

APPLICATION

TO THE BEER BOARD OF THE TOWN OF GREENEVILLE, TENNESSEE

For Off Premise Consumption - \$250.00 fee For On Premise Consumption - \$250.00 fee

THE UNDERSIGNED hereby make/s application for the permit to possess, store, sell, distribute, transport and/or manufacture beer and/or ale of an alcoholic content of not more than 5% by weight in the Town of Greeneville, Tennessee, and in support of such application makes the following statements:

FIRST. That hereinafter referred to as "applicant," is/are the sole owner/s of such business; that every person having any interest in such business is a Legal Resident of the United States for a minimum of 5 years, or in the event the owner is a corporation, that said corporation is authorized to do business in the State of Tennessee.

SECOND. That no person will be employed in such business who is not a Legal Resident of the United States.

THIRD. That neither the applicant nor any person employed by him in such business has been convicted of any violation of the laws against possession storage, sale, distribution, transportation, or manufacture of intoxicating liquor, or any crime involving moral turpitude within the past ten years.

FOURTH. That no sale will be made to a minor; that minors will not be permitted to consume beer or ale on the premises; that minors will not be permitted to loiter on the premises; and that minors will not be employed in the storage, sale, distribution, or manufacture of such beverages.

FIFTH. That no sale will be made to a person who is intoxicated, feeble minded, insane or otherwise mentally incapacitated.

SIXTH. That no storage, sale, or distribution of such beverages will be permitted at a place where billiards or pool is played except in accordance with Title 5, Chapter 5 of the Municipal Code of the Town of Greeneville, Tennessee.

SEVENTH. An annual inspection of the On Premise Permit Holders to ensure compliance with Building & Fire Codes, prior to renewal of \$100 Privilege Tax on January 1.

EIGHTH. That the storage, sale, or distribution of such beverages will be so handled and the business so conducted as not to cause congestion of traffic, or interfere with schools, churches, or other places of public gathering, or otherwise interfere with public health, safety and morals.

NINTH. That in the place of business where such beverages will be stored, sold or distributed, the consumption of any beverages with alcoholic content of more than 5% by weight will not be allowed.

TENTH. That applicant will provide proper sanitary facilities in his place of business.

ELEVENTH. That such place of business is located at No. Street, Greeneville,

Tennessee; that the building containing the premises is owned by ; and that no other business is conducted on the premises except

TWELFTH. That applicant, in the event beer or ale is sold for consumption on the premises, will provide proper visibility in the front windows of such place of business of a height from the pavement of at least five feet.

THIRTEENTH. That gambling in any form will not be permitted on the premises.

FOURTEENTH. That in the place of business where such beverages will be stored, sold or distributed, no loud, unusual, or obnoxious noises will be allowed and that the applicant will conduct such place of business otherwise in an orderly, peaceable and lawful manner.

The applicant further states that the business will be (retail) (wholesale)

This the day of 20.....

Applicant

Person who will conduct business

STATE OF TENNESSEE
COUNTY OF GREENE

..... makes/s oath that the statements contained in the foregoing application signed by him/them are true.

Sworn to and subscribed before me, this the day of 20.....

Clerk

Upon Consideration of the foregoing application the same is hereby

This the day of 20.....

Recorder

BEER BOARD OF THE TOWN OF GREENEVILLE, TENNESSEE

- 1) Attach proof of legal residence of the United States for a minimum of 5 years, i.e. Birth Certificate, Passport, Green Card, other.
- 2) In the event that owner is a corporation, attach proof that said corporation authorized to do business in the State of Tennessee and agent is authorized to act for said corporation.
- 3) Attach picture ID, i.e.: driver's license, passport, other.

