



CITY OF JOHNSON CITY BEER LICENSE *Information*

The information and checklist set out below is not an all-inclusive list of instructions for completion of a Beer License application for the City of Johnson City, Tennessee. Instead, the list provides reminders to help applicants turn in completed applications. Incomplete and inaccurate applications are considered void and of no effect.

The application must be fully completed and must include all secondary documents with the non-refundable license application fees (**\$250.00**). By making this application, the applicant assumes personal responsibility for all information provided. It is the applicant's responsibility to see that the application is complete and correct. The application must be considered and approved by the Board of Commissioners ("Commissioners"). The applicant must attend the City Commission meeting to answer any questions that the Commissioners may have at that time. The Commissioners can deny an application for any incorrect, inaccurate or false information provided; at the least, the Commissioners may delay action on an application for any information it finds unacceptable. The completed application must be submitted to the Finance Department, Municipal and Safety Building, 601 E. Main Street **no less than seven (7) days prior to the date of the Commission meeting deadline**. The application must be signed and notarized.

A license is valid only for the business(s) of the owner named in the license at the named location. Licenses are issued to the owner of the business, whether a person, firm, corporation, joint-stock company, LLC, etc. A beer license is not transferable from owner to owner or location to location. A license is for a single location only. **The applicant MUST provide this information in the application document and is accountable for providing complete and accurate information.** A license approval is restricted to sites in compliance with current City of Johnson City building codes. Please be aware that the storing, selling, pouring and consuming of beer may not occur until a beer license has been issued by the City to the applicant.

A license will not be issued without a current certificate of occupancy. The application must contain the legal description of the premises on which this business is or will be located with photographs of the **finished** interior and exterior of the actual building wherein the business is or will be located, copies of the deed to the subject premises, any leases and other agreements to which the same are subject, and a survey by a licensed surveyor depicting all boundaries of the subject premises and showing the location of any and all structures thereon.

It is the applicant's responsibility to determine the property zoning designation and provide proof thereof along with a certificate of completion and a health department inspection.

All servers listed in the application must hold either a current server permit issued by the City of Johnson or a TABC server permit issued by the State of Tennessee, attach a copy of the server permit issued to the individual designated to serve beer at the establishment.

No person whose duties shall be serving or completing the application shall have been convicted of committing any state or federal felony, violating any DUI/DWI/implied consent laws, or violating any criminal law regarding theft, burglary, violence, child abuse, spousal abuse, prostitution, or pandering within the ten (10) year period next preceding the date of application. The City will perform background checks on all persons listed in the application as owner, manager, supervisor and server.

For City Use Only: _____
Date Filed

CITY OF JOHNSON CITY
BEER LICENSE
APPLICATION

The applicant is an individual or sole proprietorship; the applicant must conduct the business in person for himself or herself, and must complete this application. If the applicant is acting as an agent for the owner of the business in the event the owner is a corporation, firm, syndicate, stock company, association, or other business/governmental entity, the agent shall complete this application on behalf of the business entity.

Each applicant for a beer license shall file with the City of Johnson City this sworn petition in writing, establishing the following facts, to the satisfaction of the City Manager, the truth of each and all of which facts at the time of approval of the application and in the future are hereby made conditions of any license issued hereunder:

Reason for Application: New Business New Ownership Name Change Relocation

1. Name of Business Owner(s): _____

2. Is applicant:

Corporation General Partnership Limited Partnership Limited Liability Company
 Sole Proprietorship Government Entity Individual

3. Under what name will the business operate: _____

4. Business Address: _____, City _____ Zip _____

5. Name of Representative/Agent: _____

Telephone _____ Email _____

6. Date of birth of the applicant or the date of creation of the business: _____

7. Applicant's social security number or its tax identification number: _____

8. Provide the address of property: _____

9. Property Owner Name: _____ Telephone _____

10. Provide zoning designation of the property (attach the certificate of zoning): _____

11. Attach to this application: (1) legal description of the premises on which this business is or will be located; (2) photographs of the **finished** interior and exterior of the actual building wherein the business is located; (3) copies of the deed to the subject

premises, any leases and other agreements to which the same are subject; and (4) a survey by a licensed surveyor depicting all boundaries of the subject premises and showing the location of any and all structures thereon.

12. Type of business you will operate: _____

13. Put an "X" beside the following classification that applies to your business:

_____ Class 1: On-premises, where alcoholic beverages, beer, high alcohol content beer, or wine is sold for consumption at a restaurant, hotel, motel, club, lodge, theater, bar or governmental entity, where the governing body of the governmental entity has authorized the sale of beer. **Please attach a certified copy of the resolution by the governing body authorizing the sale of beer.**

_____ Class 2: Off-premises, where beer is sold for consumption off the premises.

_____ Class 3: Class 3: Off-premises, originally licensed by Washington County, Carter County, or Sullivan County, where beer is sold for consumption off the premises and on which said premises there exists at the time of annexation a lawful, valid, and unrestricted license for the sale of off-premises consumption of beer. The license authorized by this class shall be permitted to exist following annexation only if the licensee shall be properly qualified for the sale of beverages under this code, as provided in § 8-209 hereinafter, has filed a duly certified copy of the license issued to said licensee by Washington County, Carter County, or Sullivan County with the city recorder; and, all such licenses, upon annexation and qualification under this part, shall not be transferred from the premises occupied at the time of annexation and qualification under this chapter, any other provision of this code, or other rule, regulation, ordinance or law to the contrary notwithstanding.

