

**CITY OF MAYNARDVILLE BEER PERMIT
INFORMATION & APPLICANT CHECKLIST**

This application must be completely filled out before it is turned in with permit application fees (**non-refundable**) and the requirements listed. 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. Applicant must make appointments for the required inspections by city and county offices after application is filed. The Beer Board may deny an application for any incorrect, inaccurate or false information provided; at the least, the Board may delay action on an application for any information it finds unacceptable. Copies of licenses and documents must be submitted with the completed beer permit application to the City Recorder, City of Maynardville, 125 Johnson Road, P. O. Box 217, Maynardville, Tennessee 37807. Please contact this office at (865) 992-3821 with any questions about the application process. Each application must be signed and notarized. **After application and payment are received, all owners and managers must go to the Maynardville Police Department for records checks, fingerprints and photographs – the Beer Board will NOT consider applications without records checks.** The owner shall list the local manager(s) responsible for operations. Any change in management must be reported and a manager application submitted to the City Recorder. A new manager is subject to a background check and applicable fee. Applicant may not have been convicted of any crime involving moral turpitude or violation of any alcoholic beverage law within the ten (10) years prior to applying for permit.

A permit is valid only for the business(s) of the owner named in the permit at the named location. Permits are issued to the owner of the business, whether a person, firm, corporation, joint-stock company, LLC, etc. A beer permit is not transferable from owner to owner or location to location. A permit is for a single location only 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. On-premise permits require establishments to be a minimum distance of 300 feet from any church, school, day care, hospital or funeral home, measured building line to building line; off premise required 50 feet of distance. **The applicant MUST provide this information in the application document and is accountable for providing complete and accurate information.** When an owner is planning to operate two or more restaurants or other businesses within the same building, the owner may, in his or her discretion, operate some or all of such businesses under the same permit if conditions for consumption are identical. Beer permit approval is restricted to sites in compliance with current Maynardville building codes; owners for sites that have been condemned need not apply. **If approval is subject to final documentations, you are not allowed to sell beer. A permit will be issued only upon receipt of appropriate documentation within ninety days of approval date or beer permit is void unless further action is taken by the Beer Board.**

After application is filed, it is the applicant's responsibility to arrange for any required building, fire and health inspections. Additional information for obtaining these inspections is provided at the time the beer permit application is filed. The city will place a public notice in a paper of general circulation. This notice will run one (1) time at least ten (10) days prior to the Beer board meeting. In addition, a notice will be posted by MPD at the establishment at least ten (10) days prior to the Beer Board meeting. A \$100.00 annual privilege tax is required which is due each January 1. New permittees will pay a prorated annual tax. A permit holder must surrender the beer permit to the City Recorder within fifteen (15) days of termination of the business, change in ownership, relocation of the business or change in the business name. A change in ownership for a corporate owner occurs when at least fifty percent (50%) of the stock of the corporation is transferred to a new owner. Use the form on the reverse side of the beer permit for surrendering purposes.

The Beer Board meets once a month when there is business to come before the board prior to the regular meeting of Board of Commissioners. The following items must be completed and copies provided (if applicable) before the meeting to ensure consideration of the application. **Remember, the completed application MUST BE SUBMITTED to the City Recorder's Office BY THE FIRST DAY OF THE MONTH in order to appear on that month's agenda.**

- New application completed & submitted to the City Recorder's office:
 Agenda Date (Beer Board Meeting): _____ @ _____ p.m., City Hall, 125 Johnson Road, P. O. Box 217, Maynardville, Tennessee 37807
 (Owner or Manager **must** be present at meeting for consideration of permit)
- Permit application fee paid (**all fees non-refundable**)___\$250.00
- Records check(s) ___ @ \$30.00 each = \$ _____ MPD, 125 Johnson Road, Maynardville, Tennessee 37807. Phone (865) 992-3821 for appointment.
****BEER BOARD WILL NOT CONSIDER APPLICATIONS WITHOUT RECORDS CHECKS****
- Publication fee paid (publication ten (10) days prior to meeting)..... \$25.00
- Current city business license..... \$20.00
- Copy of Union County business license (\$20.00 fee-County Clerk's office, Union County Courthouse: (865) 992-8043.
- Certificate of Zoning and, if applicable, Use on Review Approval from MPC
 (Maynardville Planning Commission: (865) 992-3821)
- Copy of Corporate Charter, LLC, etc. (if applicable)
- Building Inspector's approval (**Contact office for appointment: (865) 992-3821 after filing application**)
- Fire Prevention Bureau approval (**Contact office for appointment: (865) 992-3821 after filing application**)
- Union County Health Department approval (**Contact office for appointment: (865) 992-3867 after filing application**)
- Copy of Certificate of Registration for Tenn. Sales Tax (State Office Building, 531 Henley Street: (865) 594-6100)
- Final payment from former ownership: _____

**CITY OF MAYNARDVILLE
APPLICATION FOR BEER PERMIT**

STATE OF TENNESSEE

COUNTY OF UNION

(It is the applicant's responsibility to provide complete and accurate information. The Beer Board could delay action on the application if any information is not accurate).

