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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER, WINE, AND DISTILLED SPIRITS AT A BEER GARDEN, BY CUT SPIKE DISTILLERY, AT HAUNTED HOLLOW, 12501 OLD GILES ROAD ON SEPTEMBER 21, 2013

WHEREAS, Haunted Hollow, 12501 Old Giles Road is located within the City of La Vista; and

WHEREAS, Cut Spike Distillery has requested approval of a Special Designated Permit to sell and serve beer, wine, and distilled spirits at a beer garden at 12501 Old Giles Road on September 21, 2013 from 7:00 p.m. to 11:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer wine, and distilled spirits at a beer garden, by Cut Spike Distillery, on the property of Haunted Hollow, 12501 Old Giles Road on September 21, 2013.

PASSED AND APPROVED THIS 3RD DAY OF SEPTEMBER, 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



**LA VISTA POLICE DEPARTMENT
INTER-DEPARTMENT MEMO**

TO: Pam Buethe, City Clerk

FROM: Robert S. Lausten, Police Chief

DATE: 8-20-2013

RE: Application for SDL

CC:

**Re: Cut Spike Distillery
Special Designated Use Permit**

The La Vista Police Department has been informed and has reviewed the request by Cut Spike Distillery, for a special designated use permit on 9-21-13 from 7 pm to 11 pm at 12501 Giles Rd in La Vista. The application states that there will be staff present, therefore no concerns regarding the event identified by the police department at this time.

APPLICATION FOR SPECIAL DESIGNATED LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/

Special Designated License (SDL) Application Quick Checklist

Requirements:

- ✓ Application must be received in Nebraska Liquor Control Commission (NLCC) office a **MINIMUM** of ten (10) working days prior to the date of event (when counting days exclude weekends and holidays) **NO EXCEPTIONS**
- ✓ Application **MUST** include approval from the local governing body (city, village or county clerk of where the event is to be held)
- ✓ When requesting an exemption from NLCC rules, i.e. waiver of double fencing, request must be received in (NLCC) office a **MINIMUM** of 30 days prior to the date of the event
- ✓ All questions on application must be completed legibly
- ✓ Include \$40 fee, for each day/area applying for, checks made payable to Nebraska Liquor Control Commission (NLCC), if liquor caterer no fees required
- ✓ When requesting alternate date(s) or location(s), approval from local governing body must include approval for these alternate date(s) or locations(s)
- ✓ When requesting an outdoor area you must include a sketch of area to be licensed

Non Profit Application **MUST**:

- ✓ Include page five (5) of application showing federal ID number

Information:

- ✓ Non caterer applicants are only allowed six (6) SDLs per calendar year, this includes consecutive days used on one application (i.e. July 4 – 9 = 6 days)
- ✓ Applications may be submitted via e-mail to michelle.porter@nebraska.gov or faxed to (402) 471-2814
- ✓ Must use the most current form 108. Forms are available on our web site at www.lcc.ne.gov/formsdiv.html, or by calling our main number (402) 471-2571
- ✓ Reference statutes: §53-124.11, rules 2-013.01 and 6-019.01W 1,2,3
- ✓ Only twelve (12) SDLs will be issued at any specific location that could otherwise hold a liquor license

Attn Michelle Porter

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE**

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RETAIL LICENSE HOLDERS

DO YOU NEED POSTERS? YES NO

NON PROFIT APPLICANTS

Non Profit Status (check one that best applies)

Municipal Political Fine Arts Fraternal Religious Charitable Public Service

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer Wine Distilled Spirits

2. Liquor license number and class (i.e. C-55441)
(If you're a nonprofit organization leave blank) Z- 84858

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)

Cut Spike Distillery

NAME: _____

ADDRESS: _____
11941 Centennial Rd

CITY _____
La Vista

68128

ZIP _____

4. Location where event will be held; name, address, city, county, zip code

Haunted Hollow

BUILDING NAME _____

ADDRESS: _____
12501 Old Giles Rd

La Vista

CITY _____

68128

ZIP _____
COUNTY and COUNTY # _____

Sarpy

a. Is this location within the city/village limits? YES NO

b. Is this location within the 150' of church, school, hospital or home
for aged/indigent or for veterans and/or wives? YES NO

c. Is this location within 300' of any university or college campus? YES NO

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date 09/21/13	Date	Date	Date	Date	Date
<u>Hours</u> From 7pm	<u>Hours</u> From	<u>Hours</u> From	<u>Hours</u> From	<u>Hours</u> From	<u>Hours</u> From
To 11pm	To	To	To	To	To

a. Alternate date: N/A

b. Alternate location: N/A
(Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:

Dance Reception Fund Raiser Beer Garden Sampling/Tasting

Other _____

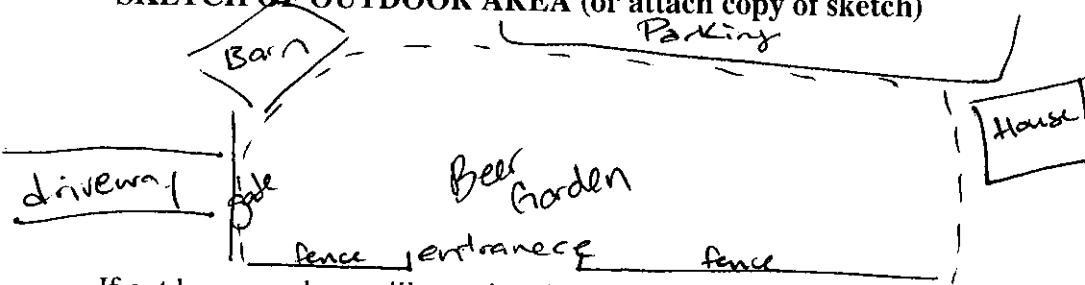
7. Description of area to be licensed

Inside building, dimensions of area to be covered IN FEET _____ x _____

(not square feet or acres)

*Outdoor area dimensions of area to be covered IN FEET 100 x 125 feet

*SKETCH OF OUTDOOR AREA (or attach copy of sketch)



If outdoor area, how will premises be enclosed?

Fence; snow fence chain link cattle panel other _____

Tent

8. How many attendees do you expect at event? 500+ (200-300 drinking)

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)
Separate Beer Garden Area with Staff Member Checking ID's and Wrist bands to identify persons 21 and over

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO

a. Are there separate toilets for both men and women? YES NO

11. **Retailer:** Will you be purchasing your alcohol from a wholesaler? YES NO
Non-Profit: Where will you be purchasing your alcohol?

Wholesaler

Retailer

Both

BYO

(includes wineries)

12. Will there be any games of chance operating during the event? YES NO

If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: _____

14. Name and **telephone number/cell phone number** of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Addie Neman

Print name of Event Supervisor _____

Signature of Event Supervisor _____

Addie Neman

4025989574

4025989574

Phone of Event Supervisor: Before _____ During _____

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here *Addie Neman* Event Coordinator 08/19/13
Authorized Representative/Applicant Title _____ Date _____
Addie Neman

Print Name _____

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.