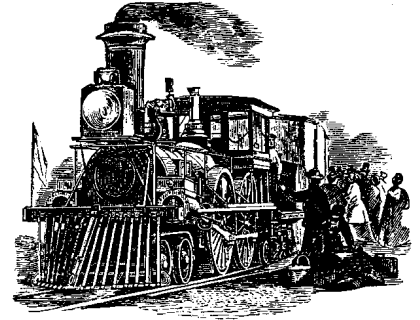


# CITY OF DYER

235 SOUTH ROYAL STREET - DYER, TENNESSEE 38330-1920  
TELEPHONE: 731-692-3767 - FAX: 731-692-4222  
www.cityofdiertn.com

Walton "Sam" Thompson  
Mayor

Jason K. Griggs, CMC  
Recorder



## *Beer Permit Application Instructions*

### DEADLINE FOR FILING APPLICATION

Applicant must file application and other required forms by the following date: \_\_\_\_\_

### BEER BOARD MEETING DATE

All applicants must appear, in person, before the City of Dyer, Beer Board, in the Conference Room of City Hall, 235 South Royal Street, Dyer, Tennessee, at \_\_\_\_\_ p.m. on the following date: \_\_\_\_\_.

### COMPLETION OF THE CITY OF DYER BEER PERMIT APPLICATION

- Please type or print in black ink only.
- If applied for in the name of a corporation or business entity, attach a copy of the Article of Organization and Bylaws and/or Operating Agreement. If a foreign corporation, attach a copy of the foreign corporation registration from the Secretary of State.
- The Owner or authorized agent of the business entity must sign the application before a Notary Public.
- The Owner must comply with the distance requirements as set forth in Ordinance No. 2009-169, Title 8, Chapter 2 of the City of Dyer, Municipal Code.
- The applicant is required to file the completed application and all other requested documents in this office with an application fee of \$250.00 made payable to the City of Dyer.
- The applicant must also have a business license either already on file in this office; or file contemporaneously with this application a request for a City of Dyer Business license and required fee.
- An annual Beer Privilege Tax of \$100.00 is required of all approved applicants between January 2<sup>nd</sup> and January 31<sup>st</sup> annually. Upon approval, this applicant will be required to pay the following pro-rated portion of the Beer Privilege tax to the City of Dyer: \$ \_\_\_\_\_.

## EXPIRATION OF BEER PERMIT

T.C.A. § 57-5-103(a)(6) states: A permit holder must return a permit to the county or the city that issued it within fifteen (15) days of termination of the business, change in ownership, relocation of the business or change in the business' name; provided, that notwithstanding the failure to return a beer permit, a permit shall expire on termination of the business, change in ownership, relocation of the business or change of the business' name.

## TENNESSEE BEER LAWS

**IT IS YOUR RESPONSIBILITY TO REMAIN UPDATED ON ALL TENNESSEE BEER LAWS!**  
**IT IS YOUR RESPONSIBILITY TO COMPLY WITH OTHER REQUIRED LAWS AND REGULATIONS!**

You may order copies of the Tennessee Beer Laws each year by contacting the following:

Tennessee Malt Beverage Association, Inc.  
404 James Robertson Parkway, Suite 1605  
Nashville, Tennessee 37219-1510  
Telephone: (615) 242-7656  
Fax: (615) 255-1005  
E-Mail: [tnmaltbev@aol.com](mailto:tnmaltbev@aol.com)

## CRIMINAL CHECKS ON EMPLOYEES OF BEER ESTABLISHMENT

IN ORDER TO BE APPROVED FOR A BEER PERMIT, AN APPLICANT MUST CERTIFY THAT:

- No person employed by the applicant in such distribution or sale has been convicted of any violation of the laws against the possession, sale, manufacturing or transportation of beer or other alcoholic beverage or any crime involving moral turpitude within the past ten (10) years. T.C.A. § 57-5-105(a)(4).
- No person, firm, joint-stock company, syndicate or association having at least a five (5%) percent interest in the beer establishment nor any person to be employed in the distribution or sale of beer be convicted of any violation of the laws against the possession, sale, manufacturing or transportation of beer or other alcoholic beverage or any crime involving moral turpitude within the past ten (10) years. T.C.A. § 57-5-105(a)(4).

**CITY OF DYER**  
**BEER PERMIT APPLICATION**

Reason for application:             New Application             Ownership/Management Change

Type of Application:

- On Premise  
Attach Copy of Certificate of Occupancy,  
as well as, the last six (6) months gross receipts.
- Off Premise
- \_\_\_\_\_ Business Name  
\_\_\_\_\_ Physical Address/Location  
\_\_\_\_\_ Mailing Address
- 

1. Full Name of Applicant/Owner: \_\_\_\_\_  
Person/DBA: \_\_\_ Firm: \_\_\_ Corp.: \_\_\_ Joint-Stock Co.: \_\_\_ Syndicate: \_\_\_ Assoc.: \_\_\_  
Other: \_\_\_\_\_
2. List all persons, firms, corporations, joint-stock companies, syndicates or associations having at least five (5%) percent ownership interest in the business, as well as, address and tax identification number: (attach a separate sheet if necessary)  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Applicant's present home address (principal place of business if business entity):  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Home Phone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Social Security Number or Tax Identification Number: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_ Expires: \_\_\_\_\_  
Applicant or Business Tennessee Sales Tax Identification Number: \_\_\_\_\_
5. Above required information for any manager other than applicant: (attach separate sheet if necessary)  
Name and Address: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Social Security Number or Tax Identification Number: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_ Expires: \_\_\_\_\_  
Applicant or Business Tennessee Sales Tax Identification Number: \_\_\_\_\_  
Name and Address: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Social Security Number or Tax Identification Number: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_ Expires: \_\_\_\_\_  
Applicant or Business Tennessee Sales Tax Identification Number: \_\_\_\_\_
6. List addresses of places of residence and business for the last ten (10) years:  
(Attach separate sheet if necessary)

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7. \_\_\_\_\_  
Has any person having at least five (5%) percent ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: \_\_\_ Yes \_\_\_ No  
If yes, give particulars of each charge, court and date convicted.

