

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

CITY OF FRANKLIN

PURSUANT TO SECTION 8 CHAPTER 2 OF THE CODE OF THE CITY OF FRANKLIN, TENNESSEE, AND THE REQUIREMENTS OF 57-5-101 ET. SEQ. OF THE TENNESSEE CODE ANNOTATED, I HEREBY MAKE APPLICATION FOR:

- ON PREMISES PERMIT
 OFF PREMISES PERMIT
 ON AND OFF PREMISES PERMIT
 MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
 SPECIAL EVENTS PERMIT DATE OF EVENT _____
 HOURS OF EVENT _____

DATE PERMIT NEEDED ASAP

PERMITS SHALL BE ISSUED TO THE OWNER OF THE BUSINESS, WHETHER A PERSON, FIRM, CORPORATION, JOINT-STOCK COMPANY, SYNDICATE, OR ASSOCIATION.

1. Owner (Applicant) MADDELIA HOLDINGS LLC

Person ___ Firm ___ Corp ___ LLC Joint-stock co. ___ Syndicate ___ Association ___

2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.

DANIEL MCCARTHY 414 RELIANCE DR. #414, FRANKLIN 37067

OLIVIA MCCARTHY - Same -

3. If the applicant is a corporation, are they authorized to do business in the State of Tennessee? Yes

4. Under what trade name will this business operate?

OLIVIA'S GOOD NEWS CAFE

City of Franklin business account number 2011 69006 16297

5. Location of the business by street address. For special event, list location of the event.

3021 MALLORY LAKE #115 FRANKLIN, TN 37067

Phone number of the business 615-771-1914

6. Please give the following information on the person who will be managing the business. This person is an owner or a managing agent .

Name [REDACTED]

Drivers license # [REDACTED] State [REDACTED]

Date of birth [REDACTED] c. Sec. # [REDACTED]

Home phone # [REDACTED] time phone # [REDACTED]

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name DANIEL MCCARTHY Title OWNER

Mailing Address 3021 MALLORY LN #115

City, State, Zip FRANKLIN, TN 37067

Daytime contact phone number 310 766 6024

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes No .

If so, specify number . List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

N/A

9. Do you own the premises on which you will operate? no
If no, please give the name and address of the property owner.

BROOKSIDE PROPERTIES 2002 RICHARD JONES RD.
NASHVILLE, TN 37215

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? NO If so, give particulars of each charge, court and date convicted.

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes ___ No If so, please give date, place and cause of said revocation.

12. Give the name and address of the former beer permittee at this establishment.

N/A

13. Give applicant's history of involvement in the beer business, if any.

N/A

14. Give applicant's employment record for the past 10 years.

OLIVIAS GOOD NEWS CAFE - JAN 2012 - PRESENT
FRESH II Nov 2009 - Dec 2011
Alliance HomeBUILDERS JAN 2006 - OCT 2009
CHAMPION INVESTING JAN 2000 - Dec. 2005

15. What is the exact nature of the business in which you are applying for a beer permit?
(Restaurant, tavern, motel, etc.)

ORGANIC RESTAURANT

16. Will a full course menu be served? Yes
17. Will separate and sanitary facilities be maintained for men and for women? Yes
18. Will dancing be allowed on your premises? No
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 8:00 AM? _____

TRAINING POLICY:

All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.
- (a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
 - (b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
 - (c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
 - (d) You will rigidly enforce the law against sales to minors.
 - (e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
 - (f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
 - (g) You will not attempt to transfer this permit to anyone else.
 - (h) You will display this permit in a prominent place in your establishment.
 - (i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
 - (j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
 - (k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

- (l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- (m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable \$250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

I hereby make application to the City of Franklin Beer Board for a beer permit.

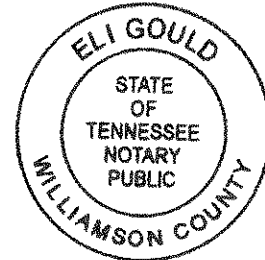
The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years.

