

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:

DATE PERMIT NEEDED BEFORE OPENING 10/28/2015

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

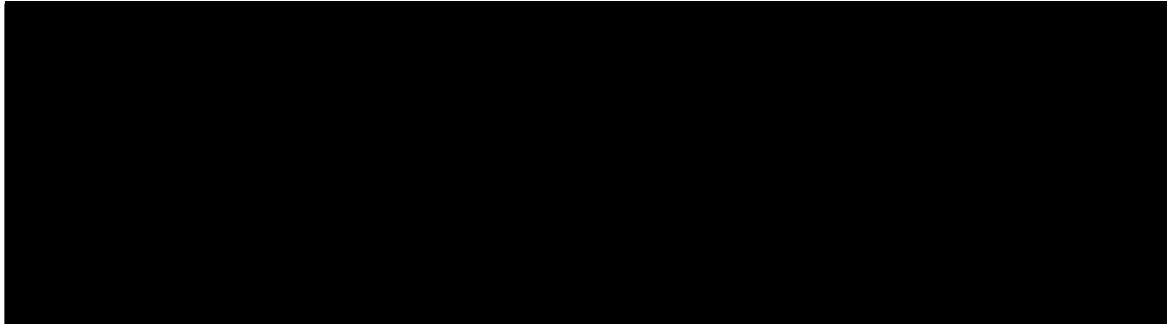
1. Owner (Applicant) KROGER LIMITED PARTNERSHIP I
 Person Firm Corp LLC Joint-stock co. Syndicate Association
 LIMITED PARTNERSHIP
2. List all persons, firm, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business (attach additional sheet, if needed). Please give name and address.
KROGER LIMITED PARTNERSHIP I
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?
KROGER #568
- City of Franklin business account number 19590

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

411 WHITMAN ROAD, FRANKLIN TN 37064

Phone number of the business 615-599-6665

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.



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 KROGER BUSINESS LICENSE Title _____

Mailing Address PO BOX 305103

City, State, Zip NASHVILLE TN 37230

Daytime contact phone number 615-232-9557 OR 615-232-9767

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 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.

WESTHAVEN PARTNERS LLC

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.
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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 NO If so, please give date, place and cause of said revocation.
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-

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

HARRIS TEETER #333

411 WHITMAN ROAD, FRANKLIN TN 37064

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.

N/A

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

RETAIL GROCERY STORE

16. Will a full course menu be served? N/A
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.

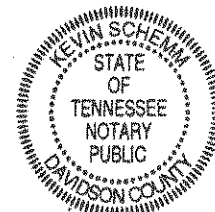
Mike Rayon
Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: KROGER LIMITED PARTNERSHIP I
Name of Business Entity

Sworn to and subscribed before me this 20 day of Aug, 20 15

Kevin Schumm
Notary Public

My Commission Expires: 10-18-16



MY COMMISSION EXPIRES:
October 18, 2016

Official Use Only	
Application Fee \$ <u>250.⁰⁰</u>	Date Paid <u>8/21/15</u>
Privilege Tax \$ <u>33.⁰⁰</u>	Date Paid <u>8/21/15</u>
Board Meeting Date <u>9 / 8 / 15</u>	



How to Handle the Selling of Restricted Sale Items

What is a Restricted Sale Item?

A restricted sale item is an item that requires the customer's Date of Birth (DOB) be entered into the register. Our policy is to physically verify the customer's ID when prompted for DOB. The cashier must enter into the register the DOB from the ID they verified. It is against company policy to enter a generic DOB into the register.

Restricted Sale Items and the Age Requirements to Purchase the Item

- **Alcoholic Beverages** – a person must be 21 years of age
- **Tobacco/Tobacco Related Products** - a person must be 18 years of age in GA, SC, & TN and a person must be 19 years of age in AL. **The only exception is for selling tobacco/tobacco related products. Any customer that appears to be under the age of 27, we must request the customer's ID.**
- **Fireworks** – a person must be 18 years of age
- **Adult Vitamins such as Metabolife** – a person must be 18 years of age
- **R Rated Videos** – a person must be 17 years of age
- **Spray Paint** – a person must be 16 years of age
- **Dry Ice** – a person must be 18 years of age
- **Dextromethorphan such as cough medicines which normally have either DXM or DM in the name** – a person must be 18 years of age

Cashiers

ALL PERSONS (REGARDLESS OF AGE) must be asked to show proper identification when purchasing restricted sale items. It shall be the duty of the person selling the restricted sale item TO REQUEST AN ID, AND TO BE FURNISHED WITH PROPER IDENTIFICATION in order to verify the age of the customer.

