

TITLE 8**ALCOHOLIC BEVERAGES****CHAPTER****1. BEER.****CHAPTER 1****BEER****SECTION**

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8-101. Sales lawful. It shall be lawful to transport, store, sell, distribute, possess, receive and/or manufacture beer of alcoholic content of not more than five percent (5%) by weight, or any other beverage of like alcoholic content, but no brewer or wholesaler of any such beverage, or other agent or agents shall be permitted to make any loan or furnish any fixtures of any kind, or have any interest, direct or indirect, in the business of any retailer of such beverages, or in the premises occupied by such retailer. (1952 Code, § 6-3(1))

8-102. Zoning restriction. The sale of such beer and/or other beverages is hereby restricted to the following zone: (1952 Code, § 6-3(2))

8-103. Beer board; quorum. The city council shall constitute the city beer board, a majority of which shall constitute a quorum. (1952 Code, § 6-3(3))

8-104. Permits; application. (1) Before any person, firm, or corporation shall be authorized to sell, store, and/or manufacture such beer and/or beverages as prescribed herein by the city, he shall apply to the city beer board and shall establish:

(a) That the applicant is twenty-one (21) years old and is a citizen of the United States, or, if a company or corporation, that all the members are citizens of the United States,

(b) That no persons will be employed in the storage, sale, or manufacture of any such beverages except citizens of the United States,

(c) That no beverages will be sold except in the restrictive areas set out in § 8-102 of this chapter,

(d) That no wholesaler is interested in the business in any way,

(e) That no sale shall be made to minors and no minor shall be employed in the place of business,

(f) That neither the applicant nor any person employed by him in such distribution or sale shall be a person who has been convicted of any violation of the laws against possession, sale, manufacture, or transportation of intoxicating liquor or of any crime involving moral turpitude, within the past ten (10) years,

(g) That the applicant shall distinctly state whether the persons so applying for a permit will conduct the business in person, or whether he is acting as agent for any other persons, company, or corporation, and any person make false statement in said application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten (10) years;

(h) That drunks, loose women and lawless characters will not be allowed to congregate at his place of business and no beer will be sold to persons who are drunk, insane, habitual drunkards, or persons of known intemperate habits,

(i) That all the laws of the State of Tennessee and ordinances of the city regarding the sale, storage, and manufacture of such beverages will be strictly complied with,

(j) That dancing will not be permitted in his place of business, and

(k) That the hours set out in this chapter in which such beverages may be sold will be observed.

(2) The beer board, if it is the judgment of the majority of the members thereof that the applicant is qualified under the laws of the State of Tennessee and under the provisions of this chapter to engage in the business of selling, storing, and/or manufacturing the beverages described herein, may issue a permit to such applicant to engage in such business. (1952 Code, § 6-3(4) & (5))

8-105. False statements by applicants; revocation of permit. If any statement made by any applicant to the beer board in obtaining a permit is found to be false, the permit issued pursuant thereto may be revoked by the beer board upon notice and hearing, in which event the burden shall be upon the permittee to prove the correctness of all the statements in said application, and the permit of any person found guilty in the city court for the violation of any of

the provisions of this chapter may be revoked by said beer board. (1952 Code, § 6-3(9))

8-106. Minors. (1) No sales shall be made to minors.

(2) Minors shall not be permitted to work in establishments where beer is sold.

(3) It shall be unlawful for the management of any place where any beverage licensed under this chapter is sold to allow any minor to loiter about such place of business and the burden of ascertaining the age of minor customers shall be upon the owner or operator of such place of business. (1952 Code, § 6-3(6) & (8))

8-107. Dancing prohibited. It shall be unlawful to allow dancing in a place of business in which such beverages are sold. (1952 Code, § 6-3(7))

8-108. Hours of sale. The hours within which the sale of such beverages shall be permitted shall be from 6 A.M. to 10 P.M. on week days, and no such beverages shall be sold on Sundays. No such beverages shall be consumed, or opened for consumption, on or about any premises licensed by this ordinance, in either glass, bottle, or other container, after 10:15 P.M. (1952 Code, § 6-3(8))

8-109. Public view of counters, etc., required. It shall be unlawful to maintain and operate a beer parlor or a place of business where beer is sold where the public view of the counters and booths in such establishment is hidden, cut off, or obstructed. (1952 Code, § 6-3(8))

8-110. Change of ownership, location, etc. Should the permit holder transfer the ownership of business at the location for which such permit is granted, or should he or she cease to do business for a period of fifteen (15) days, then upon such occurrence such permit shall be immediately terminated and become void from and after such transfer, change of location, or cessation of business. (1952 Code, § 6-3(10))

8-111. Permit holder to manage business. Unless the permit holder engages in the active management of such place of business for which such permit is granted and upon his or her failure to do so, such permit shall immediately terminate and become void from and after such termination. (1952 Code, § 6-3(11))

8-112. Violations. The violation of any of the sections of this chapter shall constitute grounds for the revocation of such permit. (1952 Code, § 6-3(12))