APPLICATION FOR BEER PERMIT

1. If Corporation - name officers and complete following on each officer.

Name _____ Phone #: _____
 Address _____ Social Security #: _____
 Age _____ Date of Birth _____ Wife's maiden name _____
 Married _____ Educational Level _____
 Do you have children? _____ How many _____
 Citizenship/Legal Resident: _____
 Present Employer _____
 Address: _____

2. Previous Employer:

A. _____ From: _____ To: _____
 Address _____
 B. _____ From: _____ To: _____
 Address _____
 C. _____ From: _____ To: _____
 Address _____

3. Have you ever sold beer before or had a beer permit? If so where?

4. Have you ever been convicted of a crime, misdemeanor or other offenses in the past ten (10) years? If so, state when, where, charge and disposition of case.

5. Previous address for last ten (10) years.

6. References:

Name	Address	Phone Number
A. _____	_____	_____
B. _____	_____	_____
C. _____	_____	_____

I certify the above to be true and correct to the best of my knowledge. I hereby authorize the Town of Greeneville through a designated officer to obtain law enforcement records, personal history and information as to my character and reputation to be released regarding my background investigation of your choice.

SIGNED: _____

DATE _____

- 1) Attach proof of legal residence of the United States for a minimum of 3 years, i.e. Birth Certificate, Passport, Green Card, other.
- 2) In the event that owner is a corporation, attach proof that said corporation authorized to do business in the State of Tennessee and agent is authorized to act for said corporation.
- 3) Attach picture ID, i.e.: driver's license, passport, other.

APPLICATION FOR BEER PERMIT

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Address _____ Social Security #: _____
Age _____ Date of Birth _____ Wife's maiden name _____
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Educational Level _____ How many _____
Do you have children? _____
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SIGNED: _____

DATE _____

**WE
I.D.**



**WE
I.D.**

It's not always easy to tell if someone is legally old enough to purchase alcohol beverages. That's why it is important to always ask for an I.D. if you are unsure. *But don't stop there.* Take a few extra moments to check the authenticity of the I.D. Phony or altered driver's licenses are illegal, and can cause real problems for those of us who serve and sell alcohol beverages. So join the fight against illegal underage drinking . . . Always ask for an I.D. and check it carefully.

The guidelines on the reverse side of this card can help you verify the authenticity of a driver's license.

The Beer Institute and National Beer Wholesalers' Association wish to thank Roger Johnson of the Wisconsin State Dept. of Revenue, Alcohol & Tobacco Enforcement Section for developing and sharing these tips to help spot fake I.D.'s.

WHAT TO LOOK FOR:

- **The card's expiration date.** Do not accept the license if the date is expired.
- **The word "duplicate" on the card.** Someone else may have the original card.
- **Glue lines or bumpy surfaces by the picture or birth date.** Uneven surfaces often indicate tampering.
- **Consistency of numbers.** The typeset for the birth date and expiration date should match the lettering used on the rest of the license. Also look for tiny pieces of paper with modified dates placed *over* the original numbers.
- **The state logo.** A state seal or logo that is partially missing or appears altered is another clue to a fake card.
- **Pin holes on the surface.** Bleach may have been inserted to "white out" certain aspects of a date.
- **The card's reverse-side lettering.** While the front may appear flawless, often counterfeiters merely photocopy the reverse side. Look for blurred lettering.
- **Size, color, lettering, thickness and corners.** Compare the questionable I.D. against a "standard" — your own valid driver's license.

- **Someone else's card.** Make sure the photo, height and weight on the card match the person in front of you.

- **If it is an out-of-state license, or for any reason looks unfamiliar to you, use an I.D. checking guide.** This is especially important in college and tourist communities.

WHAT TO ASK IF YOU SPOT ANY ONE OF THESE PROBLEMS:

- **Ask for a second piece of I.D.** People with fake I.D.'s rarely carry back-up identification.
- **Quiz the card holder about basic information on the card,** such as birth date, middle initial, zip code, etc.

BOTTOM LINE:

If you are not absolutely convinced that the card is authentic, do not serve the customer.

NOTICE

TO BEER PERMIT HOLDERS IN THE TOWN OF GREENEVILLE, TENNESSEE

ANNUAL PRIVILEGE TAX IS DUE JANUARY 1.

