

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 _____

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

1. Owner (Applicant) MHF Cool Springs Operating IV 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.

MHF Cool Springs IV LLC 300 Centerville Rd, Ste 300 East
Warwick, RI 02886

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?

Aloft Cool Springs Nashville

City of Franklin business account number _____

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

7109 S Springs Drive Franklin TN, 37067

Phone number of the business 616-435-8700

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 _____

Drivers license # _____ State _____

Date of birth _____ Soc. Sec. # _____

Home phone # _____ Daytime phone # _____

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 Mathleen Ciannetti Title GM

Mailing Address 7109 S. Springs Drive Frank

City, State, Zip Franklin TN 37067

Daytime contact phone number 616-435-8700

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? Yes
If no, please give the name and address of the property owner.

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? AD 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 X 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.

IHR Greenbuck Cool Springs Holdings, LLC.
7109 S. Springs Drive Franklin TN, 37067

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.

N/A

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

Hotel

16. Will a full course menu be served? _____
17. Will separate and sanitary facilities be maintained for men and for women? Yes
18. Will dancing be allowed on your premises? _____
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.

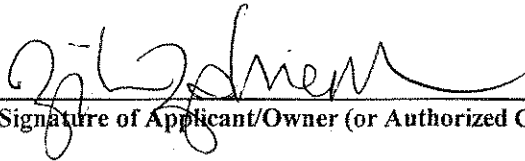
A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is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



Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: MHE Coal Springs Operating LLC
Name of Business Entity

Sworn to and subscribed before me this 16 day of August, 2013


Notary Public

My Commission Expires: 02/29/2016

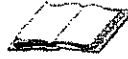
| | |
|--|--------------------------|
| Official Use Only | |
| Application Fee \$ <u>250⁰⁰</u> | Date Paid <u>8-27-13</u> |
| Privilege Tax \$ <u>33⁰⁰</u> | Date Paid <u>8-27-13</u> |
| Board Meeting Date <u>9, 10, 13</u> | |

Leading the Discussion

Again, you should lead the class in discussing the points covered. The following questions can help you encourage participation and discussion about the topics presented.

"What questions do you have about the video?"

"Did you see anything here that differs from the way you've been trained before?"



"You will find a brief review of Reasonable Efforts and Liability in your Participant Manuals on page 10."

Reasonable Efforts

The law requires that as a server you make a reasonable effort to prevent intoxication in guests, prevent alcohol sales to minors and intervene if a guest does become visibly intoxicated. This can include calling the police if necessary. Some examples of reasonable efforts include:

- offering food
- providing alternate transportation
- cutting-off a guest
- checking IDs
- calling the police
- measuring drinks
- serving water or soda on the house
- enlisting help from the guest's friends

Understanding Liability

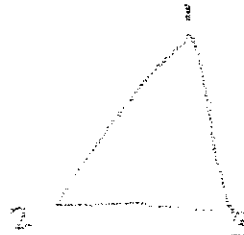
Whether you're a server, bartender, manager or owner at an establishment, you could be held liable for service to an underage or already intoxicated patron. Two primary types of laws apply to on premise establishments - Negligence and Dram Shop Liability. If you have any questions about liability issues specific to your area, you should contact an attorney.

Negligence

Based on prior court cases, these laws set a minimum standard for the actions a reasonable person should take to prevent problems. Negligence laws can cover a broad range of situations and are relied on in many cases where alcohol is alleged to be a factor in an incident.

Dram Shop Liability

Dram Shop Acts make sellers of alcohol beverages responsible for sales to persons under the legal drinking age or those who are visibly intoxicated. For purposes of these laws, "sale" refers to not only the sale of bottled liquor, but also to the serving of individual drinks at an establishment. These laws are designed to make sellers of alcohol beverages liable for any harm caused to a third-party by a patron to whom they have sold alcohol.



Don't
Teach

Key Ideas

You must make reasonable efforts to prevent underage drinking and intoxication.

