

JUSTIN HANSON
Mayor



TINA DUNN
Recorder-Treasurer

City of Covington

POST OFFICE BOX 768
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Telephone (901) 476-9613 Fax (901) 476-6699

**THE MEETING OF THE BEER BOARD OF THE CITY OF COVINGTON,
TENNESSEE, ON THE 22nd DAY OF JANUARY, 2019 AT COVINGTON
CITY HALL AT 5:30 P. M.**

- 1. Meeting to be called to order by the Chairman Mayor Justin M. Hanson.**
- 2. Public Hearing to consider the suspension, revocation or civil penalty in lieu of suspension of the Beer Permit of ISMAIL NAJI ALLOUZI dba CORNER THRIFTY MART at 825 Peeler Road for selling beer to a minor.**
- 3. Meeting Adjourned.**

CORNER THRIFTY MART
825 Peeler Road, Covington, Tennessee

Violation: Selling Beer To A Minor On The 29th December 2018

Permit Holder/Owner/Operator:

Ismail Naji Allouzi
6991 Daneman Drive
Memphis, Tennessee 38133

Narrative of Case:

On Saturday, the 29th day of December 2018, Officer James Perry of the Covington Police Department Special Crimes Unit conducted an alcohol compliance check at all convenience stores holding beer permits inside the corporate limits of Covington. Officer Perry used a confidential informant who was under the age of 21 to attempt to purchase alcohol from each of the convenience stores. Officer Perry accompanied the confidential informant to every store and maintained visual contact with the confidential informant at all times during the transactions. Officer Perry observed the confidential informant enter and purchase a 25 oz. beer from Corner Thrifty Mart at 825 Peeler Road from the clerk on duty identified as Rachelle Denise Lowe. Ms. Lowe was issued a misdemeanor citation for Selling Alcohol to Minors (Tennessee Code Annotated 57-5-301) and will appear before the Tipton County General Sessions Court on Tuesday, the 22nd day of January 2019 at 9:00 A.M.

This is the fourth time Mr. Allouzi has come before the Covington Beer Board on the charge of selling beer to a minor. The first was in 2000, second in 2012 and the third in 2018.

In 2012 Mr. Allouzi actually made the sale of beer to a minor along with Mr. Nabil Abuelouf. Mr. Abuelouf made the sale of alcohol to a minor in 2000 from the same store.

HISTORY OF VIOLATIONS AT CORNER THRIFTY MART

825 Peeler Road, Covington, Tennessee

Permit Holder-Owner-Operator:

Ismail Naji Allouzi
6991 Daneman Drive
Memphis, Tennessee 38133

The Covington Beer Board approved Corner Thrifty Mart's application to sell beer for Off Premise Consumption on the 12th of August 1997.

Note: Corner Thrifty Mart has three previous violations on record:

On the 16th of February 2000, Nabil Abuelouf, an employee of Corner Thrifty Mart, sold beer to a minor(s) in violation of Tennessee Code Annotated and the Covington Municipal Code.

The Beer Board met on the 11th of April 2000 and made the decision to suspend the beer permit for Corner Thrifty Mart for thirty days or in lieu of that thirty day Suspension, Corner Thrifty Mart could pay a \$1000.00 fine for selling beer to a minor. Corner Thrifty Mart paid the fine in lieu of suspension on the 18th April, 2000.

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On the 20th of January 2012, Ismail Allouzi, the owner of Corner Thrifty Mart, and Nabil Abuelouf, an employee, unlawfully sold beer to minors in violation Tennessee Code Annotated and in violation of Covington Municipal Code.

The Beer Board met on the 9th of April 2012 and fined Allouzi \$1000.00 for the Unlawful Sale of Alcohol to Minor(s) which occurred on the 20th day of January 2012. Ismail Allouzi paid the fine imposed upon him by the Covington Beer Board on the 16th of April 2012.

Note: Nabil Abuelouf was still an employee of Ismail Allouzi and Corner Thrifty Mart in 2018.

On the 25th of February 2017, Felicia Weather, a cashier at Corner Thrifty Mart , unlawfully sold beer to minors in violation Tennessee Code Annotated and in violation of Covington Municipal Code. Ms. Weathers was cited to Tipton County General Sessions Court where the case was dismissed with cost in December 2017.

The Covington Beer Board met on the 23rd day of January 2018 for a Public Hearing in order to consider the suspension, revocation or a civil penalty in lieu of suspension of the Beer Permit of Ismail Naji Allouzi, the owner of Corner Thrifty Mart located at 825 Peeler Road. After a lengthy discussion there was a motion to suspend Corner Thrifty Mart's Beer Permit for thirty days which failed for a lack of a second. Next there was a motion to fine Corner Thrifty Mart two thousand dollars which failed due to a lack of a second. Finally the matter was tabled to the next meeting of the Covington Beer Board scheduled for the 13th of February 2018 with the proviso that the Beer Permit for Corner Thrifty Mart be suspended until that time. The Beer Board ordered Corner Thrifty Mart to lock his coolers suspend the sale of beer that very night.