An annual tax on the privilege of selling, distributing, storing, or manufacturing beer was levied by STATE OF TENNESSEE public Chapter 297 of the Acts of 1993. The amount of this tax is ONE HUNDRED DOLLARS (\$ 100.00). This tax is due on January 1, for current Beer Permit holders. For new Beer Permit holders, the permit holder shall be required to pay the privilege tax on a prorated basis for each month or portion thereof remaining until the next January 1st. All businesses with a beer permit located inside the incorporated limits of any city or town in Tennessee are required to remit to the recorder of the Town in which the business is located the full amount of tax due. The tax may be paid at the office of the Town Recorder at Town Hall in Greeneville, Tennessee, or the tax may be paid by check payable to the Town of Greeneville, Tennessee and mailed to the following address:

Town of Greeneville
200 North College Street
Greeneville, TN 37745

**FAILURE TO PAY THIS TAX WILL RESULT IN
VOIDING YOUR BEER PERMIT AS REQUIRED BY
CHAPTER 297 OF THE PUBLIC ACTS OF 1993, STATE
OF TENNESSEE.**

NOTICE

PUBLIC CHAPTER 424, ACTS OF 1991 REQUIREMENTS FOR HOLDERS OF BEER PERMITS TO SHOW PROOF OF SALES TAX REGISTRATION BECAME EFFECTIVE MAY 22, 1991.

Beer Permit holders are required to submit a copy of the actual Sales Tax Registration Certificate (Form # 13-002-0104).

A copy of your registration certificate must be on file prior to issuance of permit. Please send a copy of your registration certificate to:

Recorder's Office
Town of Greenville
200 North College Street
Greeneville, TN 37745

CHAPTER 2

BEER

SECTION

- 2-201. Beer board created.
- 2-202. Beer board; organization; meetings.
- 2-203. Powers and duties of the beer board.
- 2-204. Procedures of board.
- 2-205. "Beer" defined.
- 2-206. Permit required for engaging in beer business.
- 2-207. Applications; time for filing; requisites.
- 2-208. Application to be filed; open to inspection; forfeiture of permit for false statement.
- 2-209. Classes of permits.
- 2-210. Grounds for denial of permit.
- 2-211. Class "A" and "B" permits; prohibited within certain areas.
- 2-212. Posting of permit.
- 2-213. Legal hours of sale.
- 2-214. Permit may be suspended or revoked for cause.
- 2-215. Transfer of ownership; notice to board.
- 2-216. Application of new owner.
- 2-217. Temporary permit; application issue by town recorder.
- 2-218. Expiration and renewal of permit; surrender to board.
- 2-219. Restrictions on permit holder.
- 2-220. Wholesalers and manufacturers to sell, etc., only to retailers.
- 2-221. Purchase of beer by person under twenty-one (21) years of age prohibited.
- 2-222. Application fees.
- 2-223. Privilege tax.
- 2-224. Each violation constitutes a separate offense.
- 2-225. Penalty.
- 2-226. Prior permit holders.
- 2-227. Fire and building inspections and code compliance.
- 2-228. Additional provisions relevant to Class C permits.

2-201. Beer board created. There is hereby created a board, which shall be known and designated as the Beer Board of the Town of Greeneville, Tennessee. Such board shall be composed of the Mayor and Alderman of the Town of Greeneville, Tennessee.

2-202. Beer board; organization; meetings. The mayor shall serve as chairman of the board, and the town recorder shall act in the capacity of secretary to the board for the purposes of keeping minutes in permanent form and for keeping a record of the action of the board with respect to every application for a beer permit. The presence of a majority of the members shall constitute a quorum and the concurring vote of the majority present at any meeting of the board shall be necessary to approve or revoke any beer permit. The minute book of the board shall be a public record, and shall become a part of the records of the town to be kept by the town recorder.

