no

If so, where and when: _____

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):

No One Allowed in Bar Area under 21. Bartenders are TIPS Certified AND AWARE OF LAWS. VISITORS MUST Be Signed in and proof of age required

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 14th day of July, 2016.

Shonta Hamilton
Signature of Applicant

Sworn to and subscribed before me this 14 day of July, 2016.

My commission expires: 1/27/2019.



Pamela Sue Stegall
Notary Public