

CITY OF MORRISTOWN

Application for Beer Permit



NAME OF APPLICANT: _____

NAME OF BUSINESS: _____

Please submit the forms listed below with your application

- _____ 1. Completed permit application & owner/manager questionnaire submitted to City of Morristown Tax Office, 100 West 1st North St., Morristown, TN 37814.
- _____ 2. Designation of Registered Office and Registered Agent
- _____ 3. Complete and current background checks on all owners, registered agents and managers for each residence in the last 10 years.
- _____ 4. \$280 Permit application & Publication fee paid
- _____ 5. Copy of Current County Business License
- _____ 6. Copy of Current City Business License
- _____ 7. Copy of Lease Agreement or Certified Copy of Deed & Copy of Corporate Charter, LLC, etc. (if applicable)
- _____ 8. Copy of Certificate of Registration for Tennessee Sales Tax
- _____ 9. Restaurant seating area plan showing a minimum of 40 seats at tables (if applicable).

This application must be completely filled out and submitted with application fees (non-refundable) and the requirements listed above. By making this application, the applicant assumes personal responsibility for all information provided. The Beer Board may delay action or deny the permit if an application contains inaccurate information. Copies of licenses and documents must be submitted with the completed beer permit application to the City of Morristown Tax Office, 100 West 1st North Street. Each application must be signed and notarized. Applicants may call the City with any questions regarding the application process.

A background check will be submitted from all counties an applicant has resided in within the last 10 years. The Beer Board requires records checks on all owners, registered agents and managers.

The owner shall list the local manager(s) responsible for operations. Any change in management must be reported and a new owner/manager questionnaire submitted to the city business tax office. A new manager is subject to a background check. 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.

The City will place a public notice in the local newspaper one (1) time at least ten (10) days prior to the Beer Board meeting. A notice will also be posted at the establishment at least (15) days prior to the meeting.

State law requires a \$100.00 annual privilege tax which is due each January. New permittees will pay prorated annual tax.

A permit holder must surrender the beer permit to the City Business Tax Office within five (5) 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.

The City Beer Board meets as needed on the first and third Tuesday of each month. Consideration of an application typically takes a minimum of twenty (20) days to process and could take up to sixty (60) days. Therefore, it is recommended that the applicant submit the completed application to the City of Morristown Tax Office within a reasonable time to meet these requirements and appear on the requested Beer Board agenda.

(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, brew, or distribute beer or other beverages authorized to be sold, stored or distributed under the provisions of the City of Morristown's Municipal Code, Title 8, Chapter 2, and base my application upon the answers to the following questions:

1. REASON FOR APPLICATION: New Business New Ownership Name Change Other _____

2. NAME OF BUSINESS OWNER(S): _____

3. OWNER IS A: Corporation General Partnership Limited Partnership LLC Sole Proprietorship
 Other _____

4. UNDER WHAT NAME WILL BUSINESS OPERATE: _____

5. BUSINESS ADDRESS: _____ PHONE: _____

6. PROPERTY OWNER'S NAME: _____ PHONE: _____

7. TYPE OF PERMIT REQUESTED (Check all that apply):

- Restaurant Limited-Service Restaurant Non-Profit Club TN Alcoholic Beverage Commission License Holder Permit
- On/Off Premise Brewery Manufacturer/Distributor On/Off Premise Craft Beer On-Premise Off-Premise

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 questionnaire (attached) and submit a current and complete criminal history/background checks from all counties of residence within the last 10 years. If ownership is a corporation, please indicate whether the corporation is privately held or publicly traded. Be sure to include all names ever used by the named individuals, (i.e. maiden and previous married names).

9. List the name(s) of registered agents and managers or others on-site responsible for operations. Any change in management must be reported to the Business Tax Office. Any new manager must complete the owner/manager questionnaire and submit a complete criminal history/background check as listed in No. 8 above.

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 dollars (\$2,500) 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 complete and current criminal background check shall be submitted on the applicant(s) and 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 Morristown Beer Board is that I/we must notify the City of Morristown Tax Office each time there is a change in the on-site manager responsible for selling beer.
6. I/we hereby release, absolve and hold harmless, the City of Morristown, the Morristown Beer Board, the Morristown 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 Morristown, Morristown Beer Board, Morristown Police Department, its employees, agents and representatives 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 Morristown Municipal Code Section 8-213 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 Morristown Beer Board.
9. I/we understand that if the business closes, relocates, or there is any change in the ownership of the business, the permit will be surrendered to the Business Tax office within 5 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 Morristown 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 applicant or the bona fide and qualified agent/representative of the corporate applicant.
14. I/we have been a citizen and/or lawful resident of the United States for not less than one (1) year immediately preceding the date of this document.

Applicant Signature or Agent/Representative

Date

Co-Applicant Signature

Date

Co-Applicant Signature

Date

Sworn to and subscribed by me this _____ day of _____, 20 _____.

Notary Public _____

My Commission Expires _____

BEER PERMIT OWNER/MANAGER APPLICATION

REASON FOR APPLICATION: New Application Manager Change or Addition

NAME: _____ Owner – Percentage of Ownership _____ % Manager

PHONE: _____

ADDRESS: _____ DATE OF BIRTH: ____/____/____

DRIVER'S LICENSE#: _____ STATE: _____ SOCIAL SECURITY # _____ - _____ - _____

LOCAL BUSINESS NAME: _____

LOCAL BUSINESS ADDRESS: _____ BUSINESS PHONE: _____

Have you ever been convicted of any violation of liquor and/or beer laws, controlled substance 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: _____

Have you had a beer permit revoked, suspended, or denied? Yes* No

*If yes, explain: _____

Have you ever been convicted of any misdemeanors (including Speeding, DUI, Simple Assault, etc.) within the last ten (10) years or have any charges currently pending? Yes* No

*If yes, give of each charge, including city, county, state, court and date: _____

Do you understand both the state laws and local laws regulating the sale and distribution of beer in the City of Morristown?

Yes No

Do you understand that allowing illegal gambling on the premises will subject the permit to revocation?

Yes No

AFFIDAVIT

1. I hereby solemnly swear or affirm that each statement on this questionnaire 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.
2. 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.
3. 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.
4. I hereby release, absolve and hold harmless, the City of Morristown, the Morristown Beer Board, the Morristown 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.
5. 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 by me this _____ day of _____, 20 _____.

Notary Public _____

My Commission Expires _____