



BEER PERMIT APPLICATION INSTRUCTIONS

PLEASE READ CAREFULLY. LAST UPDATED NOVEMBER 30, 2018.

Beer Ordinances and Statutes

Read the City of Oak Ridge beer ordinances. A copy is available on the City's website or you can ask for a copy from the Police Department. Additionally, familiarize yourself with the State of Tennessee laws related to the sale of beer.

Beer Permit Application

The primary applicant (an owner of the establishment) must complete the application in full and sign the application in the presence of a notary. Do not leave any questions blank. If a question does not apply to you, please write or type in "N/A."

Fees

Permanent beer permit applications (Classes A-D, F) have a \$250.00 non-refundable application fee (per permit) sought. Special event beer permit applications (Class E) have a \$25.00 non-refundable application fee. Application fees are due at the time of submittal of the application or the application will not be processed. Application fees must be payable to the City of Oak Ridge and should be in the form of a check or money order.

Manager Application

At least one manager application must be completed for each establishment seeking a beer permit. Manager applications must be signed in the presence of a notary. At this time, there is no application fee for the manager application. New beer permit applications will not be processed without a companion manager application. In the event a manager is no longer employed at the establishment, a new manager application must be submitted within fifteen (15) days of the prior-approved manager leaving.

Records (Background) Check

A current (conducted within the last thirty (30) days), completed background check must accompany all applications in order for the application to be processed and scheduled for a Beer Board meeting. The background check must be completed by the state bureau of investigations in which the person resides. Example: Tennessee residents must have a Tennessee Bureau of Investigations (TBI) report). Tennessee background checks can be obtained online. Each listed manager and each owner (an owner is a person owning at least 5% of the business) must be provided.

Submittal of Applications

Applications must be submitted to the Oak Ridge Police Department Records Division for processing. Applications must be turned in at least fifteen (15) calendar days prior to the meeting date in order to meet legal notice requirements. The Beer Board usually meets on the first Wednesday of each month at 5:15 p.m. in the Municipal Building Training Room. The Board's meeting calendar is posted online.

Life Safety Inspection

The applicant's establishment must pass City inspections, commonly referred to by the City as the Life Safety Inspection, prior to issuance of a permanent beer permit. Please contact the Code Enforcement Division at (865) 425-3532 and the Fire Department at (865) 425-3421 to schedule inspections. The Police Department will notify both departments of your application and the need for the Life Safety Inspection; however, it is your responsibility to ensure the inspections take place. Beer permits will not be issued unless the Life Safety Inspection is passed.

Appearance before Beer Board

Applicants must appear in person at the scheduled Beer Board meeting for consideration of the application. In the event ownership offices are located outside of the area, it is permissible for a member of the management team to be present at the meeting rather than one owner. Members of the management team must be able to address and respond to the Beer Board's questions.



BEER PERMIT APPLICATION INSTRUCTIONS CONTINUED

and concerns. Translators are not on standby for Beer Board meetings. Please make prior arrangements for a translator to be present at the meeting if you need one, or inform the Police Department at the time of application submission.

If you miss your scheduled Beer Board meeting, the Beer Board will typically postpone your application to the next available meeting. However, failure to attend can result in the Beer Board denying the beer permit application. If you cannot the meeting, please notify the Police Department in advance.

Citizenship

Effective July 1, 2015, and in accordance with Tennessee Code Annotated §57-5-103(a)(10), all beer permit applicants must be U.S. citizens or permanent/lawful residents for at least one year immediately prior to making application for a beer permit. For compliance with this law, a new form is required to be completed of all owners holding at least a 5% ownership interest in the business. The form is a "Declaration of Citizenship or Lawful Resident" form and is part of the application packet.

Business License

The establishment must obtain a valid business license from the City of Oak Ridge in order to open for business. Please call (865) 425-3400 and ask to speak to the Tax and License Officer.

Annual Privilege Tax

An annual privilege tax of \$100.00 (per permanent beer permit) is required by State law and City Code, and is due each January. New permittees will be required to pay a prorated privilege tax when the beer permit is issued. Notices are submitted annually to the business as a reminder to pay the privilege tax by January. Failure to pay must result in suspension or revocation of the beer permit.

Hours of Sale

The hours of sale for beer are dependent upon the type of permit obtained.

| | |
|-----------------------|---|
| Class B: | 6:00 a.m. to 3:00 a.m., all days |
| Classes C, E*, and F: | 7:00 a.m. to 3:00 a.m., Monday-Saturday |
| | 10:00 a.m. to 3:00 a.m., Sundays |

* Special events (Class E) designate hours of sale on their permit, which hours are then approved by the Beer Board and must not exceed the time periods shown above.