_____ Class 4: Wholesale license, which is for a business engaged in the delivery of beer (or high alcohol content beer, where applicable) by a wholesaler to a retailer and which does not allow sales to any persons not holding a retail beverage sales license.

_____ Class 5: Manufacturer/retailer, which is for a business engaged in the manufacture of beer and which sells the aforesaid beer for consumption on the premises or off the premises, providing that the aggregate of such sales shall not exceed the sum of twenty-five thousand (25,000) barrels of beer annually, in accordance with all provisions of Tennessee Code Annotated, chapter 5, title 57, as the same may be amended, which chapter is hereby incorporated in its entirety by reference as fully as if set forth verbatim herein.

14. List names of all general partners, owners, managers and supervisors. Each person listed in the application must submit an Owner/Manager/Supervisor Application

Name: _____	Title: _____
Name: _____	Title: _____
Name: _____	Title: _____
Name: _____	Title: _____
Name: _____	Title: _____

15. Is the applicant delinquent in any tax payments to any governmental agency? _____

16. Any applicant who is residing in the United States must attach to this application proof that the applicant's residency is legal and not in violation of federal law. If the applicant is a business/governmental entity, it must attach to this application proof

that it is authorized to do business in Tennessee. Driver's licenses, photo identification cards from a state or federal agency, and social security cards are not acceptable proof. Proper documentation includes but is not limited to valid Federal immigration documentation, birth certificates, and documents from the Secretary of State showing domestication of a business entity in Tennessee, etc.

17. The applicant acknowledges that no license issued hereunder shall be construed or deemed as vesting a property right in any licensee, but shall instead be deemed a privilege.

18. All applicants shall provide a written plan detailing applicant's employee training program to prevent beer sales to underage patrons, intoxicated patrons, etc. Be as detailed as possible in this response. Provide a list of all measures that the applicant has implemented to teach and/or aid its employees concerning compliance with local and state law regarding beer sales.

CITY OF JOHNSON CITY
BEER LICENSE
AFFIDAVIT

Initial _____: I/we hereby solemnly swear or affirm that each statement in this application is true and correct and understand that if any statement contained herein is false, the license issued is automatically forfeited and voided. Furthermore, that in the event of forfeiture I/we shall not be eligible to receive another license for a period of ten (10) years pursuant to Tennessee Code Annotated § 57-5-105(d).

Initial _____: I/we understand that all applicants are charged with the responsibility of knowing the local and state beer laws. I/we are aware that the penalty for violating state or local beer laws can include revocation or suspension of the license and/or the imposition of civil penalties up to ONE THOUSAND FIVE HUNDRED 00/100 DOLLARS (\$1,500.00) PER OFFENSE.

Initial _____: I/we understand that a requirement of beer license issuance is the permittee(s) and ON-SITE manager(s) who will supervise and/or sell and serve the beer at the establishment must complete alcohol education and training programs.

Initial _____: I/we understand that by submitting this application, a background investigation shall be conducted on the applicant(s), managers, supervisors and servers who will be selling beer at the establishment. It is further understood that any and all documents related to that investigation shall become public record open for public inspection and reproduction pursuant to Tennessee Code Annotated § 10-7-503.

Initial _____: I/we understand that the premises upon which this business is not located within one hundred (100) feet from the center of the front door to the nearest entrance or exit of any school, child day care center, playground, park, church, or other bona fide religious establishment.

Initial _____: I/we hereby release, absolve and hold harmless, the City of Johnson City, the Board of Commissioners, the Johnson City Police Department, and the employees, agents and representatives of all of the foregoing from any and all liability of whatever type for any damages, causes of actions, personal property injuries which may result as a consequence of my application for a beer license, background investigation, release of documents or any other matters related to my application. I/we hereby waive all possible liability of the City of Johnson City, Board of Commissioners, Johnson City Police Department, and the employees, agents and representatives of all the foregoing as stated above.

Initial _____: I/we understand that no person whose duties shall be serving or completing the application shall have been convicted of committing any state or federal felony, violating any DUI/DWI/implied consent laws, or violating any criminal law regarding theft, burglary, violence, child abuse, spousal abuse, prostitution, or pandering within the ten (10) year period next preceding the date of application.

Initial _____: I/we understand if any information given in the application subsequently changes, I/we will immediately notify the Finance Department.

Initial _____: I/we understand that if the business closes down, relocates, or there is ANY change in the ownership of the business, the license will be surrendered to the Finance Department within fifteen (15) days of said change for appropriate action.

Initial _____: I/we affirm that I/we have not had a license for the sale of alcoholic beverages or controlled substances revoked or suspended by the City of Johnson City, Tennessee.

Initial _____: I/we assume full responsibility for the permit and will be accountable for full compliance with the laws of Johnson City and the State of Tennessee in the sale of beer.