All meetings shall be open to the public; shall be held in the town hall at an hour fixed; and may by regular meetings or special called meetings upon the call of the mayor and in compliance with the sunshine law provisions of Tennessee Code Annotated.

2-203. Powers and duties of the beer board. The beer board shall have the power, and it is hereby directed, to regulate the selling, storing for sale, distributing, and manufacturing of beer within this municipality in accordance with the provisions of this chapter.

2-204. Procedures of board. The beer board is authorized and empowered to adopt such reasonable rules and regulations as a majority thereof may deem necessary and proper for the operation and supervision of the business of the permittee in conformity with the provisions of this chapter.

2-205. "Beer" defined. The term "beer" as used in this chapter and elsewhere in the municipal code shall have the same meaning as this term is defined by Tennessee Code Annotated, § 57-5-101(b).

2-206. Permit required for engaging in beer business. It shall be unlawful for any person to sell, store for sale, distribute for sale, or manufacture beer without first making application to and obtaining a permit from the beer board. The application shall be made on such form as the board shall prescribe and/or furnish, and pursuant to Tennessee Code Annotated, § 57-5-101 (b) and shall be accompanied by a non-refundable application fee of two hundred and fifty dollars (\$250.00). Said fee shall be in the form of a cashier's check payable to the Town of Greeneville. Each applicant must be a person of good moral character and certify that he has read and is familiar with the provisions of this chapter.

2-207. Applications; time for filing; requisites. All applications for a beer permit shall be made on a form prescribed by the board in conformity with the requirements of this section.

Each beer licensee must receive a permit for each employee of his place of business and must file an application with the board, or its authorized

representative, showing that all of the laws with reference to a person serving alcoholic beverages have been complied with.

All applications for any permits required hereunder shall be verified by oath or affidavit and shall establish the following:

- (1) That neither the applicant nor any person or persons employed by him in such distribution or sale has been convicted of any violation of the statutes of the State of Tennessee prohibiting the possession, sale, manufacture or transportation of intoxication liquors or any other crime involving moral turpitude, in the past ten (10) years;
- (2) That no sale shall be made to persons under twenty-one (21) years of age, nor shall minors be employed directly in the sale or distribution of such beverages;
- (3) That no minor shall be allowed to loiter about the applicant's premises;
- (4) That no sale shall be made to persons intoxicated or who are feeble-minded, insane or otherwise mentally incapacitated;
- (5) That the applicant is of good character and has a sufficient legal interest in a suitable location as to entitle the applicant to conduct the sale of beer at such place of business;
- (6) That in the place of business where such beverages will be sold or distributed, no loud, unusual or obnoxious noises shall be allowed, and the applicant shall conduct such place of business otherwise in an orderly, peaceful, and lawful manner;
- (7) That no sale or distribution of such beverages shall be made at place where such sale or distribution will cause congestion of traffic or interference of schools, churches or other places of public gathering, or will otherwise interfere with public health, safety and morals;
- (8) That in the place of business where beer will be sold or distributed, the consumption of any alcoholic beverage other than beer shall not be allowed, except in places that hold valid licenses for the sale of liquor by the drink issued by the Alcoholic Beverage Commission of the State of Tennessee;
- (9) That, in the place of business where such beverages are sold for consumption on premises, proper sanitary facilities for both sexes shall be provided;
- (10) That proper visibility in the front windows shall be maintained from a height over the pavement of at least five (5) feet, provided, however, that this provision shall apply only to places of business operated for the sale of such beverages for consumption on the premises;
- (11) That gambling in any form shall not be permitted on the premises; and
- (12) That the person so applying will conduct the business in person, or if he is acting as agent for any other person, firm, corporation or association,

the name or names of the owners of such business, together with their addresses and the nature of the firm, corporation or association for whom the applicant is acting.

2-208. Application to be filed; open to inspection; forfeiture of permit for false statement. The application shall at all times be kept on file by said board and shall be open to inspection of the general public, and any person, firm, corporation or association making any false statement of the material facts in the application shall forfeit the permit and shall not be eligible to receive any permit for a period of ten (10) years thereafter.