I/we hereby make application for a permit to sell, store, or distribute beer or other beverages authorized to be sold, stored or distributed under the provisions of the City of Maynardville beverages ordinance, Title 8 and base my application upon the answers to the following questions:

1. Reasons for application: New Business New Ownership Name Change Other

2. Name of business owner(s): _____
3. Is owner a: Corporation? General Partnership? Limited Partnership? LLC? Sole Proprietorship?
4. Under what name will the business operate? _____
5. Business address: _____ Zip _____ Phone (865) _____
6. Property owner's name: _____ Phone _____
7. Type of business you will operate: _____
8. List names of **all** general partners and owners and **designate PERCENTAGE of ownership**. (Use additional paper if necessary.) Each person owning 5% or more of the business must complete an owner/manager application (attached) and submit to a City of Maynardville Police Department background check. If ownership is a corporation, please indicate whether the corporation is privately held or publicly traded. If privately held, each person owning 5% or more of the corporation must complete an owner/manager application and submit to a City of Maynardville Police Department background check.
9. List the name(s) of managers or others on-site responsible for operations. Any change in management **must** be reported to the City Recorder. A new manager is subject to a background check and applicable fees. Each individual listed must complete an owner/manager application and submit to a City of Maynardville Police Department background check.
10. What is the **NAME AND ADDRESS** of the church, school, funeral home, and hospital nearest your business? Complete **ALL** lines. (You may want to drive or walk the area around the business location to determine which facilities are closest. You will be held accountable for the information provided). Must be filled in completely – no exceptions.

Church: _____

School/Day care: _____

Funeral Home: _____

Hospital: _____

11. Directions to your place of business, including any landmarks: _____

12. List machines currently in use or planned for use on premises and **owner** of machines (cigarette, pinball, jukebox, etc.)

13. Type of permit requested:

Off premise On/Off premise On/Off premise w/dancing Manufacturer/Distributor

14. The City requires the applicant to designate an individual **residing within Union County** to receive notice of actions of the City or the Beer Board 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). Note that the applicant is required to notify the City in accordance with Section ____ if there is any change in this information. In addition to a local address, please provide an address to which certified mail may be sent.

Date: _____

BUSINESS NAME: _____

BUSINESS LOCATION: _____

Name: _____

Position: _____

Address: _____

Certified Mailing Address: _____

CITY OF MAYNARDVILLE
BEER PERMIT APPLICATION AFFIDAVIT

1. 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 permit issued is automatically forfeited and voided. Furthermore, that in the event of forfeiture I/we shall not be eligible to receive another permit for a period of ten (10) years pursuant to Tennessee Code Annotated § 57-5-105(d).
2. 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 permit and/or the imposition of civil penalties up to TWO THOUSAND FIVE HUNDRED 00/100 DOLLARS (\$2,500.00) PER OFFENSE.
3. I/we understand that if the business allows illegal gambling on the premises that the beer permit will be subject to revocation.
4. I/we understand that by submitting this application, a background investigation shall be conducted on the applicant(s) and on all ON-SITE managers who will be selling beer at the permitted 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.
5. I/we understand that a requirement of maintaining good status standing with the Maynardville Beer Board, is that I/we must notify the City Recorder's office each time there is a change in the on-site manager responsible for selling the beer.
6. I/we hereby release, absolve and hold harmless, the City of Maynardville, the Maynardville Beer Board, the Maynardville Police Department, its employees, agents and representatives 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 permit, background investigation, release of documents or any other matters related to my application. I/we hereby waive all possible liability of the City of Maynardville, Maynardville Beer Board, Maynardville Police Department, its employees, agents and representative as stated above.
7. I/we agree that the hiring of an employee who has been convicted within the past ten (10) years of any law relating to the sale, possession, manufacture or transportation of intoxicating beverages, including beer, as defined by City of Maynardville Code Section 8-101 or the hiring of an employee who has been convicted of any felony or crime involving moral turpitude within the past ten (10) years will be cause for possible revocation of the beer permit.
8. I/we understand if any information given in the application subsequently changes, I/we will immediately notify the Maynardville Beer Board c/of the City Recorder.
9. I/we understand that if the business closes down, relocates, or there is ANY change in the ownership of the business, the permit will be surrendered to the City Recorder within 15 days of said change for appropriate action.
10. I/we assume full responsibility for the permit and will be accountable for full compliance with the laws of Maynardville and the State of Tennessee in the sale of beer.

11. I/we have read the foregoing release. I/we fully understand its provisions, and voluntarily consent to abide by its requirements.
12. I/we acknowledge and understand that the fees paid for the beer permit application process are non-refundable.
13. The undersigned is the application or the bona fide and qualified agent/representative of the corporate applicant.

Applicant Signature or Agent/Representative: _____ Date: _____

Co-Applicant: _____ Date: _____

Co-Applicant: _____ Date: _____

Sworn to and subscribed before me this ____ day of _____, 20__.

Notary Public: _____

My Commission Expires: _____

CITY OF MAYNARDVILLE

BEER PERMIT OWNER/MANAGER APPLICATION

- Reason for application: New application Manager change or addition
1. Name _____ Owner-*Percentage of Ownership* _____ Manager
 2. Home address _____ City _____ State _____ Zip _____
 3. Home phone _____ Date of Birth _____ Social Security # _____
 4. Drivers license # _____ State _____
 5. Local business name _____
 6. Local business address/ZIP _____ Business Phone: _____
 7. 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
 8. Have you ever had a beer permit revoked, suspended, or denied? Yes No
Is yes, explain: _____
 9. 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:** _____

 10. Do you understand both the state laws and the local laws regulating the sale and distribution of beer in the City of Maynardville? Yes No
 11. Do you understand that **allowing illegal gambling** on the premises will subject the permit to revocation? Yes No

AFFIDAVIT

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 revoked by the Beer Board, upon notice and hearing, and that the burden is on the permittee to prove the correctness of all the statements in this application.

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.

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.

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

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 this _____ day of _____, 2007.

Notary Public: _____

My commission expires: _____