Initial _____: I/we have read the foregoing release. I/we fully understand its provisions, and voluntarily consent to abide by its requirements.

Initial _____: I/we acknowledge and understand that the fees paid for the beer permit application process are non-refundable.

The undersigned is the applicant or the bona fide and qualified agent/representative of the corporate applicant.

Applicant Signature or Agent/Representative

Date: _____

Signature of Responsible Party

Date: _____

Sworn to and subscribed before me on this _____ day of _____, _____, Notary Public: _____ My Commission Expires: _____
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**CITY OF JOHNSON CITY
BEER LICENSE
OWNER/MANAGER/SUPERVISOR APPLICATION**

Reason for Application: New Application Manager Change or Addition

1. Owner/Manager Name: _____
2. Home Address: _____ City _____ State _____ Zip _____
3. Home Phone: _____ Cellular Phone _____ Email _____
4. Driver's License # _____ State _____ Expire Date: _____
5. Date of Birth _____ Social Security # _____ - _____ - _____
6. Local Business Name _____
7. Local Business Address: _____ Business Phone: _____
8. Have you ever been convicted of any violation of liquor and/or beer laws, felonies, or any crime involving moral turpitude, within the last ten years, or do you have any charges **currently pending**? Yes No
If yes, give particulars of each charge, including city, county, state, court and date:

9. Have you ever had a beer permit revoked, suspended, or denied? Yes No
If yes, explain: _____
10. Have you ever been convicted of any misdemeanors (Speeding, DUI, Simple Assault, etc.) within the last ten (10) years or have any charges currently pending? Yes* No
***If yes, give particulars of each charge, including city, county, state court and date:**

11. Do you understand both the state laws and the local laws regulating storing, selling, serving and distributing beer in the City of Johnson City? Yes* No

AFFIDAVIT

Initial _____: I hereby solemnly swear or affirm that each statement in this application is true and correct and agree that if my statement is false, the permit issued may be revoke by the City Commission, upon notice and hearing, and that the burden is on the permittee to prove the correctness of all the statements in this application.

Initial _____: I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated §10-7-503.

Initial _____: I understand that by submitting this application, a background investigation shall be conducted and any and all documents related to my investigation shall become public records.

Initial _____: I hereby release, absolve and hold harmless, the City of Johnson City, the Board of Commissioners, the Johnson City Police Department, its employees, agents and representatives, from any and all liability of whatever type for any damages, causes of actions, personal or property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or any other matters related to employees, agents and representatives as stated above.

Initial _____: I have read and understand the foregoing Release and understand its provisions and voluntarily consent to abide by its requirements.

Signature of Applicant Date: _____

Sworn to and subscribed before me on this _____ day of _____, _____,
Notary Public: _____
My Commission Expires: _____

**CITY OF JOHNSON CITY
BEER LICENSE
NOTICE OF ACTION CONTACT**

To receive notice of actions of the City of Johnson or the Board of Commissioners and to accept service of process, please provide the name of the individual, their position with the applicant (owner, manager, etc.) and their address (may be business location).

BEER PERMIT APPLICATION:

Business Name: _____

Business Location: _____ Zip _____

PERSON RESPONSIBLE TO RECEIVE SERVICE OF PROCESS:

Name: _____ Title: _____

Address: _____ City _____ Zip _____

CERTIFIED MAILING ADDRESS:

Name: _____

Address: _____ City _____ Zip _____

CITY OF JOHNSON CITY
BEER LICENSE
Guidelines for Server Training Plan

Your Server Training Plan is an important piece of your application. A detailed Server Training Plan gives the Board of Commissioners insight on how you plan to eliminate underage alcohol sales and prevent over serving customers. As you are writing a Server Training Plan, be sure to consider the type of business you are and the environment you will be serving. If you are serving in an area with a lot of underage traffic, you should consider providing more specific detail on how you will prevent service to minors. Additional detail may be needed if you are serving off premises or on premises, as well as if you are a special event. It's important to address any potential concerns that could be unique to your business, environment, or special event in your Server Training Plan.

Ultimately, your Server Training Plan should describe how you intend to prevent sales or service of alcohol to people who are underage or impaired. There are different types of beer permits, so depending on the type of permit, Server Training Plan may contain different elements.

Elements of your plan may include, but are not limited to, the following:

- Compliance training for servers/clerks/management/new hires;
- Frequency of compliance training;
- Signage visible to customers and staff that communicate laws and policies on drinking;
- Policy & procedure for checking IDs;
- Point-of-sale use of scanners/computers/calendars to confirm customer is a legal drinking age;
- Daily process for servers going over proper sale procedures;
- Frequency of checking IDs;
- Procedure for catching fake IDs;
- Procedure for preventing over serving alcohol;
- Procedure to refuse service or sale of alcohol;
- Use of wristbands or other indicators for age 21 and over customers;
- Number of alcoholic beverages that may be served at one time to a customer;
- Corrective action plan for employees who violate your alcohol policies and/or laws;
- Plan of how the public areas of your business will be monitored to prevent minors from obtaining alcohol served to other patrons;
- Internal compliance checks;
- Any other elements you may have.