



UPDATED

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Liquor-By-The-Drink Expansion of Premises due to COVID-19

Due to COVID-19, many restaurants have spare open space in their parking lots and are looking into including a patio area into their parking lot. This may be possible under the following guidelines:

Application

You must apply for an expansion of the premises by filing an amendment to your license in our online RLPS system. You may not use any such patio for the sale or consumption of alcoholic beverages, until such application has been approved. You should include the following documents in such application:

- A letter that describes the expansion being sought, including how the patio is connected to the premises and has a clearly defined border;
- A diagram that shows the patio space that will be added;
- The lease or deed for such space that will be added. If such space is covered by the lease or deed already on file with the TABC for this establishment, then please note that in the above letter; and
- Pictures of the patio space to be added.

The TABC has published a tutorial on expansion of premises license amendments, which can be found here:

<https://www.tn.gov/content/dam/tn/abc-documents/abc-documents/Expansion%20of%20Premises.pdf>

Inspection

As a part of the application process, our agents will perform a visual inspection of such patio and may contact the establishment if the agent has any questions.

Application Fee Temporarily Waived

Per Executive Order No. 55, the \$300 application fee for expansion of premises is waived for applications submitted through at least September 30, 2020.

Permanent vs. Temporary

Many restaurants will only wish to have such parking lot patios during this COVID-19 period. That is fine, but please know that such parking lot patios must be permanent in place until such time as the restaurant is ready to fully remove such patio from its licensed premises. For example, let's say a restaurant only wanted to have such a parking lot patio on the weekends and they want to put up and remove the patio each weekend. This would not be allowed under such an expansion. However, if a restaurant wanted to have a parking lot patio that would be in place from July 1 – October 1, then that would be allowed. When a restaurant wishes to remove such a patio from their licensed premises, the establishment does not need to submit another application, but should notify the TABC in writing, such as via email, that the

establishment will be removing such patio. If a restaurant removes such a patio and later decides to add such a patio back, then another application to expand the premises must be filed.

Border

The border of the patio must be such that it clearly defines the premises such that customers can clearly tell where the premises begins and ends. The border should also be not easily moveable.

Connected to Premises

The patio must be contiguous (connected) to the licensed establishment. That said, there can be reasonable openings to allow ingress and egress between the patio and the establishment, provided that signs are posted at such spots specifying that alcoholic beverages cannot be taken past such point.

Leases and Shared Parking Lots

If a parking lot is shared by multiple tenants under a lease, then an expansion into such a parking lot cannot be approved without the express written permission of the landlord.

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