I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.

David A. M. [Signature]
Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: MADEIRA HOLDINGS LLC
Name of Business Entity



My Commission Expires June 23, 2014

Sworn to and subscribed before me this 25 day of May, 2012

[Signature]
Notary Public

My Commission Expires: June 23, 2014

Official Use Only			
Application Fee	\$ <u>250.00</u>	Date Paid	<u>5/25/12</u>
Privilege Tax	\$ <u>58.00</u>	Date Paid	<u>" "</u>
Board Meeting Date	<u>6/12/12</u>		

**Olivia's Good News Café
3021 Mallory Lane #115
Franklin, TN 37067**

ALCOHOL POLICY

Mission Statement:

Olivia's Good News Cafe recognizes that it is a privilege to buy and sell alcoholic beverages in the State of Tennessee and with that privilege, realizes that it is our legal and social responsibility to comply with all Tennessee laws, rules and regulations and follow best practices as they pertain to the service of alcoholic beverages. We are committed to the safe and responsible sale of all alcoholic beverages to only those patrons who are 21 years of age or older and to refuse service of alcoholic beverages to those individuals that are visibly intoxicated or, in those cases where we deem it necessary, to prevent a person from becoming visibly intoxicated. In order to achieve these goals, we have adopted the following policies.

Guidelines for Policy Components:

1. General:

A. All new employees will review, with a member of management, the laws, rules and regulations and best practices as described in the mission statement prior to making any sale of liquor, beer and wine. Once trained, all employees will regularly review those laws, regulations and best practices with a member of management, asking for clarification on topics they don't understand and upon completion of the review, sign off that they understand and will comply with all of the premise policies governing the sale of liquor or imitation liquor.

B. Employees shall comply with all the Tennessee Liquor Laws and Rules and Regulations governing the sale of alcoholic beverages.

2. Assessment:

A. When initially greeting patrons, all staff will make visual and verbal contact with them to convey greetings and to assess sobriety.

B. All wait staff will make verbal and visual contact with each customer purchasing liquor or imitation liquor and will repeat the process every time subsequent service of liquor is made.

When making visual contact, employees will make eye contact with the patron, paying special attention to the facial characteristics, as well as noting trendy clothing, behavior and young acquaintances that might indicate the purchaser is underage. The employee should make note of bloodshot or drooping eyes, disheveled clothing and any other signs that might indicate the patron is visibly intoxicated or there is a likelihood they will become intoxicated with the purchase of alcohol and should not be served.

When making verbal contact, ask the patron a question that would invoke a response such as, "How are you?" "May I answer any questions you might have about the menu?", "How is the weather?" "May I interest you in an appetizer?" or any small talk about sporting events, local entertainment, etc. Note any odor of liquor on the patron's breath and any signs of slurring.

C. When an employee is carding an individual they will always observe the patron retrieving their ID from the wallet noting fine motor skills.

D. A manager or their designee will make regular rounds, interacting with patrons assessing sobriety and when appropriate, re-check identification of youthful patrons possessing or consuming alcohol.

3. Carding Practices:

A. Tennessee law requires a licensee or licensee's employee or agent may not sell, furnish, give or deliver liquor or imitation liquor to a person under 30 years of age unless the licensee or licensee's employee or agent verifies the person is not a minor by means of reliable photographic identification containing that person's date of birth.

B. Security/wait staff must ask for a reliable identification from anyone under 30 years of age *every time* they enter the establishment to purchase liquor or imitation liquor.

C. Our policy is to card anyone that orders liquor or imitation liquor and appears to be under the age of 30 in order to comply with Tennessee law.

D. The security/wait staff will ask for a current, reliable and verifiable pictured identification containing the patron's date of birth

Acceptable forms of ID are:

- ✓ **State driver's license**
- ✓ **State non-driver identification card**
- ✓ **Passport issued by a state or federal government agency**

All out of state driver's licenses or identification cards will be verified with the Driver's

License Guide.

If the patron appears to be under 21 years of age, the employee will ask for a secondary form of identification, such as a military ID, passport, credit/debit card, etc.

E. The security/wait staff will request that the patron remove their ID from their wallet and take physical control of the identification, checking the back, then the front for signs of forgery such as:

- ✓ **Poor photo copy quality, blurred imagery or digitized lettering.**
- ✓ **Disclaimers like “non-government ID” or “non transferable ID card”.**
- ✓ **Statements of authenticity such as “Genuine”, “Authentic”, “Secure”, etc. (if it has to tell you it’s “Genuine”, it’s not).**

Unusual thickness or unevenly cut edges or corners and bumpy surfaces indicate the card has been hand cut or the picture has been replaced.

F. The security/wait staff will verify that the information and picture on the identification match the person presenting it, paying special attention to the date of birth in order to confirm that the individual is old enough to purchase and that the DOB has not been altered *ie. are the numbers the same size, color, evenly spaced and level with one another etc.*

G. No employee will accept an expired identification card.

H. The safe and responsible service of alcohol is the responsibility of all wait staff; when receiving an order for liquor or imitation liquor all staff should re-card any patron that appears to be underage and not assume that security or another wait staff has carded the individual.

I. In the event any patron fails to show proper identification or if there is doubt by the security/wait staff of the validity of an ID, the sale will be refused. All refusals for failure to meet the requirements of the identification policy are final.

Retaining Identification

When a patron displays an identification card that is obviously false, the security/wait staff will refuse entrance/sale of liquor or imitation liquor and report it to a manager who will explain to the patron that they are going to **retain the identification for the purpose of verifying their age**. A premise representative will **IMMEDIATELY** call the police and surrender the identification to the authorities for that purpose

4. Visibly Intoxicated Individuals:

A. When a patron attempting to enter the premise appears to be visibly intoxicated, the security/wait staff shall explain to the patron that Tennessee law and restaurant policy prevents them from entering the establishment. If the patron is operating a motor vehicle, the

security/wait staff will express concern about them driving and offer to call alternative transportation. If they insist on operating, the police will be notified immediately and given a description of the visibly intoxicated person, their vehicle and direction of travel.

B. All staff will continuously appraise the sobriety of patrons within the premise, repeating the process of verbal and visual contact when a patron orders another drink or when serving subsequent drinks.

C. No licensee shall permit or allow visibly intoxicated persons to remain on the licensed premises.

When wait staff discovers a visibly intoxicated individual in the premise, they will notify the manager/security staff/person in charge immediately. The manager will attempt to invite the patron to the side and explain that because of Tennessee law and restaurant policy, they can no longer allow the individual to possess or consume alcohol. In any event the liquor will be removed from the person immediately.

D. Once a visibly intoxicated person has been identified and alcohol removed, the manager/wait staff will express concern to the patron about driving and offer alternative transportation. If the patron insists on driving, the manger/wait staff will notify the police immediately, giving them a description of the visibly intoxicated individual, their vehicle and direction of travel.

E. In the event alternative transportation for a visibly intoxicated person cannot be arranged, wait staff will accompany them to a secure area of the bar/restaurant where the visibly intoxicated person cannot take possession or control of any alcoholic beverages. They will be offered food, non-alcoholic beverages and afforded time to sober up. The visibly intoxicated individual will be monitored at all times.

F. If a visibly intoxicated person becomes argumentative, assaultive, disorderly or in anyway threatens the safety or well being of the patrons, staff or the community, the manager will immediately call the police.

G. All incidents involving intoxicated patrons will be written down in a premise log, noting the date, the time, names of employees involved and brief statement of facts regarding the incident. It will be the responsibility of the manager or supervising security/wait staff to log these incidents.

H. All sale refusals due to a patron's visible intoxication are final with the exception of a patron advising the security/wait staff that their appearance is due to a disability as defined under the Americans with Disability Act (ADA) (for compliance, refer to your attorney or human resource officer).

5. Miscellaneous:

A. Employees will always be professional, friendly and polite with all patrons when complying with Tennessee law or policy, explaining that when service is declined, it is because of Tennessee law and premise policy.

B. No licensee shall permit or allow visibly intoxicated persons to remain on the licensed premises. No licensee shall show effects of, nor allow any of his employees, agents, or entertainers to consume or to show any effect of liquor while on duty or performing on the licensed premises.

C. All employees will report for work sober and will not have consumed any alcoholic beverage prior to arriving, or consume any alcohol while on duty.

D. All questionable incidents involving patrons will be written down in a premise log, noting the date, time, names of employees involved and brief statement of facts regarding the incident. It will be the responsibility of the manager or supervising security/wait staff to log these incidents.

E. A licensee for the sale of liquor to be consumed on licensed premises may not employ a person under 18 years of age in the serving or selling of liquor on the premises where the liquor is sold.

F. An employee who is at least 18 years of age but less than 21 years of age may serve or sell liquor only in the presence of an employee who is at least 21 years of age and is in a supervisory capacity.

G. The service and consumption of liquor must be limited to areas that are clearly defined and approved in the application process by the bureau as appropriate for the consumption of liquor. Outside areas must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

J. All staff should use due diligence in watching for patrons or activities that are not consistent with this policy or Tennessee Law and should report a breach of either to management immediately.

_____	_____
Employee Name – Please Print	Date
_____	_____
Employee Signature	Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5/25/12
TO: POLICE CHIEF
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT
BEER BOARD MEETING DATE 6/12/12

Applicant is requesting a temporary permit. Please return ASAP.

Please return by _____ to provide information for Beer Board meeting agenda.

Name of Business Olivia's Good News Cafe

Location of Business 3021 Melloy Ln #115

Name of applicant Medala Holdings LLC

Managing Agent _____

Drivers License # _____ State _____

Date of Birth _____ Soc. Sec. # _____

- Recommend. Based on information available to date, the applicant has no record requiring denial of the permit under the provisions of Title 8 of the Franklin Municipal Code.
- Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION
FRANKLIN POLICE DEPT

By _____

Date _____

Approved _____
Signature

POLICE DEPARTMENT

David Rahinsky
Chief of Police



Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

January 12, 2012

TO: Chief David Rahinsky *DM*
FROM: Mary Casteel
Mary Casteel, Communications Support Coordinator
THRU: Lieutenant Kevin Teague *KTS*
SUBJECT: Beer Board Background Checks

A local check was completed on Daniel McCarthy, Managing Agent for Olivio's Good News Cafe and found to be clear.

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE: 5/25/12

RECEIVED JUN 01 2012

TO: CODES DEPT
FIRE DEPT

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

- ON PREMISES PERMIT
- OFF PREMISES PERMIT
- ON AND OFF PREMISES PERMIT
- MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
- SPECIAL EVENTS PERMIT

Applicant is requesting a temporary permit. Please return ASAP.

Please return by _____ to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 6/12/12

Name of Business Olivia's Good News Cafe

Location of Business 3021 Malloy Ln #115

CODES DEPT

[Signature]
Building Inspector

6-5-12
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

P O Box 705
Franklin, TN 37065
(615) 791-3225

DATE:

5/25/12

TO:

CODES DEPT
FIRE DEPT

FROM:

CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE:

BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

-
-
-
-
-

ON PREMISES PERMIT
OFF PREMISES PERMIT
ON AND OFF PREMISES PERMIT
MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
SPECIAL EVENTS PERMIT



Applicant is requesting a temporary permit. Please return ASAP.



Please return by _____ to provide information for Beer Board meeting agenda.

Beer Board Meeting Date

6/12/12

Name of Business

Olivier's Good News Cafe

Location of Business

3021 Mellory Ln #115

CODES DEPT

Building Inspector

Date

FIRE DEPT

Jonathan B. Dyke
Fire Inspector

6-1-12
Date