

CITY OF JOHNSON CITY
DELIVERY SERVICE LICENSE
Information

The information and checklist set out below is not an all-inclusive list of instructions for completion of a Delivery Service License application for the City of Johnson City, Tennessee. Instead, the list provides reminders to help applicants turn in completed applications. Incomplete and inaccurate applications are considered void and of no effect.

The application must be fully completed and must include all secondary documents with the non-refundable license application fee **(\$350.00)** or the non-refundable renewal license application fees **(\$200.00)**. By making this application, the applicant assumes personal responsibility for all information provided. It is the applicant's responsibility to see that the application is complete and correct. The application must be considered and approved by the Board of Commissioners ("Commissioners"). The applicant must attend the City Commission meeting to answer any questions that the Commissioners may have at that time. The Commissioners can deny an application for any incorrect, inaccurate or false information provided; at the least, the Commissioners may delay action on an application for any information it finds unacceptable. The completed application must be submitted to the Finance Department, Municipal and Safety Building, 601 E. Main Street **no less than seven (7) days prior to the date of the Commission meeting deadline**. The application must be signed and notarized.

A license is valid only for the business of the owner named in the license at the named location. Licenses are issued to the owner of the business, whether a person, firm, corporation, joint-stock company, LLC, etc. A license is not transferable from owner to owner or location to location. A license is for a single location only. **The applicant MUST provide this information in the application document and is accountable for providing complete and accurate information.** Please be aware that the delivery of beer may not occur until a delivery service license has been issued by the City to the applicant.

An initial license will not be issued without a copy of the current Johnson City business license, a copy of the certificate of registration for Tennessee sales tax, and a copy of the current off-premises beer license issued by Johnson City for sale of beer.

RENEWALS ONLY: Delivery service license must be renewed annually. The renewal of a license will not be issued without a copy of a current Johnson City business license, a copy of the certificate of registration for Tennessee sales tax, a copy of current off-premises beer license issued by Johnson City for sale of beer pursuant to Title 8, Section 219 of the Johnson City Municipal Code, and the Annual Delivery Report which shall contain: a list of all delivery drivers, the driver's license for each delivery driver, the server permit for each delivery driver, and the number of deliveries for each.

No person whose duties shall be serving or completing the application shall have been convicted of committing any state or federal felony, violating any DUI/DWI/implied consent laws, or violating any criminal law regarding theft, burglary, violence, child abuse, spousal abuse, prostitution, or pandering within the ten (10) year period next preceding the date of application. It is the responsibility of the business owner to conduct, or have a third party conduct, a criminal background checks for all delivery drivers. Delivery may be employees of business owner or an independent contract. Proof of background checks and reports are subject to inspection by request of the City of Johnson City pursuant to the issuance or renewal of the delivery service license.

**CITY OF JOHNSON CITY
DELIVERY SERVICE LICENSE
*Mandatory Item Checklist***

If you have any questions, you may call 423-434-2393. Please be mindful that the City cannot provide legal advice, but we will do everything that we can to answer your questions to the extent possible.

- License application fee paid (**non-refundable**).....\$350.00
- Current Johnson City business license
- Certificate of Registration for Tennessee Sales Tax
- Current off-premises beer license issued by Johnson City for sale of beer

For City Use Only:

City Commission Meeting: Thursday, _____ @ 6:00 p.m.
 Commission Chambers
 Municipal and Safety Building
 601 E Main Street
 Johnson City, Tennessee

CITY OF JOHNSON CITY
DELIVERY SERVICE RENEWAL LICENSE
Mandatory Item Checklist

If you have any questions, you may call 423-434-2393. Please be mindful that the City cannot provide legal advice, but we will do everything that we can to answer your questions to the extent possible.

- License renewal application fee paid (**non-refundable**).....\$200.00
- Delivery fee paid (**non-refundable**)
 - (a) 0-15 delivery drivers - \$50
 - (b) 16-30 delivery drivers - \$100
 - (c) 31-45 delivery drivers - \$150
 - (d) 46-60 delivery drivers - \$200
 - (e) 61-100 delivery drivers - \$250
 - (f) 101-150 delivery drivers - \$300
 - (g) 151-200 delivery drivers - \$350
 - (h) \$50.00 for each additional 50 delivery drivers over 200 until a maximum of \$1,000.00
- Current Johnson City business license
- Certificate of Registration for Tennessee Sales Tax
- Current Off-Premises beer license issued by Johnson City for sale of beer
- Annual Delivery Report
- Current Driver's license number for each delivery driver
- Background record check for each delivery driver (upon request)
- Server permit for all delivery drivers pursuant to Title 8, Section 219 of the Johnson City Municipal Code
- Number of deliveries for each delivery driver

For City Use Only: City Commission Meeting: Thursday, _____ @ 6:00 p.m.

For City Use Only: _____
Date Filed

**CITY OF JOHNSON CITY
DELIVERY SERVICE LICENSE
APPLICATION**

The applicant is an individual or sole proprietorship; the applicant must conduct the business in person for himself or herself, and must complete this application. If the applicant is acting as an agent for the owner of the business in the event the owner is a corporation, firm, syndicate, stock company, association, or other business/governmental entity, the agent shall complete this application on behalf of the business entity.