2-209. Classes of permits. There shall be four (4) classes issued by the beer board, as follows:

- (1) Class A. A permit to one for the manufacture, possession, storage, sale, distribution and transportation of such beverages where they are not to be consumed by the purchaser upon or near the premises of such person.
- (2) Class B. An "on-site" permit for the sale of such beverages where they are to be consumed upon the premises of such seller.
- (3) Class C. A temporary "special event" permit for a bona fide charitable or nonprofit organization for the sale (or gift) and service of such beverages to be consumed upon the premises specified in the permit.
- (4) Class D. A cater permit for the sale (or gift) and service of such beverages to be consumed upon the premises of a catered event.

2-210. Grounds for denial of permit. No application for permit for the sale of beer shall be approved where, in the reasonable determination of the board, such sale would cause a dangerous congestion of traffic or interfere with the peaceful and orderly operation of schools, churches, playgrounds, parks or other places of public gathering, or where the applicant has once held a permit and it has been revoked less than one (1) year from the time of his present application, or where it would otherwise interfere with the public health, safety and morals.

2-211. Class "A" and "B" permits prohibited within certain areas. No class "A" or "B" permit shall be issued to an applicant for any location that is within two hundred (200) feet from any church, public or private primary or secondary school (including a vocational school for any such grade), or public recreational facility (including parks and playgrounds). In determining the distance under this section, measurement shall be from the center of the nearest entrance of a structure used by a church or school, or in the case of a public recreation facility the nearest point in the property line of such facility, following a straight line, to the center of the main entrance of the building for which the permit is sought.

This section shall not be applicable to any property zoned B-2 as

described in the zoning ordinance of the town; nor shall it be applicable to a holder of a permit prior to the enactment of this chapter, provided said permit is renewed in accordance with the provisions of this chapter and neither lapses, nor is revoked, nor ownership is transferred.

2-212. Posting of permit. The permit, showing the payment of fee, issued shall be conspicuously posted in the house, building, room or place where the business authorized by the permit is conducted.

2-213. Legal hours of sale. It shall be lawful for any person, firm, corporation or association having a permit or license to engage in the business regulated by this chapter to sell or distribute, dispense or deliver, or permit the consumption on or removal from the premises where same is sold beer within the corporate limits of the Town of Greeneville twenty-four (24) hours per day, seven (7) days per week, including on any day which an election is held. The foregoing shall not apply to a Class C permit; the provisions of § 2-228(5) shall govern Class C permits.

2-214. Permit may be suspended or revoked for cause. (1) All permits issued by the beer board under the provisions of this chapter shall be subject to suspension or revocation by said board for the violation of any of the provisions of this chapter.

(2) The board created by this chapter is vested with full and complete power to investigate charges against any permit holder and to cite any permit holder to appear and show cause why his permit should not be suspended or revoked for the violation of the provisions of this chapter.

(3) Complaints filed against any permit holder for the purpose of suspending or revoking such permit shall be made in writing filed with the board. When the board shall have reason to believe that any permit holder shall have violated any of the provisions of this chapter, the board is authorized, in its discretion, to notify the permittee of said violations and to cite said permittee by written notice to appear and show cause why his permit should not be suspended or revoked for such violation. Said notice to appear and show cause shall state the alleged violation as charged, and shall be served upon the permittee either by registered letter or by a member of the Police Department of the Town of Greeneville, Tennessee. The notice shall be served upon the permittee at least ten (10) days before the date set for the hearing. At the hearing, the board shall publicly hear the evidence both in support of the charges and on behalf of the permittee. After such hearing, if the charges are sustained by the evidence, the board may, in its discretion, suspend or revoke said permit. The action of the board in all such hearings shall be final, subject only to review by the court as provided in Tennessee Code Annotated, § 57-5-109. When a permit is revoked, no new permit shall be issued hereunder

for the sale of beer at the same location until the expiration of one (1) year from the date said revocation becomes final.

