

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 12-433

A RESOLUTION REQUIRING MINIMUM MANDATORY TRAINING REQUIREMENTS FOR EMPLOYEES OF BEER PERMIT HOLDERS.

WHEREAS, in order to protect the health, safety and welfare of Anderson County citizens, the Anderson County Beer Board desires to adopt minimum mandatory training requirements for all employees of beer permit holders; and

WHEREAS, *Tennessee Code Annotated, Section 57-5-105 (j)* provides that:

A county legislative body may impose training or certification restrictions or requirements on employees of a permit holder, but such restrictions or requirements shall not apply to any employee who is possessed of a server permit issued by the alcoholic beverage commission pursuant to chapter 3, part 7 of this title.

WHEREAS, the Beer Board passed this resolution by unanimous vote on March 13, 2012, and strongly encourages the Board of Commissioners approve this measure for the safety of all citizens.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 19th day of March 2012 that:

Section 1: No person holding a permit or license to sell beer in the county, outside the municipal limits of Oak Ridge, Clinton, Oliver Springs, Lake City and Norris shall allow any employee to sell or serve beer unless that employee has attended and completed a program of alcoholic beverage sale or server instruction approved by the Anderson County Beer Board and certified by the Tennessee Alcoholic Beverage Commission.

Section 2: No employee of a person holding a beer permit or license to sell beer in the county, outside the municipal limits Oak Ridge, Clinton, Oliver Springs, Lake City and Norris shall be allowed to sell or serve beer unless that person has attended and completed a program of alcoholic sale or server instruction approved by the Anderson County Beer Board and certified by the Tennessee Alcoholic Beverage Commission.

- A) Existing employees of permit holders will have six (6) months from the date of passage of this resolution to obtain proper certification.
- B) New employees of permit holders will have thirty (30) days to obtain proper certification from the date of hire.
- C) Employees holding a valid Tennessee Alcoholic Beverage Commission certification or license shall be exempt from the terms of this resolution.

Section 3: An extension waiving compliance with this resolution may be granted by the Anderson County Beer Board upon proper application and good cause shown by an existing permit holder for up to an additional six (6) months in order to achieve full compliance.

Section 4: The Anderson County Beer Board may issue Show Cause Orders to any permit holders or employees to command their presence and answer charges before the Board upon information and belief received that a violation of this resolution has occurred.

Section 5: Upon a finding of guilt, proven by clear and convincing evidence, the Beer Board may suspend a beer permit for up to ten (10) days, or in the alternative impose a monetary fine of up to fifty (\$50.00) dollars per occurrence and/or require the employee to successfully repeat the program of alcoholic beverage sale or server instruction approved by the Anderson County Beer Board and certified by the Tennessee Alcoholic Beverage Commission.

Section 6: Documentation demonstrating compliance with the terms of this resolution shall be maintained on premises and shall be available for inspection by proper authorities at all times beer is being served or sold.

Section 7: The Anderson County Clerk shall cause a copy of this resolution to be mailed to all beer permit holders within thirty (30) days of passage and all new applicants shall be provided a copy of this resolution at the time of application.

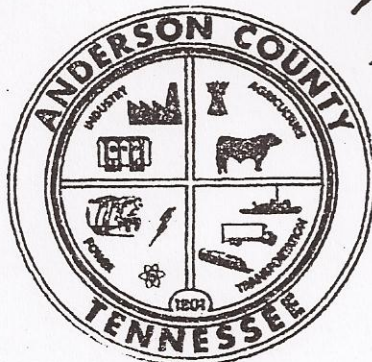
Section 8: The terms of this resolution are hereby incorporated by reference in the Anderson County Beer Board Rules and Regulations.

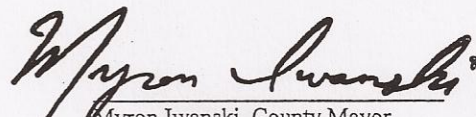
Section 9: If any provision of this resolution shall be invalidated by a court of law the remaining sections shall remain valid, effective and enforceable.

Section 10: This resolution shall take effect immediately. The public welfare requiring it.

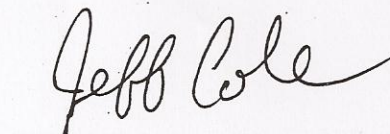
DULY RESOLVED, PASSED AND APPROVED this 19th day of March 2012.


Chuck Fritts, County Commission Chair




Myron Iwanski, County Mayor

ATTEST:


Jeff Cole, County Clerk