

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**ESTABLISHING CRITERIA AND APPOINTING AN AGENT FOR THE APPROVAL  
OR DENIAL OF SPECIAL DESIGNATED LIQUOR LICENSES**

WHEREAS, pursuant to Neb. Rev. Stat. § 53-124.11(4), the County may establish criteria for approving or denying a special designated license ("SDL") for the sale or consumption of alcoholic liquor; and

WHEREAS, pursuant to Neb. Rev. Stat. § 53-124.11(4), the County may also designate an agent to recommend that an SDL application be approved or denied;

NOW, THEREFORE, BE IT RESOLVED THAT THE SARPY COUNTY BOARD OF COMMISSIONERS hereby adopts and establishes the attached "Criteria for Approving or Denying a Special Designated Liquor License" and in doing so repeals Resolution 2005-066;

BE IT FURTHER RESOLVED that the SDL application shall be the Nebraska Liquor Control Commission's most current version of said application;

BE IT FURTHER RESOLVED that a sample SDL approval/denial recommendation letter is attached hereto;

BE IT FURTHER RESOLVED that when appropriate, the attached SDL approval/denial recommendation letter may be amended by the Sarpy County Clerk;

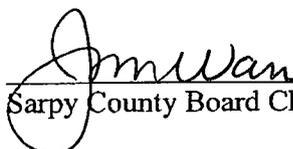
BE IT FURTHER RESOLVED that the attached "Summary of Chapter 2-013.02 through 2-013.03F of the Nebraska Liquor Control Commission's Rules and Regulations for Special Designated Licenses" shall be incorporated in the SDL application process; and

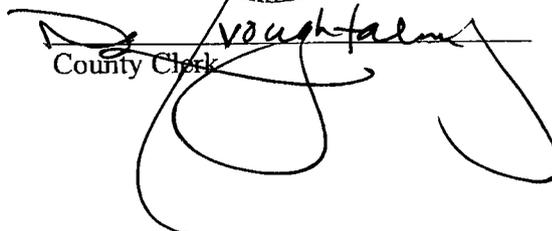
BE IT FURTHER RESOLVED that pursuant to Neb. Rev. Stat. § 53-124.11(4), the current Sarpy County Administrator, or his designated agent, is hereby appointed as the agent for Sarpy County for purposes of approving or denying SDL applications.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 23<sup>rd</sup> day of April, 2013.

Attest  
SEAL



  
Sarpy County Board Chairman

  
County Clerk

**CRITERIA FOR APPROVING OR DENYING  
A SPECIAL DESIGNATED LIQUOR LICENSE (“SDL”)**

**SDL Limitations:**

An SDL may not be issued to any one eligible applicant for more than six calendar days in any one calendar year. Only one SDL shall be required for any application for two or more consecutive days; however each day counts against the six day limit. Please note that this paragraph does not apply to caterers.

In addition, an SDL may not be issued if the proposed location could otherwise be granted a regular liquor license and if such regular license best serves the purposes of the Liquor Control Act.

**Applicant Requirements:**

Only the following individuals and/or entities may apply for an SDL: a retail liquor licensee, a craft brewery licensee, a microdistillery licensee, a farm winery licensee, 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.

**Application Requirements:**

1. The SDL application must be filed with the Sarpy County Clerk at least 15 business days prior to the event. If the applicant is a caterer, the application must be filed with the Sarpy County Clerk at least 26 business days prior to the event. However, if any applicant is requesting an exemption from the Nebraska Liquor Control Commission (“NLCC”) Rules, then the SDL application must be filed with the Sarpy County Clerk at least 35 business days prior to the event.
2. The SDL application shall include a \$40 fee, payable to Sarpy County and any other applicable fee payable to the Nebraska Liquor Control Commission. To determine the appropriate fee, please refer to the Nebraska Liquor Control Commission’s most current version of the SDL application.
3. All questions on the application must be answered completely and legibly. Failure to do so may result in denial of the application.
4. The applicant must follow the most current instructions provided by the NLCC for filing and submitting an SDL application.
5. The applicant must provide an original application.