2-215. Transfer of ownership; notice to board. Any person, firm or corporation holding a permit under this chapter who proposes to transfer the business operated under the permit to any other person, firm or corporation with the intention or the expectation that the buyer will engage in the business of selling beer at the same location shall be required to notify the beer board of such intention to transfer the business.

2-216. Application of new owner. The board shall be furnished with the name of the proposed buyer, who shall be required to make application for a permit to the board. Such application shall conform to the requirements for other applications for permits as set out in this chapter.

2-217. Temporary permit; application issue by town recorder. In the event a proposed buyer acquires the business operated under this permit, and such transfer is to become final upon condition that the buyer obtains a regular beer permit, the buyer may obtain a temporary permit from the town recorder upon the determination of the town recorder that the buyer is about to comply with this chapter. Such temporary permit shall be valid only until the first meeting of the beer board is held after the issuance of said temporary permit and in no event shall such temporary permit be valid more than twenty-one (21) days from the date of issuance. The holder of a temporary permit shall be subject to all restrictions and penalties provided for regular permit holders by this chapter. Temporary permits shall not be issued, except for premises for which the beer permit has been issued to another owner or operator at the times application is made for such temporary permit.

2-218. Expiration and renewal of permit; surrender to board. Any permit, excluding temporary permits, issued for the sale of beer under this chapter shall remain in full force and effect for a period of one (1) year from the date of issuance, expiring at twelve o'clock midnight. In the event a holder of a permit shall cease to operate his business for which said permit was issued, the permit shall become invalid and void at twelve o'clock midnight of the date on which the holder ceases to operate the business. Said licensee shall within five (5) days thereafter surrender said permit to the town recorder.

Renewal of a permit upon the expiration of same shall be done likewise in accordance with the provisions of this chapter.

2-219. Restrictions on permit holder. It shall hereafter be unlawful for any person, firm, corporation or association to engage in the business regulated hereunder to make or permit to be made any sales or distribution of such beverages to persons under twenty-one (21) years of age; to allow any minor to

loiter about such place of business, and the burden of establishing the age of any such minor shall be upon the owner or operator of such place of business; to employ minors directly in the sale of such beverages; to sell or distribute such beverages to persons who are feeble-minded, intoxicated, insane or otherwise mentally incapacitated; to employ any person who has been convicted of any violation of the state statutes prohibiting the sale, possession, manufacture and transportation of alcoholic beverages or any other crime involving moral turpitude within the past ten (10) years.

2-220. Wholesalers and manufacturers to sell, etc., only to permit holders. It shall be unlawful for any wholesaler, distributor or manufacturer of beer, or any of their salesmen or representatives, to sell or deliver beer in or out, or from delivery vehicles, to any persons other than holders of valid permits and it shall be the duty of such wholesaler, distributor or manufacturer, their salesman or representatives, to ascertain whether or not such purchaser is a holder of a valid beer permit.

2-221. Purchase of beer by persons under the age of twenty-one (21) years prohibited. It shall be unlawful for any person under the age of twenty-one (21) years to purchase or attempt to purchase any beverage regulated hereunder, or to present or offer to permittee, his agent or employee, any written evidence of his age which is false, fraudulent, or not actually his own, for the purpose of purchasing or attempting to procure such beverage. It shall also be unlawful for any person to purchase beer for a person under the age of twenty-one (21) years.

2-222. Application fees. All applications for the issuance of beer permits by the beer board shall be accompanied by an application fee in the amount specified by Tennessee Code Annotated, § 57-5-104(a). Where the permit sought is denied, the application fee shall not be refunded.

2-223. Privilege tax. There is hereby imposed on the business of selling, distributing, storing or manufacturing beer an annual privilege tax in the amount specified by Tennessee Code Annotated, § 57-5-104(b). Any person firm, corporation, joint stock company, syndicate or association engaged in the sale, distribution, storage or manufacture of beer shall annually remit the tax on or before January 1 to the town. At the time a new permit is issued to any business subject to this tax, the permit holder shall be required to pay the privilege tax on a prorated basis for each month or portion thereof remaining until the next tax payment date.

