

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 1, 2015 AGENDA

Subject:	Type:	Submitted By:
COUNCIL POLICY STATEMENT - SPECIAL DESIGNATED LIQUOR LICENSE PROCEDURE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A resolution has been prepared approving a Council Policy Statement regarding Special Designated Liquor License Procedures.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

The current process requires that all SDL applications must be approved by the City Council as they have not designated a person to do the approvals. With meetings only twice a month this has created some instances where an applicant could not have an SDL for an event simply because the City Council meeting date would make the application late to the State who requires it be there 10 business days prior to the date of the event – no exceptions.

A Council Policy Statement is proposed to establish a uniform procedure for the recommendation to the Nebraska Liquor Commission to approve/deny an application for a Special Designated Liquor License (SDL) within the City of La Vista without having to go through City Council. Staff would follow their current process of review by the Chief of Police and would add review by the Chief Building Official.

This new policy would be sent to all current liquor license holders in the City of La Vista.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a Council Policy Statement entitled "Special Designated Liquor License Procedure" has been established.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement entitled "Special Designated Liquor License Procedure" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 1ST DAY OF DECEMBER, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Special Designated Liquor License Procedure

The purpose of this policy statement is to establish a uniform procedure for the recommendation to the Nebraska Liquor Commission (NLC) to approve/deny an application for a Special Designated Liquor License (SDL) within the City of La Vista.

The City Council has determined that it is in the best interests of the City and the Community to have the approval process run through the office of the City Clerk and that these do not need to go before the City Council for approval.

The following guidelines will be applied by the City Clerk in reviewing applications for special designated liquor licenses for the consumption of alcoholic liquors.

An application for a special designated liquor license will be recommended for approval by the City Clerk only when:

1. A favorable police report has been issued relating to the type and level of security to be provided to insure that the liquor laws, and in particular the liquor laws relating to the sale to and consumption by minors, will be complied with.
2. Adequate restroom facilities are available or will be provided.
3. The granting of such a permit will not create traffic congestion or hazards, and will not violate any of the provisions of the La Vista Municipal Code.
4. The application otherwise complies with the requirements of the Nebraska Liquor Control Act, including without limitation Neb. Rev. Stat. §53-134 and all rules and regulations as outlined by the Nebraska Liquor Control Commission.
5. The application for special designated liquor license is submitted for review at least twenty one (21) working days prior to the event date.
6. The application is approved by the chief building official or their designee.

An application for a special designated liquor license will be recommended for denial by the City Clerk when:

1. An unfavorable police report has been issued relating to the type and level of security to be provided to insure that the liquor laws, and in particular the liquor laws relating to the sale to and consumption by minors, will be complied with.
2. Adequate restroom facilities are not available or will not be provided.
3. The granting of such a permit will create traffic congestion or hazards, and/or will violate any of the provisions of the La Vista Municipal Code.

City of La Vista

Council Policy Statement

Special Designated Liquor License Procedure

4. The application does not comply with ~~the any~~ requirements of ~~the Nebraska Liquor Control Act Neb. Rev. Stat. §53-134 and all or any~~ rules ~~and or~~ regulations as outlined by the Nebraska Liquor Control Commission.
5. The application for special designated liquor license is submitted for review at less than twenty one (21) working days prior to the event date.
6. The application is not approved by the chief building official or their designee.
7. The application requests authorization to sell or consume alcoholic liquors beyond the hours for sale at retail and dispensing authorized in Chapter 114 of the La Vista Municipal Code.

The City Clerk shall then issue a response to the NLC either recommending approval or denial of the SDL.

These guidelines shall be applied to all applications for special designated liquor licenses for the consumption of alcoholic liquors. Nothing herein shall preclude the City Clerk in conjunction with the Chief of Police and Chief Building Official from deviating from the above-stated guidelines when exceptional or peculiar circumstances exist warranting such a deviation.