

RESOLUTION NO. R26-93

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA AMENDING THE CRITERIA FOR APPROVING OR DENYING A SPECIAL DESIGNATED LICENSE BY MOTIFYING THE DESIGNATED COMMITTEE MEMBERS, REMOVING QUARTERLY REPORTING, AND CLARIFYING NON-ROUTINE EVENTS; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH.

WHEREAS, the City of Columbus is required to provide a recommendation to the Nebraska Liquor Control Commission for special designated licenses requested in accord with the provisions of Section 53-124.11 of the Nebraska Liquor Control Act, R.R.S., 1943; and,

WHEREAS, that section of the Act provides as follows: “(4) No special designated license provided for by this section shall be issued by the commission without the approval of the local governing body. The local governing body may establish criteria for approving or denying a special designated license. The local governing body may designate an agent to determine whether a special designated license is to be approved or denied. Such agent shall follow criteria established by the local governing body in making his or her determination. The determination of the agent shall be considered the determination of the local governing body unless otherwise provided by the local governing body.”

WHEREAS, to expedite the processing of special designated licenses considered routine by the City Council it is appropriate to establish criteria for review of applications for the licenses in Columbus.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA that the City Council approves the establishment of criteria to be used in the review of special designated licenses in accord with the provisions of the Nebraska Liquor Control Act as follows:

For the purpose of complying with Section 53-124.11, 1943, R.R.S., the City Council of the City of Columbus, Nebraska, hereby establishes the following criteria for the consideration of applications for special designated licenses:

Definition: “Agent” shall mean a committee consisting of the City Clerk, Police Chief, and Director of General Services, or their designee, all serving on behalf of the City Council.

The City Council hereby designates its Agent to review special designated license application requests considered routine. Agent shall be authorized to review applications for those entities holding

catering licenses authorized in Section 53-124.12, 1943, R.R.S., and for those local religious non-profit corporation affiliated events that are held for fund raising efforts.

A catering license holder and a religious non-profit corporation requesting a special designated license shall be required to comply with all of the criteria required in the Nebraska Liquor Control Act. Agent shall review the application to ensure compliance and shall be authorized to recommend approval if compliance is demonstrated. Agent shall recommend approval for those events under the control of the catering license holder or religious non-profit corporation for events on its grounds or grounds under its control in accord with the Nebraska Liquor Control Act and shall report the same to the Nebraska Liquor Control Commission.

Special designated license applications that are not considered to be routine and shall be submitted for review by the City Council include, but are not limited to, the following:

- All applications submitted by a retail licensee for an outdoor beer garden.
- All applications requesting street or alley closures.
- All applications for mobile trucks or trailers.
- All applications proposing activities that would exceed the timeframe outlined in city code section § 131.06 - Disturbing the Peace.

This resolution shall repeal all resolutions or portions thereof in conflict herewith.

INTRODUCED BY COUNCIL MEMBER _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2026.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY