

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

103 International Dr Suite 110 Franklin, TN 37067

Phone number of the business 615-771-6767

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] Soc. Sec. # [REDACTED]

Home phone # [REDACTED] Daytime 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 David Pearse Title Managing Member

Mailing Address 103 International Dr Suite 110

City, State, Zip Franklin, TN 37067

Daytime contact phone number 614-361-0700

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)

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

First Allegheny Franklin LLC
5812 Darlington Rd. Pittsburgh, PA 15217

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 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.

Behnam Enterprises LLC dba "Old Havana Smokeshop"
519 Donelson Pike, Nashville, TN 37214

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

none

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

Managing member of Blue Water Properties LLC
a residential housing owner and management company
since 2003. Licensed Realtor in the state of
Ohio 2003-2012

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

Retail operation of a Cigar, beer, smokeshop + related items

16. Will a full course menu be served? No

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.

[Handwritten Signature]

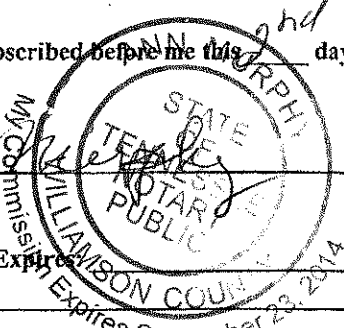
Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: Franklin Ciger LLC
Name of Business Entity

Sworn to and subscribed before me this 2nd day of January, 2013

[Handwritten Signature]
Notary Public

My Commission Expires _____



Official Use Only	
Application Fee \$ <u>250.00</u>	Date Paid <u>1-2-13</u>
Privilege Tax \$ <u>100.00</u>	Date Paid <u>1-2-13</u>
Board Meeting Date <u>2-1-13</u>	

Franklin Cigar LLC

Training Policy for the sale of beer

Franklin Cigar LLC is committed to following all laws related to beer sales. In order to achieve this Franklin Cigar LLC is committed to ensuring every employee is properly trained before operating the cash register.

Training program will include detailed explanations of these policies:

Alcoholic beverages may **not** be sold to anyone under 21 years of age

Alcoholic beverages may **not** be sold to anyone appearing to be intoxicated, feeble minded, insane or otherwise mentally incapacitated

Alcoholic beverages may **not** be sold to anyone you suspect of buying for an underage person (under 21 years of age)

Alcoholic beverages may **not** be sold or consumed between the hours of 3:00 AM to 8:00 AM or between the hours of 3:00 AM to 10:00 AM Sunday

Alcoholic beverage sales must occur inside the premise, i.e. no curb service

Customers appearing to be age 35 years and younger must present identification

Acceptable forms of identification:

- Driver's License with picture

- State issued I.D. card with picture

- U.S. Passport

- Active U.S. Military I.D.

What to look for and how to determine if an identification is legitimate

Alcoholic beverage sales can only be completed if the I.D. is determined to be legitimate. All incidents of attempted use of questionable I.D. will be reported to the Manager.

Violation of the alcoholic beverage policy will result in termination

Employee and Manager will sign off on completion of training before employee is permitted to operate cash register

City of Franklin

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

DATE: 1-2-13
TO: POLICE CHIEF
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT
BEER BOARD MEETING DATE 2-12-13

- Applicant is requesting a temporary permit. Please return ASAP.
- Please return by _____ to provide information for Beer Board meeting agenda.

Name of Business Franklin Cigar
Location of Business 103 International Dr # 110
Name of applicant Franklin Cigar LLC
Managing Agent _____
Drivers License # _____ State (_____) _____
Date of Birth _____ c. 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 2, 2013

TO: Lt. Charles Warner 

FROM:


Mary Casteel, Communications Support Coordinator

SUBJECT: Beer Board Background Checks

A check of Franklin Police Department records was completed on David Pearse, Managing Agent for Franklin Cigar and found to be clear.

A check was completed through LexisNexis/Accuint which revealed a minor traffic violation out of Virginia in 2004.



City of Franklin

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

DATE: 1-2-13
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 2-12-13

Name of Business Franklin Cigar
Location of Business 103 International Dr
Ste 110

CODES DEPT


Building Inspector

1/7/13
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

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

DATE: 1-2-13
TO: CODES DEPT
FIRE DEPT
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
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Beer Board Meeting Date 2-12-13

Name of Business Franklin Cigar
Location of Business 103 International Dr, Ste 110

CODES DEPT

Building Inspector

Date

FIRE DEPT

Christy B. Dye
Fire Inspector

1-4-13
Date