2-224. Each violation constitutes a separate offense. Each sale or distribution of beer in violation of the provisions of this chapter shall constitute

a separate offense on the part of each and all persons, firms, corporations or other legal entity participating therein.

2-225. Penalty. Any person in violation of any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be subject to fine in accordance with the general penalty clause in this code. In the event the holder of a beer permit shall also be the holder of a license for liquor by the drink, any revocation of a permit or violation of this chapter shall further be certified directly to the Tennessee Alcoholic Beverage Commission.

The beer board may, at the time it imposes a revocation or suspension, offer a permit holder the alternative of paying a civil penalty not to exceed \$1,500 for each offense of making or permitting to be made any sales to minors or, a civil penalty not to exceed \$1,000 for any other offense. If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be imposed. If the civil penalty is paid within that time, the revocation or suspension shall be deemed withdrawn.

2-226. Prior permit holders. Any person, firm, corporation, or legal entity heretofore issued a permit for the sale of beer by the board of mayor and aldermen of the Town of Greeneville, Tennessee, and conducting sales under such permit on the effective date of this chapter shall, in order to continue such sales, be required to apply for a permit for the sale of beer within the municipality under the provisions of this chapter at the regular renewal date of their present permit.

2-227. Fire and building inspections and code compliance. All beer permit holders are subject to annual fire and building inspections to determine compliance with all current fire and building codes. Failure to comply with fire and building codes shall be a basis for denial of a beer permit. In addition to penalties as provided herein, failure to comply with fire and building codes may result in suspension and/or revocation of a beer permit.

2-228. Additional provisions relative to Class C permit. In addition to all the other provisions of this chapter:

(1) Application. Applicants for a Class C permit shall make application no later than thirty (30) days and no earlier than one (1) year in advance of the beginning of the event for which the Class C permit is sought. Application shall be made by completion of an application form approved by the city administrator together with all required supplemental documents and the application fee. For events for which a special event permit under § 2-310 is also sought, the permit applications may be combined.

The applicant shall provide at a minimum the following information:

(a) Time of the event.

- (b) The sponsor of the event.
- (c) A brief description of the event.
- (d) The specific location and boundaries where beer will be permitted.
- (e) Any plans for temporary closure of streets, sidewalks, alleys and other rights-of-way.
- (f) Plans for safety, security and policing of the event.
- (g) The anticipated number of persons attending the event.
- (h) Plans for cleanup during and after the event.
- (i) Plans for inspections.
- (j) Plans for sanitary facilities.
- (k) Plans for safety inspections as determined needed by the fire department.
- (l) A written indemnification agreement wherein the applicant agrees to indemnify and hold harmless the Town of Greenville, its officials and employees from claims resulting from the event.
- (m) Pertinent information regarding the required general liability insurance.
- (n) Written permission of the property owner as to the event and the location where beer will be permitted; together with any restrictions imposed by the property owner.
- (o) Identification of the source of all beer to be sold, given or served; which source must be a licensee as provided pursuant to state law.
- (p) Proof of all applicable business licenses.
- (q) Identity and proof of licensure (or proper submission of application for license) of all beer vendors, beer handlers and caterers serving beer.

Upon receipt of a completed application, together with the application fee, the application shall be placed upon the agenda of the next regularly scheduled meeting of the beer board provided the application is received prior to the cutoff time for the published agenda.

The applicant shall send one or more knowledgeable representatives to the meeting of the beer board to address any questions or issues which may arise pertaining to the applicant, the application or the event.