Some local ordinances require Cashiers to be a certain age in order to scan restricted sale items (for example alcoholic beverages). Each store is responsible for knowing their local ordinances and following those ordinances. If the Cashier is not old enough to scan the restricted sale item then it shall be the responsibility of the Associate (that is of age) scanning the restricted sale item to request PROPER IDENTIFICATION and enter the DOB into the register.

If an associate does not comply with the local laws and the company's rules the associates may be subject to fines, arrested by law enforcement and disciplinary action taken up to and including discharge by The Kroger Co.



How to Handle the Selling of Restricted Sale Items

Proper Identification Requirements:

1. A picture to compare with the person making the purchase
2. A date of birth to determine the age of the person making the purchase
3. A name printed on the license
4. A physical description of the person (height, weight, sex, eye color, and hair)

Identification that we accept:

Any Government issued ID such as Driver's License - State Issued ID - Military ID – Passport

Identification that we cannot accept:

Any non-government issued ID such as College/University IDs – Expired IDs – Social Security – Government Work ID

Entering the Date of Birth into the Register:

- Once the proper identification has been verified, the cashier **MUST** enter the actual date of birth listed on the proper identification they verified. It is against company policy to enter a generic DOB into the register.
- We cannot enter a DOB that is generic or just given to us by the customer.
- If the cashier enters an invalid date of birth (ie: not old enough, DOB entered incorrectly) that causes the register to display “**B027 Not for Sale**”, then a supervisor must be called for further assistance. The Cashier will need to clear the message and continue scanning other items in the transaction until the supervisor arrives.

Supervisor/Customer Care Associates

The **supervisor** will need to:

- Rescan the restricted sale item being purchased
- The register will display “**B791 Override Req – Multiple DOB Entered**”
- Request PROPER IDENTIFICATION from the Customer
 - (See above for Proper Identification Requirements)
- Once the proper identification has been verified, the Supervisor/Customer Care Associate **MUST** enter the actual date of birth listed on the proper identification they verified. It is against company policy to enter a generic DOB into the register.
- A manager override is required

Transaction Monitoring

All transactions are monitored by our Risk Management Department.



How to Handle the Selling of Restricted Sale Items

Alcohol and Tobacco Sales Policy

Beer and Wine Sales Policy

A. A person must be 21 years of age to buy Beer or Wine.

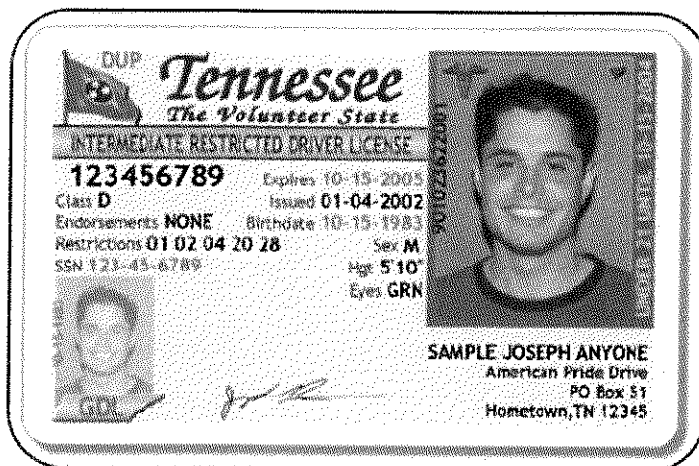
B. The following policy will apply to all cashiers/clerks selling beer or wine:

ALL PERSONS (REGARDLESS OF AGE) must be asked to show proper identification when purchasing alcoholic beverages. IT SHALL BE THE DUTY OF THE PERSON SELLING OR OTHERWISE FURNISHING such alcoholic beverage to REQUEST TO SEE AND TO BE FURNISHED WITH PROPER IDENTIFICATION in order to verify the age of the person.

