

RESOLUTION NO. \_\_\_\_\_

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 1-2, 2007, 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 1-2, 2007, 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 Permit" from the Nebraska Liquor Control Commission to sell and serve beer at a beer garden in Central Park on June 1-2, 2007, in conjunction with the annual La Vista Days celebration.

PASSED AND APPROVED THIS 20TH DAY OF MARCH 2007.

CITY OF LA VISTA

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

ATTEST:

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

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

NEBRASKA LIQUOR CONTROL COMMISSION  
P.O. Box 95046  
Lincoln NE 68509-5046

ALL ISSUED LICENSES ARE MAILED TO LOCAL CLERKS WHERE THE EVENT IS HELD

- ☐ Applications must be received in the Commission Office 10 working days (excluding weekends and holidays) prior to the date of the event
- ☐ Complete and return **THE ORIGINAL WITH A DUPLICATE** to the Nebraska Liquor Control Commission
- ☐ A license fee of \$40 (payable to Nebraska Liquor Control Commission) for each day
- ☐ **APPROVAL FROM CITY, VILLAGE OR COUNTY CLERK** must be included with this application
- ☐ A Signed Statement from Local Police Chief or County Sheriff
- ☐ 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 a true and correct copy as filed with the IRS

1. Type of Beverage(s) to be served or consumed: ☒ Beer ☐ Wine ☐ Distilled Spirits

2. Status of applicant (check one):

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

3. Name and Address of applicant (as listed on liquor license) (street, city, county, zip code) SARPY COUNTY

LAVISTA CHAMBER OF COMMERCE 7536 S. 84<sup>TH</sup> ST STE B LAVISTA, NE 68128

4. Address or location of premises to be covered by license, (city, county, zip code)

CITY PARK - EDGEWOOD & VALLEY ROAD LAVISTA 68128 - SARPY COUNTY

5. Address of where alcohol is to be stored if other than at location listed in question #4 above

6. Name, address, phone/cell phone number of owner or lessee of premises for which the license is requested

CITY OF LAVISTA 8116 PARKVIEW BLVD. 68128 331-4343

7. **DATE(S) OF EVENT** (If Sunday, attach Sunday sales ordinance) no more than six (6) consecutive days per application

a) If alternate date is requested please list below (must be approved at local level prior to event)

ALTERNATE DATE:

b) If alternate location is requested please list below (must be approved at local level prior to event)

ALTERNATE LOCATION:

FRIDAY, JUNE 1<sup>ST</sup> & SATURDAY, JUNE 2<sup>ND</sup> 2007

8. Time(s) of event (example 8:00 am to 1:00 am, this is considered one day)

FROM: 6:00 PM TO: 12:00 AM

9. Describe type of activity to be carried on during the time period for which the license is requested

LAVISTA DAYS CELEBRATION

10. Provide an estimated number of attendees at this event 300. If the number of attendees is over 150 attach a separate page indicating the steps that will be taken to prevent underage persons access to alcoholic beverages

11. Attach a signed statement from your 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

12. Description of the premises: ☐ Inside Building ☒ Outdoor Area

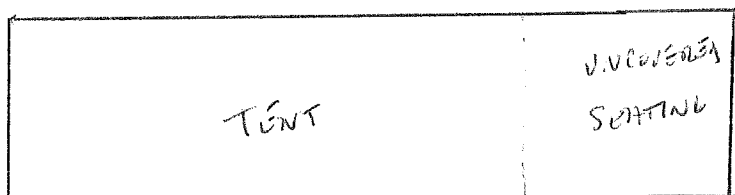
Dimensions of area to be covered by license: 40' x 100' Draw in the space provided below area where  
liquors will be sold and consumed LENGTH WIDTH (feet)

If outdoor area, how will premises be separated from areas open to the general public?

☒ Fence, Type of fence CHAIN LINK & PLASTIC FENCING

☒ Tent

☐ Other (explain) \$



13. Is the premises to be covered by the license located within the city/village limits?..... ☒ YES ☐ NO

14. Is the premises to be covered by the license within 150 feet of any church, school, hospital, or home for the aged or indigent persons or for veterans, their wives or children?..... ☐ YES ☒ NO

15. Is the premises to be covered by the license within 300 feet of any university or college campus?..... ☐ YES ☒ NO

16. Explain how alcoholic liquors will be purchased by the licensee. If purchased from a retail licensee, please give the name and license number

LAWLESS DISTRIBUTING W 30314

Check here if for consumption only ☒ (no purchases or sales, i.e. byob)

17. Will the premises to be covered by the license comply with all Nebraska sanitation laws?..... ☒ YES ☐ NO

18. Are there separate toilets for both men and women?..... ☒ YES ☐ NO

19. Other information or requests for exemptions, must be requested and approved prior to event:

20. Will there be any games of chance operating during the event? ☐ YES ☒ NO If so, describe activity

**NOTICE:** 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.

21. Name and telephone number/cell phone number of immediate supervisor, who will actually be present at the location of the event when it occurs, that can be contacted by law enforcement before and during the event, and who is responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

TOM KERFOOT (402) 960-0306

22. 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

Tom Kerfoot

Authorized Representative/Applicant

LAVISTA CHAMBER  
BOARD OF DIRECTORS

Title

Date

TOM KERFOOT

Print Name

sign  
here

Mary E. Harper

Supervisor

Executive Director 3/5/07

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.**

In Compliance with ADA, this form is available in other formats for persons with disabilities.

A ten day advance period is requested in writing to produce the alternate format.

**NEBRASKA LIQUOR CONTROL COMMISSION**  
**Application for Special Designated License**  
**Under Nebraska Liquor Control Act**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT AS 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.

AS SIGNATORY I CONSENT TO THE RELEASE OR 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.

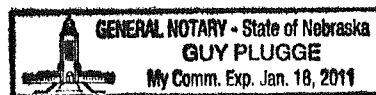
NAME OF CORPORATION: LaVista Area Chamber of Commerce  
FEDERAL TAX ID NUMBER: 47-0650061

Mary E. Happer  
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 7<sup>TH</sup> DAY  
OF March, 2007.

Guy Plugge  
NOTARY PUBLIC SIGNATURE & SEAL





La Vista Area Chamber of Commerce  
7536 South 84<sup>th</sup> Street  
Suite B  
La Vista Nebraska 68128  
[carol@lavistachamber.org](mailto:carol@lavistachamber.org)  
[www.lavistachamber.org](http://www.lavistachamber.org)

## #11-Prevention of underage persons to access alcoholic 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



March 5, 2007

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 1 & 2, 2007. The Chamber has been advised that they are to have paid security at the event. Additionally, the police department will have adequate staff on duty to handle any emergency situations that may arise as part of the police department's normal deployment. Therefore, we would recommend approval of the permit.

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