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8. \_\_\_\_\_  
Has the applicant, owner or owner's organization had a beer permit revoked, suspended or denied in the State of Tennessee? \_\_\_ Yes \_\_\_ No. If yes, specify where, when and why.

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9. \_\_\_\_\_  
Has the applicant even been convicted of any misdemeanors within the last ten (10) years or have any charges currently pending? \_\_\_ Yes \_\_\_ No. If yes, give particulars of each charge, court and date convicted.

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10. \_\_\_\_\_  
Has the applicant even been convicted of any felonies within the last ten (10) years or have any charges currently pending? \_\_\_ Yes \_\_\_ No. If yes, give particulars of each charge, court and date convicted.

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11. \_\_\_\_\_  
Has any current employee of the applicant even been convicted of any misdemeanor or felony within the last ten (10) years or have any charges currently pending?  
\_\_\_ Yes \_\_\_ No. If yes, give particulars of each charge, court and date convicted.

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**CITY OF DYER**  
**BEER PERMIT APPLICATION AFFIDAVIT**

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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 ONE THOUSAND FIVE HUNDRED 00/100 (\$1,500.00) DOLLARS 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. By my/our signature stated below, I authorize and give consent for the City of Dyer to perform or obtain from a third party or outside agency a background check. This includes a Criminal background check/records/information, addresses, and social security verification.
5. 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 Tenn. Code Ann. § 10-7-503, Open Records Act.
6. I/we understand that a requirement of maintaining good status with the City of Dyer Beer Board, is that I/we must notify the City of Dyer, City Recorder each time there is a change in the on-site manager responsible for the oversight of selling the beer.
7. I/we hereby release, absolve and hold harmless the City of Dyer, the Dyer Beer Board, the Dyer Police Department, and 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 Dyer, the Dyer Beer Board, the Dyer Police Department, and its employees, agents and representatives as stated above.
8. I/we agree that the following will possibly cause the revocation of the beer permit and declared unlawful for any beer permit holder to do the following by Title 8, Chapter 2 of the City Of Dyer Municipal Code:
  - a. Employ any person convicted for the illegal possession, sale, manufacture or transportation of intoxicating liquor, or a crime involving moral turpitude within ten (10) years of such person's employment with the permittee;
  - b. Employ any minor under the age of eighteen (18) years of age in the sale, storage, distribution, or manufacture of beer;
  - c. Make or allow any sale of beer between the hours of 12:00 midnight and 5:00 a.m. during any night of the week and Sunday between 12:00 midnight and 12:00 noon and 6:00 p.m. and Monday at 5:00 a.m.;
  - d. Any loud, unusual, or obnoxious noises to emanate from the permittee's premises;
  - e. Make or allow any sale of beer to any person less than twenty-one (21) years of age;
  - f. Allow any minor under the age of eighteen (18) years of age to loiter in or about the permittee's place of business;
  - g. Make or allow any sale of beer to any intoxicated person;
  - h. Allow intoxicated or disruptive persons to loiter about the permittee's premises;
  - i. Serve, sell or allow the consumption the permittee's premises of any alcoholic beverage with an alcoholic content greater than five percent (5.00%) by weight;

- j. Allow pool or billiard playing in the same room where beer is sold and/or consumed;
  - k. Fail to provide and maintain sanitary toilet facilities; and
  - l. Have premises located within three hundred (300) feet of any school, church, playground, ballpark, hospital, nursery or nursing home.
9. For permits authorizing the sale of beer and on premise consumption of the same, I/we agree to the following:
- a. not have a premise located within four hundred feet of any school, church, playground, ballpark, hospital, nursery or nursing home.
  - b. Be primarily a restaurant or an eating place;
  - c. Have an operable and cleanly maintained commercial cooking equipment on the premises;
  - d. Be able to seat a minimum of seventy (70) people, including children, in booths and at tables, in the interior of the building under a permanent roof; in addition to any other seating it may have;
  - e. Have been in continual operation for a period of at least six (6) months;
  - f. Be kept and maintained in a safe, clean and sanitary condition as required for a rating of class "B" or better as established by the Tennessee Department of Conservation, Division of Hotels and Restaurant Inspections;
  - g. Past six (6) months gross receipts; and
  - h. If approved, continuing quarterly gross receipts.
10. I/we understand if any information given in the application subsequently changes, I/we will immediately notify the City Recorder for the City of Dyer.
11. 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 fifteen (15) days of said change for appropriate action.
12. I/we assume full responsibility for the permit and will be accountable for full compliance with the laws of the City of Dyer and the State of Tennessee.
13. I/we have read the foregoing. I/we have fully understand its provisions and voluntary consent to abide by its requirements.
14. I/we acknowledge and understand that the fees paid for the beer permit application process are non-refundable.
15. The undersigned is the applicant or the authorized agent/representative of the corporate applicant.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

BY: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

BY: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

BY: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SWORN AND SUBSCRIBED BEFORE ME ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
MY COMMISSION EXPIRES