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RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AT A BEER GARDEN IN CENTRAL PARK ON JUNE 6-7, 2008, IN CONJUNCTION WITH THE ANNUAL LA VISTA DAYS CELEBRATION.

WHEREAS, Central Park is located within the City of La Vista; and

WHEREAS, the La Vista Chamber of Commerce has requested approval of a Special Designated Permit to sell and serve beer at a beer garden in Central Park June 6-7, 2008, in conjunction with the annual La Vista Days celebration.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the La Vista Chamber of Commerce to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer at a beer garden in Central Park on June 6-7, 2007, in conjunction with the annual La Vista Days celebration.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



March 11, 2008

Nebraska Liquor Control Commission  
P.O. Box 95046  
Lincoln, NE 68509

Re: La Vista Area Chamber of Commerce  
Special Designated Use Permit

To whom it may concern,

The La Vista Police Department has recently reviewed the request by the La Vista Chamber of Commerce for a special designated use permit to have an outdoor area to serve beer during La Vista Days at La Vista's Central Park on Friday and Saturday, June 6 & 7, 2008. The Chamber has been advised that they are to have the proper number of security personnel staffing the event. Therefore, we would recommend approval of the permit contingent on the proper number of security personnel assigned.

Sincerely,

Robert S. Lausten  
Chief of Police

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

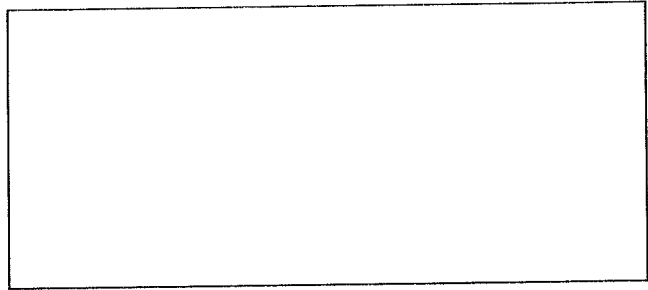
**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Works**  
9900 Cornhusker Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
NON PROFIT APPLICANTS**

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/



**BEFORE SUBMITTING APPLICATION TO THE LIQUOR CONTROL COMMISSION**

- ☐ Include approval from the City, Village or County Clerk where the event is to be held
- ☐ Include signed statement from the local law enforcement (see question #8)
- ☐ A license fee \$40 (payable to Nebraska Liquor Control Commission) for each day/event to be licensed (i.e. if you have two separate areas at one event they both need to be licensed)
- ☐ Application MUST be received at the Liquor Control Commission Office no later than 10 working days prior to event (excluding weekends, Federal and State observed holidays)
- ☐ Letter from IRS declaring your organization exempt from payment of federal income taxes, or copy of federal tax return, as filed with the IRS, as well as affidavit signed by an officer of the organization declaring that the copy of the tax return is true and correct copy as filed with the IRS

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed

☒ Beer      ☐ Wine      ☐ Distilled Spirits

2. Status of applicant (check one)

☐ Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☒ Public Service

3. Licensee name (last, first, middle), Corporate name, Limited Liability Company (LLC)

NAME: LaVista Area Chamber of Commerce

ADDRESS: 8040 S. 84<sup>th</sup> Street LaVista, NE 68138 COUNTY SARPY

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

ADDRESS: Central Park - Edgewood & Valky Rd Lakista COUNTY SARPY  
108128

- a. Is this location within the city/village limits? ☒ YES ☐ NO
- b. Is this location within the 150' of church, school, hospital or home aged/indigent or for veterans their 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 then six (6) consecutive days on one application)

Date	6/6/08	Date	6/7/08	Date		Date		Date		Date	
Hours From	6pm	Hours From	1pm	Hours From		Hours From		Hours From		Hours From	
To	12am	To	12AM	To		To		To		To	

- a. Alternate date: \_\_\_\_\_
- b. Alternate location: \_\_\_\_\_  
(alternate date or location must be approved by local and law enforcement)

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 **INFEET** \_\_\_\_\_ x \_\_\_\_\_  
 Name of building \_\_\_\_\_ (not square feet or acres)  
☒ Outdoor area dimensions of area to be covered **INFEET** 40' x 100'  
 (not square feet or acres)

If outdoor area, how will premises be enclosed

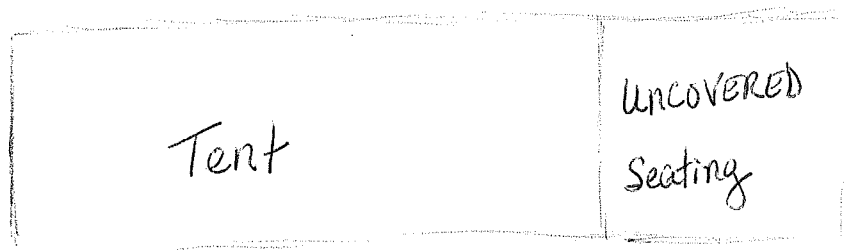
- ☒ fence, type of fence Chain link & plastic fencing  
☒ tent  
☐ other, explain

\*If both inside and outdoor area to be licensed include **simple sketch**

8. Attach a signed statement from local police chief or county sheriff, whichever is applicable, that local law enforcement has been informed in advance of this event, and if they are aware of any reason the event should not occur.

9. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages.

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. 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.

12. Any other information or requests for exemptions:

13. 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.

Tom Kerfoot Phone: Before 402-960-0306 During SAME  
Print name of Event Supervisor

Tom Kerfoot  
Signature of Event Supervisor

Consent of Authorized Representative/Applicant

14. 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** Mary E. Harper Executive Director 3/3/08  
Authorized Representative/Applicant Title Date

Mary E. Harper  
Print Name

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.

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

LaVista Area Chamber of Commerce  
NAME OF CORPORATION

47-0650061  
FEDERAL ID NUMBER

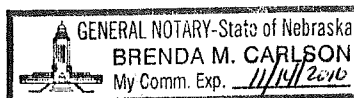
Tom Kufner  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT. IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 27<sup>th</sup> DAY OF

February 2008

[Signature]  
NOTARY PUBLIC SIGNATURE & SEAL





## #9 Prevention of underage person from obtaining alcohol beverages

The policy to prevent underage drinking is as follows:

- Uniformed Police Officers working as security
- Wristbands for participants once ID is validated
- Seating area fenced
- Trained Volunteers Uniformed as Security/ID Validators
- Signage Posted