Questions

Please call the City's Police Department at (865) 425-3504 with any questions about the beer permit application process.

End of Instructions

**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)
- catering (Class F Permit)
- on-premises consumption (Class C Permit)
- off-premises consumption (Class B Permit)
- on/off-premises consumption (Class F 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–change location
 - existing permit–ownership change
 - existing permit–additional permit type
2. Name under which business will operate: _____
 By Tennessee Code Annotated §57-5-103(a)(3)(C), a beer permit is only valid for the business operating under the name identified on the permit. A change in name will automatically invalidate the beer permit and a new permit must be obtained to continue to sell/serve beer. There is no grace period or holdover period for selling beer during this time.
3. Street address where business will operate: _____
 By Tennessee Code Annotated §57-5-103(a)(3)(B), a beer permit is only valid for a single location and cannot be transferred to a new location. A permit is valid for all decks, patios, and other outdoor serving areas that are contiguous to the exterior of the building in which the business is located and that are operated by the business. A change in location will invalidate the beer permit and a new permit must be obtained to continue to sell/serve beer. There is no grace period or holdover period for selling beer during this time.
4. Business Telephone Number: _____
5. Proposed date business will open under this ownership if not already open: _____
6. Full Name of Applicant (Owner or Owner’s Agent/Representative):

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

8. Type of business entity:
 Individual _____ Corporation _____ L.L.C. _____ Joint-stock Company _____
 Partnership _____ Other _____
9. Full name of the person(s) to be the on-premise manager responsible for the direct daily operations of the business:

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

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

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

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

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

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

If yes, where and under what business name? _____

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

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

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

If yes, explain: _____

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

Church: _____

School: _____

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

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 Police Department at 425-3504 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 City's beer ordinances, 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, and their 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, and their employees, agents and representatives as stated above.

This the _____ day of _____, _____.

Signature of Applicant

Sworn to and subscribed before me this _____ day of _____, _____.

My commission expires: _____.

Notary Public

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

Business Name: _____

Business Location: _____

Application/Permit Number: _____

Advertised _____

Approved: Yes _____ No _____

Hearing Date _____

Conditioned upon:

_____ Nothing

_____ Passing the Life Safety Inspection

_____ Completed background investigation

_____ Proof of sale of business

Signature of Beer Permit Board Secretary

**CITY OF OAK RIDGE, TENNESSEE
OAK RIDGE BEER PERMIT BOARD
P.O. BOX 1
OAK RIDGE, TENNESSEE 37831-0001**

PHONE 865-425-3530

**DECLARATION OF CITIZENSHIP OR LAWFUL RESIDENT
MUST ACCOMPANY ALL APPLICATIONS FOR BEER PERMITS**

Tennessee Code Annotated §57-5-103(a) was amended by Public Chapter 29, effective July 1, 2015, to state: "a city or county shall not issue a permit ... unless the applicant has been a citizen or lawful resident of the United States for not less than one (1) year immediately preceding the date upon which the application is made to the city or county."

Business Name _____

All owners holding at least a five percent ownership interest must complete this form and return it before the beer permit application will be processed.

Please Print Legibly

Name: _____

Last

First

Middle

Maiden

Mailing Address: _____

Phone Number: Home: (____) ____ - ____ Office: (____) ____ - ____ Fax: (____) ____ - ____

I am a United States Citizen: Yes _____ No _____

Applicants claiming citizenship must provided a copy of one of the following:

1. A valid U.S. driver's license or photo ID meeting the criteria of the Department of Homeland Security.
2. An official birth certificate issued by a U.S. state, territory, or other jurisdiction.
3. A federally issued birth certificate.
4. A valid, unexpired U.S. passport.
5. A report of birth abroad of a U.S. citizen.
6. A certificate of citizenship.

If you checked "No" please indicate from the list below which category applies to you:

_____ Permanent/Lawful Resident (a copy of the "Green Card" must be provided)

_____ I am not a U.S. citizen or a Permanent/Lawful Resident.

I affirm under the penalty of perjury that the information on the front page is true and correct. Signed this _____ day of _____, 20 _____.

Signature

Sworn to before me this _____ day of _____, 20 _____

AFFIX SEAL HERE

NOTARY PUBLIC

My Commission Expires: _____

If an applicant is discovered to have falsified this form, the beer permit issued to that applicant must be immediately terminated and is void.