**County Clerk Duties:**

Upon receiving the SDL application, the County Clerk shall: a) send the application and attachments to the Sarpy County Sheriff and Special Designated Agent and request their recommendations for approval or denial of the application; b) provide the Special Designated Agent with an approval/denial recommendation letter; and c) submit the SDL application, applicable fee, and approval/denial recommendation letter to the NLCC.

**SDL Agent Duties:**

Review the SDL application and the applicable provisions of these criteria, including SDL Limitations, Applicant Requirements, Application Requirements, and Supplemental Documentation Requirements. Then, fill out an approval/denial recommendation letter and submit it to the County Clerk.

**Sheriff Duties:**

Review the SDL application and the applicable provisions of these criteria, including SDL Limitations, Applicant Requirements, Application Requirements, and Supplemental Documentation Requirements. Then, provide the SDL Agent with a verbal or written recommendation for approval or denial of the application.

**Summary of Chapter 2-013.02 through 2-013.03F of the Nebraska Liquor Control Commission's  
Rules and Regulations for Special Designated Licenses**

*Please note that each of the following conditions, unless waived or modified by the Nebraska Liquor Control Commission, shall apply to all Special Designated Liquor Licenses that do not hold a valid retail or catering liquor license.*

1. If the event will be attended by more than 150 people and those in attendance will include minors unaccompanied by a parent or legal guardian (excluding minors acting as service personnel and minors attending as program or entertainment participants):
  - a. Age checks must be performed at the entrance to the licensed area;
  - b. Attendees aged 21 years or older must be identified with wrist bands that are visibly destroyed by removal; and
  - c. Alcoholic drinks must be served in distinctly different containers than those in which non-alcoholic drinks are served.
2. If the event will be attended by more than 150 people, and will not include a sit down meal served to all attendees simultaneously, there shall be a minimum of one security person for 150-200 people, and a minimum of one additional security person for each additional 200 persons. In addition, the security personnel duties are limited to maintaining order and enforcing all liquor laws and license conditions, including prohibiting minors and excessively intoxicated attendees from consuming or possessing alcohol. All security personnel must be dressed in distinctive clothing with visual markings identifying them as security personnel.
3. At outdoor events attended by more than 150 people, where non-attendees have access to property adjacent to any portion of the licensed area, all open areas (with the exception of a reasonably sized access and exit aisle) shall have double row fencing with plastic and/or wood snow fence materials. The two rows of fence shall be at least four feet apart with clear space between the two rows of fence. Except for people entering and exiting the licensed area, all attendees shall remain inside the interior row of fencing. For purposes of this section, "open areas" are defined as portions of the licensed area which adjoin areas that can be used or occupied by non-attendees where there is not a solid wall or chain link fence at least six feet in height.
4. The individual designated on the license as the event supervisor shall be located in the licensed area at all times alcohol is being served and during the immediate clean up period following the event. If the event supervisor is to be absent from the licensed area during any part of the event, the event supervisor must designate a person to be in charge during his or her absence.
5. Event workers (paid and unpaid) shall refrain from consuming alcohol while on duty during the event and any immediate clean up period following the event.
6. Minors and excessively intoxicated individuals shall not be served alcohol.

# Sarpy County Board of Commissioners

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[www.sarpy.com](http://www.sarpy.com)  
ADMINISTRATOR Mark Wayne  
DEPUTY ADMINISTRATOR Scott Bovick  
FISCAL ADMIN./PURCHASING AGT, Brian Hanson



## COMMISSIONERS

Don Kelly District 1  
Jim Thompson District 2  
Tom Richards District 3  
Brenda Carlisle District 4  
Jim Warren District 5

April 19, 2013

Michelle Porter  
Liquor Control Commission  
301 Centennial Mall S.  
PO BOX 95046  
Lincoln NE 68509-5046

RE: Special Designated Liquor License Application

I have reviewed the application for Special Designated Liquor License submitted by APPLICANT NAME. The applicant will be hosting a "TYPE OF EVENT" at LOCATION, ADDRESS on DATE OF EVENT from START TIME to END TIME.

With the recommendation of APPROVAL from the Sarpy County Sheriff and my review of the application, I recommend APPROVAL of this application.

Thank you,

Mark Wayne  
Sarpy County Board Administrator/Agent