Checking IDs



"Turn to **page 11** and let's discuss some of the things to look for when checking the identification of guests who may be underage."

"As a server of alcohol you must make certain that the person you are serving is of legal age. Check for valid ID from anyone who looks to be under 30 years old. Determining if an ID is valid can be one of the toughest yet most important responsibilities a server of alcohol can face. When checking IDs you must be aware of the acceptable and unacceptable forms of ID. You should contact your local liquor authority for requirements specific to your area."



Training Tips

Discuss with the participants which forms of ID are accepted at their establishments.

Commonly Acceptable Forms of ID

1. Valid driver's license
2. Valid state-issued ID card
3. U.S. active-duty military ID
4. Passport
5. Alien registration card or green-card

Unacceptable Forms of ID

1. Counterfeit IDs
2. Student IDs
3. Altered IDs
4. Borrowed or Stolen IDs
5. Expired IDs
6. Order-by-mail IDs

Steps to Follow to Check IDs

- Step 1: Ask the guest to remove the ID from his/her wallet.
- Step 2: Determine whether the ID is valid by:
- a. Checking the birth date.
 - b. Checking the expiration date.
 - c. Examining the lamination. (Is it torn, frayed or damaged?)
 - d. Looking at the composition of the ID. (Does it correspond with the ID book?)
 - e. Comparing the guest's signature with the one on the ID.
 - f. Comparing the photograph to the person in front of you.
 - g. Shining a flashlight to the back of the ID to spot any cuts or abrasions.
- Step 3: Communicate with the patron by asking questions such as his/her:
- a. Astrological sign
 - b. Year of high school graduation
- You don't need to know the answers. You're simply looking for hesitation in the patron's response that might suggest this is not really their ID.
- Step 4: If you have any reservations, ask the guest for a second form of ID or tell him/her that you'll have to get the ID approved. You may also use an Age Verification Form, such as the one found on page 13.
- Step 5: **If you still have doubts -- don't serve!**



Key Ideas

The only way to be sure your guest is of age is to check an ID!

Possible Underage Warning Signs

- A few signs may alert you to a potential underage person. A guest may:
- seem nervous and move around frequently.
 - state that he is a regular or a friend of an employee.
 - be in the restroom when the group orders for him/her.
 - pick up an empty glass and ask for "another one."
 - order an unusual drink, such as a shot of rum.
 - come to the bar to order drinks for a table full of people.
 - get upset when asked for ID.



POLICE DEPARTMENT


David Rahinsky
Chief of Police



Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

August 22, 2013

TO: Lt. Charles Warner 

FROM: Mary Casteel
Mary Casteel, Communications Support Coordinator

SUBJECT: Beer Board Background Checks

A check of Franklin Police Department records was completed on Kathleen Ciammetti, Managing Agent for Aloft Cool Springs Nashville and found to be clear.

A check was completed through LexisNexis/Accuint and found to be clear

Requested by: Christy McCandless



City of Franklin

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

DATE: 8-22-13
TO: POLICE CHIEF
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT
BEER BOARD MEETING DATE 9-10-13

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

Name of Business Aloft Cool Springs Nashville
Location of Business 7109 S. Springs Dr
Name of applicant MHF Cool Springs Operating LLC
Managing Agent _____
Drivers License # _____ te _____
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

City of Franklin

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

DATE: 8-22-13

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 9-10-13

Name of Business Apt Cool Springs Nashville

Location of Business 1109 S. Springs Dr

CODES DEPT


Building Inspector

8-23-13
Date

FIRE DEPT

Fire Inspector

Date

City of Franklin

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

DATE: 8-22-13
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 9-10-13

Name of Business Altoft Cow Springs Nashville
Location of Business 7109 S. Springs Dr

CODES DEPT

Building Inspector

Date

FIRE DEPT

Wayne Mobley
Fire Inspector

8-26-13
Date