The key to the above is: **IT SHALL BE THE DUTY OF THE SELLER (ASSOCIATE) - to request PROPER IDENTIFICATION.** Proper identification is a driver's license or state issued ID that meets the following four requirements:

1. A picture to compare with the person making the purchase.
2. A date of birth to determine the age of the person making the purchase.
3. A name printed on the license.
4. A physical description of the person (height, weight, sex, eye color, and hair).

****If you are presented with a Driver's License that has the Red, indicating that the person was under the age of 21 at the time the license was issued (See BELOW) STOP!!! DO NOT ENTER THE DATE OF BIRTH. You must call a member of management and they will enter in the customer's DOB to complete the transaction. If a manager is not available, you must refuse the sale. An MOD cannot approve the sale.**



RED means STOP!!!



How to Handle the Selling of Restricted Sale Items

- C. No beer or wine is to be sold to any person who is apparently already intoxicated. If at any time there is a question, you are to alert a member of management.
- D. There will be no refunds on beer or wine.
- E. Food Stamps cannot be used to purchase beer or wine.
- F. No beer or wine will be sold on Sunday, unless allowed by law.
- G. If scanned incorrectly; the customer does not receive the product free.
- H. Cashier age requirements are based on your local ordinance for selling beer and wine. Know the age requirement applicable for your store.
- I. In addition to the policies outlined above, each county has different regulations governing the times that alcoholic beverages can be sold. See your store manager for local time regulation for your area.

Violation of these rules will be cause for disciplinary action up to, and including discharge, and are a violation of state law that may subject associates to legal fines and imprisonment.

Tobacco Sales Policy

- A. A person must be eighteen (18) years of age, to buy tobacco products, cigarettes, or tobacco related objects.
- B. The following policy will apply to all cashiers/clerks selling cigarettes and smokeless tobacco products.

When a reasonable or prudent person could reasonably be in doubt as to whether or not the person to whom a tobacco product is to be sold or otherwise furnished is actually **26 years of age or younger**, IT SHALL BE THE DUTY OF THE PERSON SELLING OR OTHERWISE FURNISHING such tobacco products TO REQUEST TO SEE AND TO BE FURNISHED WITH PROPER IDENTIFICATION in order to verify the age of the person.

IT SHALL BE THE DUTY OF THE SELLER (ASSOCIATE)-TO REQUEST PROPER IDENTIFICATION.

Proper identification is a driver's license or state issued ID that meets the following four requirements:

1. A picture to compare with the person making the purchase.
2. A date of birth to determine the age of the person making the purchase.
3. A name printed on the license.
4. A physical description of the person (height, weight, sex, color of eyes and hair)



How to Handle the Selling of Restricted Sale Items

- C. Food stamps cannot be used to purchase cigarettes or tobacco related products.
- D. If scanned incorrectly the customer does not receive the product free.

Violation of these rules will be cause for disciplinary action up to, and including discharge, and are a violation of state law that may subject associates to legal fines and imprisonment.

Associate Name: _____ EUID #: _____

Associate Signature: _____ Date: _____

City of Franklin

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

DATE: 8/21/15

TO: POLICE CHIEF

FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR

RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT

BEER BOARD MEETING DATE 9/8/15

☐ Applicant is requesting a temporary permit. Please return ASAP.

☒ Please return by 8/28/15 to provide information for Beer Board meeting agenda.

Name of Business Kroger #568

Location of Business 411 Whitman Road

Name of applicant Kroger Limited Partnership 1

Managing A

Drivers Lice

Date of Birth

☐ Recom
denial

☐ Not rec

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: 8/21/15

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 8/28/15 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 9/8/15

Name of Business Kroger # 568

Location of Business 411 Whitman Road

CODES DEPT

[Signature]
Building Inspector

8-25-15
Date

FIRE DEPT

Fire Inspector

Date