

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

1223 COLUMBIA AVE - FRANKLIN TN 37064

Phone number of the business (615) 794-4588

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

Name [REDACTED]

Drivers license # [REDACTED] State [REDACTED]

Date of birth [REDACTED] 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 BERENICE E. LOPEZ Title PRESIDENT

Mailing Address 7223 COLUMBIA AVE

City, State, Zip FRANKLIN TN 37064

Daytime contact phone number (615) 794-4588

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 X.

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

CITY WAR PRESERVATION TRUST - CITY OF FRANKLIN

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.

N/A

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.

N/A

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

NONE

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.

RETAIL GROCERY STORE

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

RETAIL STORE

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.

Bernice Japer
Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: LA VILLA TORTILLERIA, INC.
Name of Business Entity

Sworn to and subscribed before me this 10th day of December 2013

[Signature]
Notary Public



My Commission Expires: July 3, 2017

Official Use Only	
Application Fee \$ <u>250⁰⁰</u>	Date Paid <u>12-20-13</u>
Privilege Tax \$ <u>100⁰⁰</u>	Date Paid <u>12-20-13</u>
Board Meeting Date <u>1.14.14</u>	

LA VILLA TORTILLERIA, INC.

BEER SALES TRAINING

At La Villa Tortilleria, Inc., we have a very strong commitment to ensure that each and every employee is properly training accordance with the laws in alcohol sales management, specifically, the sale of alcohol to minors.

In this training we enforce that having the privilege of selling alcohol beverages is a serious responsibility. From management to all employees conducting the sale of alcohol beverages, we enforce that they are held accountable for any actions that they violate any provisions of the City of Franklin Municipal Code.

The training is conducted in meetings every time that a new employee is hired in order to train the new one and assure again the rules and provisions.

La Villa Tortilleria, Inc. at all times emphasizes the rules of conduct selling beer to minors.

1. Alcoholic beverages may not be sold to ANYONE under 21 years of age.
2. Check ID for ANY customer purchasing any alcoholic beverages, of any age.
3. Intense training in identifying ID, and verifying the real age in some ID, specifically in alterations of any kind, especially to the date of birth, such as erasures, type style that does not match, or damaged paper surfaces, signs of altered signature. Comparison with the photo on the identification and physical characteristics shown on the identification.
4. To check for counterfeit drivers licenses.

5. If the ID proves the customer to be underage or there is a doubt about legally selling to this person, to take precautions, and explain why the store cannot sell the product with something like "I AM SORRY, but we cannot sell you this product at this time.
6. To stay in control. It is possible to call the police, if the customer becomes violent and/or makes threats. **911**
7. To refuse the sale to a person who appears to be intoxicated.
8. Process the sale thru scanner, identifying the sale with ID.

From time to time, at intervals of two months, review regulations with employees and anyone who take care the register or managing alcohol sales.

POLICE DEPARTMENT

David Rahinsky
Chief of Police



Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

December 23, 2013

TO: Chief David Rahinsky

FROM: Mary Casteel
Mary Casteel, Communications Support Coordinator

SUBJECT: Beer Board Background Checks

A check of Franklin Police Department records was completed on Berenice E. Lopez, Managing Agent for LaVilla Tortilleria which revealed minor traffic violations in 2010.

A check was completed through LexisNexis/Account which revealed the following:



Requested by: Christy McCandless

A handwritten signature in cursive script, appearing to read "Dr. Moore", is located at the bottom of the page.

City of Franklin

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

DATE: 12-20-13
TO: POLICE CHIEF
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR
RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT
BEER BOARD MEETING DATE 1-14-14

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

Name of Business La Villa Tortilleria
Location of Business 1223 Columbia Ave
Name of applicant La Villa Tortilleria INC
Managing Agent _____
Drivers Licen _____
Date of _____ 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

CM