On Wednesday, the 24th day of January 2018 officers with the Covington Department of Codes Compliance accompanied by the Covington Police Department inspected the premises of Corner Thrifty Mart and made sure that the business was compliant with the orders of Covington Beer Board. All beer had been removed from the cases and placed in a locked back room or secured within the coolers. Code officers affixed signs in the store and on the front door noting that no beer may be sold or given away at Corner Thrifty Mart until further notice per the Covington Beer Board.

The Covington Beer Board meet once again on this matter on the 13th of February 2018. After another lengthy discussion, the Beer Permit for Corner Thrifty Mart was suspended for ninety (90) days from February 13th.

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OWEN | JENKINS | DEDMON | WITHERINGTON

LAW GROUP LLP

David Owen
Rachel K. Witherington
Leah F. Keiser

Writer's Email
RWitherington@lexverum.com

January 16, 2019

VIA CERTIFIED MAIL: 7007 0220 0003 2845 1373


Corner Thrifty Mart
ATTN: Ismail N. Allouzi
825 Peeler Rd.
Covington, TN 38019

Re: Corner Thrifty Mart Beer Ordinance Violation

Dear Mr. Allouzi:

Please find enclosed a Notice of Hearing for the City of Covington Beer Board regarding violations of the beer ordinance at the above referenced place of business. It is necessary that you attend the hearing on **January 22, 2019 at 5:30 pm at the City of Covington City Hall located at 200 W. Washington St., Covington, TN 38019**. The hearing will take place in the second floor conference room.

Sincerely,



Rachel K. Witherington,
City Attorney

Enclosure

cc: David Gwinn, City of Covington

City of Covington

Beer Board

NOTICE OF HEARING

Comes now the undersigned pursuant to Title 8, Chapter 2 of the City of Covington municipal code: Beer Board and Ordinances, who give notice that law enforcement officers or other witnesses will appear at 5:30 p.m., January 22, 2019, before the Covington Beer Board at 200 West Washington Ave., Covington, Tennessee, regarding Suspension or Revocation of your beer permit and/or other action against:

Permitee: Corner Thrifty Mart
825 Peeler Rd.
Covington, TN 38019

Applicant: Ismail Naji Allouzi
6991 Daneman Dr.
Memphis, TN 38133

Based upon the following acts or omissions in violation of Covington Beer Ordinances and/or laws of the State of Tennessee, to wit: On December 29, 2018 City of Covington Police Department Special Crimes Unit conducted an alcohol compliance check using a confidential informant that was under the age of 21 to attempt to purchase alcohol from Corner Thrifty Mart. Rachelle Low, a clerk at Corner Thrifty Mart, sold the beer to the underage informant without asking for identification in violating of local ordinance and state law. Rachelle Lowe was cited by the Covington Police Department for a misdemeanor citation for Selling Alcohol to Minors pursuant to T.C.A. § 57-5-301.

This the 16 day of January, 2019.



Mayor

Rachel K. Witherington
City Attorney

I hereby certify that on the 16th day of January, 2019, I delivered via certified mail the City
of Covington Beer Board Notice of Hearing for January 22, 2019 to:

Corner Thrifty Mart

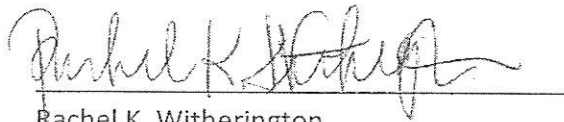
ATTN: Ismail Naji Allouzi

825 Peeler Rd.

Covington, TN 38019

Certified Mail # 7007 0220 0003 2845 1373

By:



Rachel K. Witherington

I hereby certify that on the 17 day of January, 2019, I delivered via personal service the
City of Covington Beer Board Notice of Hearing for January 22, 2019 to:

Ismail Naji Allouzi
6991 Daneman Dr.
Memphis, TN 38133

Address where Served: Thrifty Mart Store

By: Sgt. [Signature] 311
Covington Police Department

X [Signature]

I hereby certify that on the 16 day of January, 2019, I delivered via personal service the
City of Covington Beer Board Notice of Hearing for January 22, 2019 to:

Corner Thrifty Mart

825 Peeler Rd.

Covington, TN 38019

Name of Person Served:

Ethel Smith

By:

Capt J. Blake

Covington Police Department

Ethel Smith

!! NOTICE OF A PUBLIC HEARING !!

COVINGTON BEER BOARD

THE REGULAR SCHEDULED MEETING OF THE BEER BOARD OF THE CITY OF COVINGTON, TENNESSEE WILL BE HELD AT 5:30 P.M. ON TUESDAY, THE 22nd DAY OF JANUARY 2019 IN THE BOARD ROOM OF COVINGTON CITY HALL IN ORDER TO CONSIDER THE SUSPENSION, REVOCATION OR CIVIL PENALTY IN LIEU OF SUSPENSION FOR ISMAIL NAJI ALLOUZI dba CORNER THRIFTY MART LOCATED AT 825 PEELER ROAD FOR SELLING BEER TO A MINOR.

ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND COMMENT.

JUSTIN M. HANSON

CHAIRMAN