

RULES AND REGULATIONS CHAPTER 2 - 013 SPECIAL DESIGNATED LICENSES

013.01 Except as provided for in 013.04 all applications for a special designated license, with local governing body approval, and proper fees, must be received by the Commission at least ten working days prior to the event. Such notice is required to enable a reasonable notification to the Nebraska State Patrol, local law enforcement, the fire marshal, and the sanitation division of the Department of Agriculture. Applications not received at least ten working days prior to the event will not be processed.

013.02 In connection with each event, the applicant must provide a written showing of estimated size of the crowd and how it intends to assure that alcohol will not be served to minors and intoxicated persons.

013.03 Each of the following conditions, unless waived or modified as herein provided, shall apply to all Special Designated Liquor Licenses issued to organizations that do not hold a valid retail or caterer's liquor license.

013.03A Events attended by more than 150 people that includes minors unaccompanied by a parent (excluding minors acting as service personnel and minors attending as program or entertainment participants) shall conduct age checking at the entrance to the licensed area and all adults shall be identified with wrist bands that are destroyed by removal.

013.03B At events attended by more than 150 people which do not involve a sit down meal served to all attendees simultaneously there shall be a minimum of one security person for attendees up to 200 and one more security person for each 200 additional. Security personnel whether paid or volunteer shall have no duties other than maintaining order and enforcing all liquor laws and license conditions including prohibiting minors and intoxicated attendees from consuming or possessing alcohol. All security personnel shall be dressed in distinctive clothing with visual markings identifying them as security personnel.

013.03C The individual designated on the license as the event supervisor shall be in the licensed area at all times alcohol is being served and the immediate post clean up period. If the event supervisor is to be absent from the licensed premise during any part of the designated period, the event supervisor must designate a person to be in charge in his/her absence.

013.03D All workers performing duties for the sponsoring organization at the licensed event whether paid or volunteers shall refrain from consuming alcohol while on duty during the event and any immediate post event clean up period.

013.03E If minors are in attendance at events of more than 150 people (excluding minors attending as service personnel and minors attending as program or entertainment participants) alcoholic drinks shall be served in distinctively different containers than those in which non-alcoholic drinks are served.

013.03F 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 (defined below) with the exception of a reasonably sized access and exit aisle shall have double row fencing with plastic or wood snow fence materials (or equal). The two rows of fence shall be at least 4 feet apart with clear space between the two rows of fence. Open areas are all 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 6 feet in height. Except for people entering and exiting the licensed area all attendees shall remain inside the interior row of fencing.

013.03G Any condition may be waived or modified by the Liquor Control Commission upon a showing by the applicant that such condition is not necessary for the promotion of the health, safety and welfare of the people of the state.

013.04 Applications for Special Designated Liquor Licenses by non-licensees requesting a waiver or modification of conditions along with the reasons and justification for such waiver or modification must be received by the Liquor Control Commission at least 30 calendar days prior to the licensed event. When no

waiver or modification is required the Commission must receive Special Designated Liquor License applications at least 10 working days prior to the licensed event.

013.05 All Special Designated Liquor Licenses issued to organizations that do not hold a valid retail or caterer's liquor license will list all the applicable conditions that are a part of that license.

013.06 It is the declared policy of the Commission that Special Designated Licenses should not be used to avoid the oversight and accountability imposed upon a regular retail license. Therefore, applications for Special Designated Licenses may be denied if the proposed location could otherwise be granted a regular license and if such regular license best serves the purposes of the Liquor Control Act. To help accomplish this policy any location that has received twelve (12) Special Designated Licenses in one calendar year shall have any further applications set for hearing to make a determination whether additional licenses are justified prior to the issuance of the requested Special Designated License.