

FOR OFFICE USE ONLY:

Date Application Received: _____ Received By: _____ Time Received: _____
Fee (\$250) Received By: _____ Receipt #: _____ Date: _____
Action Taken: _____ Date: _____

**CITY OF ATHENS, TENNESSEE
APPLICATION FOR BEER PERMIT**

Application for (check one):

_____ **Caterers:** A business engaged in offering food and beverage service for a fee at various locations, which (i) operates a permanent catering hall on an exclusive basis; (ii) has a complete and adequate commercial kitchen facility; and (iii) is licensed as a caterer by the Tennessee Department of Health.

_____ **Club:** A Club shall mean a non-profit association as defined and described in TCA §57-4-102(7) (A) and (B), for consumption **on the premises only**.

_____ **Golf Course:** Beer may be sold for consumption on the premises only with the premises defined as any clubhouse, pro shop, restaurant, or the playing course itself. No consumption shall be permitted in or on the parking lot.

_____ **Grocery (Food Stores):** Establishments 10,000 square feet or more with the inventory of beer being 20% or less, than the total inventory. Beer **shall not** be sold for consumption on the premises of grocery store.

_____ **Grocery (Food Stores):** Establishments with less than 10,000 square feet with the inventory of beer being 20% or less than the total inventory. Beer **shall not** be sold for consumption on the premises of grocery store.

_____ **Hotels:** Establishments located within a radius of one (1) mile from Highway 30 and the entrance ramp to the northbound lanes of Interstate 75 which has available for occupancy sixty (60) or more interior corridor rooms for paid lodging by guests on a short-term basis, not to exceed seven (7) consecutive days by a guest.

_____ **Package Beer Stores (Off Premises):** Establishments where beer is sold to be consumed **off the premises**. Beer **shall not be consumed** on the premises of these establishments.

_____ **Restaurants:** Establishments whose primary business is the sale of prepared food to be consumed on the premises.

_____ **Wholesaler/Distribution (Off Premises):** "Separate permits shall be required for selling at retail, storing, distributing, and manufacturing." Beer **shall not be sold or consumed** on the wholesaler's premises.

I hereby make application for a permit to sell, store, manufacture, or distribute beer or other beverages authorized to be sold, stored, manufactured or distributed under the provisions of the *Tennessee Code Annotated 57-5-101 et seq.* and the *Municipal Code of the City of Athens, Tennessee, Title 8, Chapter 2,* and base my application upon the answers to the following questions:

1. Full name of applicant (Owner) _____

Person ____ Firm ____ Corporation ____ Joint-stock Company ____
Syndicate ____ Association ____ LLC ____

2. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 10% ownership interest in the business (attach additional sheet, if needed).

3. What is your present home address? _____

4. Previous address(es) within last five years _____

5. Date of birth: _____ Home telephone: _____

6. Driver's License No. _____ Business telephone: _____

7. Under what name will this business operate? _____

8. Location of business by street address or other geographical description and phone number of the business:

9. Specify the identity and address of the person to receive annual privilege tax notices and any other communication from the City:

10. Give name and address of property owner, if other than business owner:

11. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by Section 57-5-103(a)(4) within the same building? Yes___; No ____. If so, please specify number _____. List the names of the restaurants or other businesses and describe their location (attach additional sheet, if needed): (Please note that if operator has separate locations, a permit will be required for each location.)

12. Give name, date of birth, and address of any manager other than applicant:

13. The Owner hereby appoints the manager as his legal agent to receive notices, legal processes, etc. on behalf of the owner/license holder.

14. Has any person having at least a 10% ownership interest, any of the managers listed in question 11, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the last five (5) years? _____ If so, give particulars of each charge, court, and date convicted.

15. Has this owner or the owner's organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes _____; No _____. If so, specify where, when, and why:

16. Give the name, relationship to applicant (if applicable) and address of the former beer permittee at this location:

17. What is the name and address of the church, school, or other place of public gathering nearest to your business?

(The City of Athens has adopted a rule forbidding the sale, storage and manufacture of beer and like beverages within a certain distance of schools, churches, and other places of public gathering. For designated distances, please see Section 8-211 of the City of Athens beer regulations.)

18. What is the name and address of the owner of the nearest residential dwelling to your business?

I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person having at least a 10% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past five years. I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other places of public gathering, or otherwise interferes with public health, safety and morals.

Signature of Applicant/Owner
(or Authorized Corporate Officer)

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

Notary Public

My Commission Expires: _____

NOTICE: A non-refundable \$250 fee must accompany this application. If the application is approved, you are required to provide documentation of sales tax registration to the city within ten (10) days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state, effective January 1, 1994, and each successive January 1. Any holder of a beer permit issued after January 1, 1994, shall pay a pro rata portion of this annual tax when the permit is issued.

(This section to be filled out by City of Athens.)

THE FOLLOWING ACTION WAS TAKEN UPON THIS APPLICATION:

_____	By:	_____
_____		_____
_____		_____
_____		_____
_____		_____

INSTRUCTION SHEET

Permits shall be issued to the owner of the business, whether a person, firm, corporation, joint-stock company, syndicate, or association.

A permit is only for a single location and 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.

Where an owner operates two or more restaurants or other businesses within the same building, the owner may, at his or her discretion, operate some or all of such businesses under the same permit.

A permit is valid only for the business of the owner named in the permit.

A permit holder must return a permit to the county or city that issued it within fifteen (15) days of termination of the business, change in ownership, relocation of the business or change of the business name. A change in ownership occurs for a corporate owner when at least fifty percent (50%) of the stock of the corporation is transferred to a new owner.

The permit holder must appear at the Beer Board Meeting when the application is submitted for approval. Contact the City Manager's Office at 744-2702 for the date and time of the meeting. The Beer Board can postpone approval of the application if compliance with this requirement is not met.