

17-42

## 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** SEPTEMBER, 2017

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

1. **Owner (Applicant)** TEXMI II, LLC d/b/a Wild Wing Cafe  
**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.**

RAFAEL J. GUEVARA 227 SWIFT DRIVE; GOODLETTSVILLE, TN (50%)  
RAFAEL F. GUEVARA 1057 HILLVIEW DRIVE; HENDERSONVILLE, TN (50%)

3. **If the applicant is a corporation, are they authorized to do business in the State of Tennessee?** LLC-YES
4. **Under what trade name will this business operate?**

WILD WING CAFE

**City of Franklin business account number** PENDING

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

545 Cool Springs Blvd., Ste. 195; Thoroughbred Village Shopping Center

**Phone number of the business** 615-224-3651

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

Name

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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** Rafael F. Guevara

**Title** MEMBER/OWNER

**Mailing Address** 1057 HILLVIEW DRIVE

**City, State, Zip** HENDERSONVILLE, TENNESSEE 37075

**Daytime contact phone number** 904-955-3511

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 N/A. 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.

Thoroughbred Village, LLC and Lightman Cool Springs, LLC; c/o Brookside Properties, Inc.;  
2002 Richard Jones Road, Suite 200-C; Nashville, TN 37215

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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

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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

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

JNH, Inc. d/b/a Wild Wing Cafe; 1649 Highfield Lane; Brentwood, TN 37027

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

Applicant has managed and/or owned several restaurants; however, they have not included the sale of beer. Applicant is receiving training from the franchise office.

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

District manager for Edma, Inc. d/b/a Planet Smoothies 2006-2010; Opened Firehouse Subs 480 Long Hollow Pike, 2010; Opened Firehouse Subs, 280 Indian Like Blvd, 2012

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

Full service 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? n/a

**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.*

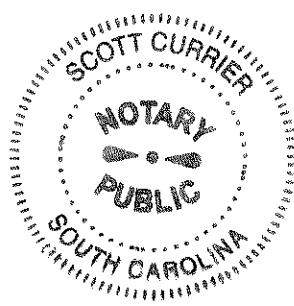


Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: TEXMI II, LLC d/b/a Wild Wing Cafe

Name of Business Entity

Sworn to and subscribed before me this 25 day of August, 2017



Notary Public Scott Currier

My Commission Expires: April 27, 2026

**Official Use Only**

Application Fee \$ 250.00 Date Paid 8-28-17

Privilege Tax \$ 33.10 Date Paid 8-28-17

Board Meeting Date 9/12/17

## **Wild Wing Café® Alcohol Service Policy**

It is the policy of Wild Wing Café (the "Company") that no minor (any person under the age of majority who is prohibited from being served alcoholic beverages under applicable law) or intoxicated person shall be served alcoholic beverages under any circumstances. Employees who willfully violate this policy will be terminated immediately. Any employee who negligently serves a minor or an intoxicated person will be counseled on proper service technique and will be terminated on the second violation of this policy. Employees will obtain the required Tennessee Alcoholic Beverage Commission server permit within sixty (60) days of employment and will take the mandatory five (5) hour server training course on the responsible sale and service of alcohol as required by the Tennessee Alcoholic Beverage Commission.

Employees must request and review proper identification documentation (such as a valid state driver's license, passport or other form of identification issued by governmental authorities) for all persons ordering any alcoholic beverage. When attempting to illegally purchase alcohol, minors usually exhibit behavior that should be easily identifiable by a properly trained server or seller. As with anyone who is attempting a dishonest act, minors may appear anxious or nervous; stutter, stammer or confuse their words; avoid eye contact with the server or seller; appear overly or inappropriately friendly, confident, boisterous or outgoing.

When serving alcoholic beverages to the Company's customers, all employees shall take reasonable precautions to ensure that the person being served is legally permitted to purchase alcoholic beverages. Taking steps to prevent alcohol abuse in the Company's establishments can help protect the public from harm and keep you, as an employee, from being named in a liquor liability law suit.

As an alcohol server, you should know the laws and regulations concerning the serving and consumption of alcohol within licensed establishments. Serving minors and intoxicated persons is unlawful and may result in criminal penalties. Furthermore, if an intoxicated person, after leaving our establishment, should be involved in an accident, anyone who may be injured may file a lawsuit against you and/or the Company.

Follow some simple guidelines when serving alcohol and prevent this from happening to you or the Company. Serve one drink at a time and never bring two or three drinks at once to a single person. If someone arrives or begins to show any sign of over-consumption of alcohol or remotely appears to be intoxicated, it is your job to make sure you do not over serve the individual. The following are some suggestions of ways to slow down consumption if you suspect there is a possibility of over-serving the individual or group:

- Offer or suggest the sale of protein food or appetizers.
- Do not offer coffee or other caffeinated drink; this may cover the true extent of the

patron's intoxication.

- Suggest low alcohol content or filling drinks such as ice cream drinks.
- Serve water or fruit juices with all straight drinks.

Despite all your efforts, a customer may become intoxicated and should not be served additional alcohol. If this occurs, every effort should be made to stop alcohol service. Here are some suggestions to use when "cutting off" a customer.

- Avoid a confrontation.
- Do not attempt any physical confrontation.
- Make the manager and all personnel aware of the problem.
- Bring menus to the table or casually suggest an appetizer.
- Suggest an alternative form of transportation. If the patron insists on driving report this to your supervisor at once.

It is essential that a manager be aware of any potential situation where you, as a server, believe there is a chance of over-serving a guest or serving a minor. Remember, if a guest is over-served and leaves the restaurant and hurts someone, the authorities may likely hold you responsible along with the Company and management of the restaurant. It is possible that you could be called to court and even be subject to criminal penalties. Always remember-there is no reason over-service should occur and absolutely no reason that a minor should be served alcoholic beverages. Use your own "common sense" as well as what you have learned in your training with the Company, in your ABC Server Certification course and taking into consideration the above helpful hints.

If you follow these guidelines and act in a responsible manner, you are far less likely to be involved in any incident that may have an adverse effect on you, our patrons and the Company.

Thank you for your cooperation.

Wild Wing Café Management

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

DATE: 8/28/17

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 8/31/17 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 9/12/17

Name of Business Wild Wing Cafe

Location of Business 545 Cool Springs Blvd. Ste. 195

CODES DEPT

  
Building Inspector

8/29/17  
Date

FIRE DEPT

Fire Inspector

Date

Jonathan

**City of Franklin**

P O Box 705  
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(615) 791-3225

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