(2) Insurance. The permit holder shall provide general liability insurance, including appropriate coverage for the serving of beer at the event, with coverage for personal injury, death, and property damage arising out of, in any way related to, the event in the minimum amount of one million dollars (\$1,000,000.00) combined single limit. Such insurance shall include contractual indemnification coverage and shall be in a form acceptable to the city administrator and the town's insurer and shall include an endorsement naming the town as an additional insured under the coverage afforded, shall be primary and noncontributing with respect to any other insurance available

to the town, shall contain a severability of interest (cross liability) clause, and shall require the insurer to provide to the town at least thirty (30) days prior notice of cancellation. Proof of such insurance, also in a form satisfactory to the city administrator and the town's insurer shall be filed with the city administrator at least one (1) week prior to event.

(3) Permitted locations. Class C permits shall only be issued for defined areas located within the Main Street Project Area Boundary, on the Niswonger Performing Arts Center property or outside on property adjoining the

Niswonger Performing Arts Center, and only at a location where the property owner has given written approval. No event shall be held on public property, including streets, sidewalks, alleys and other rights of way without the written approval of the government agency managing the same.

No Class C permit shall be issued for an event to be held on or adjacent to any church, school, public park or public playground except on property zoned B-2, the Niswonger Performing Arts Center property or outside on property adjoining the Niswonger Performing Arts Center.

(4) Number and length of events. Events at which a Class C permit may be issued shall be limited to a total of six (6) events per year with each event having a maximum duration of seventy-two (72) hours. The number of permits to be issued per event shall rest in the sound discretion of the beer board. In the event, there are more qualified applicants than the number of permits allowed then the permits shall be issued to qualified applicants in the order that complete and proper applications were filed.

(5) Permitted hours. Beer sales shall not exceed (8) hours in any one (1) day and no sales, service or consumption shall be permitted between the hours of 11:00 P.M. and 10:00 A.M. nor on Sundays before 1:00 P.M. Further, no beer sales, service or consumption shall be permitted at the Niswonger Performing Arts Center nor outside on property adjoining the Niswonger Performing Arts Center during the hours of any adjacent school function nor for a period of one (1) hour before and one (1) hour after such function.

(6) Container limitations. No beer shall be served in a container with a capacity larger than sixteen (16) fluid ounces nor shall any beer be served or consumed in any container other than a container supplied by permit holder.

(7) Miscellaneous provisions. The beer board in its discretion may require as a condition of the issuance of a Class C permit the posting of a bond to cover the cost of any obligation undertaken by the applicant with respect to the town.

The beer board may deny a permit for a two (2) year period to any applicant based solely upon the adverse outcome/consequences of any prior Class C permit or special event permit held by such applicant.

The beer board shall apply the same standards as applied by the Alcoholic Beverage Commission for determining whether or not an applicant is a bona fide charitable or nonprofit organization.

A beer vendor included in the Class C permit application shall possess and maintain a Class B permit for the duration of the applicable event. Caterers included in the Class C permit application shall possess and maintain a Class D permit for the duration of the applicable event. All beer handlers shall possess and maintain a beer handler's permit for the duration of the applicable event.

A permit holder and any included beer vendor may transport as necessary beer to and from the applicable event during a period beginning twenty-four (24) hours before and twenty-four (24) hours after the event.

A permit holder shall be responsible to clean, repair and restore the property upon which the applicable event is held except to the extent the agreement with the property owner obligates another.

Nothing herein shall require the town or a public agency to grant permission allowing the use of property under its control nor prohibit the town or such public agency from imposing additional requirements or limitations as a condition of granting permission.

Nothing herein shall prohibit the beer board from declaring a public event to be a "beer free" event for which no Class C permit will be issued notwithstanding any license permitting the consumption of alcoholic beverages issued by the State of Tennessee for such event.

The city administrator shall have the authority to develop, implement and enforce such written rules and regulations consistent with the intents and purposes of this ordinance as he deems necessary to implement the Class C permit provisions of this ordinance, including without limitation an application form.

(7) Penalty. The penalty provisions of § 2-225 shall apply to any violation of this § 2-228, including the consumption or possession of beer by any person outside the area designated in the Class C permit unless such is otherwise permitted by law.