Each applicant for a delivery service license shall file with the City of Johnson City this sworn petition in writing, establishing the following facts, to the satisfaction of the City Manager, the truth of each and all of which facts at the time of approval of the application and in the future are hereby made conditions of any license issued hereunder:

APPLICATION AND RENEWAL USE:

Reason for Application: Initial License Renewal License

Name of Business Owner(s): _____

1. Is applicant:

- Corporation General Partnership Limited Partnership Limited Liability Company
 Sole Proprietorship Government Entity Individual

2. Under what name does the business operate: _____

3. Business Address: _____, City _____ Zip _____

4. Name of Representative/Agent: _____

Telephone _____ Email _____

5. Date of birth of the applicant or the date of creation of the business: _____

6. Applicant's social security number or its tax identification number: _____

7. Provide the address of property: _____

8. Property Owner Name: _____ Telephone _____

9. Attach to this application: Current Johnson City business license, certificate of registration for Tennessee sales tax, and current off-premises beer license for the sale of beer.

**CITY OF JOHNSON CITY
DELIVERY SERVICE LICENSE
AFFIDAVIT**

Initial _____: I/we hereby solemnly swear or affirm that each statement in this application is true and correct and understand that if any statement contained herein is false, the license issued is automatically forfeited and voided. Furthermore, that in the event of forfeiture I/we shall not be eligible to receive another license for a period of ten (10) years pursuant to Tennessee Code Annotated § 57-5-105(d).

Initial _____: I/we understand that all applicants are charged with the responsibility of knowing the local and state beer laws. I/we are aware that the penalty for violating state or local beer laws can include revocation or suspension of the license and/or the imposition of civil penalties up to ONE THOUSAND FIVE HUNDRED 00/100 DOLLARS (\$1,500.00) PER OFFENSE.

Initial _____: I/we understand that a requirement of a delivery service license issuance is the permittee(s) and ON-SITE manager(s) who will supervise the delivery of beer and delivery drivers must complete alcohol education and training programs.

Initial _____: I/we understand that it is the business owner(s) responsibility to conduct local and national criminal background investigation on all delivery drivers who will be delivering beer at various locations within the corporate city limits. It is further understood that any and all documents related to that investigation shall become public record open for public inspection and reproduction pursuant to Tennessee Code Annotated § 10-7-503, and that it is the business owner(s) responsibility to have all documents related to that investigation available for inspection upon request, and to submit an Annual Delivery Report at the time of renewal.

Initial _____: I/we hereby release, absolve and hold harmless, the City of Johnson City, the Board of Commissioners, the Johnson City Police Department, and the employees, agents and representatives of all of the foregoing from any and all liability of whatever type for any damages, causes of actions, personal property injuries which may result as a consequence of my application for a delivery service license, background investigation, release of documents or any other matters related to my application. I/we hereby waive all possible liability of the City of Johnson City, Board of Commissioners, Johnson City Police Department, and the employees, agents and representatives of all the foregoing as stated above.

Initial _____: I/we understand that no person whose duties shall be serving, delivering, or completing the application shall have been convicted of committing any state or federal felony, violating any DUI/DWI/implied consent laws, or violating any criminal law regarding theft, burglary, violence, child abuse, spousal abuse, prostitution, or pandering within the ten (10) year period next preceding the date of application.

Initial _____: I/we understand if any information given in the application subsequently changes, I/we will immediately notify the Finance Department for the City of Johnson City.

Initial _____: I/we affirm that I/we do not have a current license issued by the Tennessee Alcohol Beverage Commission for the business in which I/We are seeking a delivery service license.

Initial _____: I/we affirm that I/we have never had a license for the sale of alcoholic beverages or controlled substances revoked or suspended by the City of Johnson City, Tennessee.

Initial _____: I/we assume full responsibility for the license and will be accountable for full compliance with the laws of Johnson City and the State of Tennessee in the sale of beer.

Initial _____: I/we have read the foregoing release. I/we fully understand its provisions, and voluntarily consent to abide by its requirements.

Initial _____: I/we acknowledge and understand that the fees paid for the delivery service license application process are non-refundable.

The undersigned is the applicant or the bona fide and qualified agent/representative of the corporate applicant.

Applicant Signature or Agent/Representative

Date: _____

Signature of Responsible Party

Date: _____

Sworn to and subscribed before me on this _____ day of _____, _____,
Notary Public: _____
My Commission Expires: _____

**CITY OF JOHNSON CITY
DELIVERY SERVICE LICENSE
NOTICE OF ACTION CONTACT**

To receive notice of actions of the City of Johnson or the Board of Commissioners and to accept service of process, please provide the name of the individual, their position with the applicant (owner, manager, etc.) and their address (may be business location).

BEER PERMIT APPLICATION:

Business Name: _____

Business Location: _____ Zip _____

PERSON RESPONSIBLE TO RECEIVE SERVICE OF PROCESS:

Name: _____ Title: _____

Address: _____ City _____ Zip _____

CERTIFIED MAILING ADDRESS:

Name: _____

Address: _____ City _____ Zip _____