

# Contacts

Nebraska Liquor Control Commission

301 Centennial Mall South

PO Box 95046

Lincoln NE 68509-5046

402-471-2571

[www.lcc.ne.gov](http://www.lcc.ne.gov)

# City of Papillion



## City Contacts:

<u>Agency</u>	<u>Telephone</u>	<u>Web site/E-mail</u>
Papillion City Hall	402-597-2029	<a href="http://www.papillion.org">www.papillion.org</a>
City Clerk <i>Elizabeth Butler</i>	402-597-2021	<a href="mailto:cityclerk@papillion.org">cityclerk@papillion.org</a>
Building Department	402-597-2072	<a href="mailto:inspections@papillion.org">inspections@papillion.org</a>
Planning Department <i>Mark Stursma</i>	402-597-2077	<a href="mailto:mstrusma@papillion.org">mstrusma@papillion.org</a>
Police Department <i>Scott A. Lyons</i>	402-597-2035	<a href="mailto:slyons@papillion.org">slyons@papillion.org</a>

## Liquor Licenses

An informational brochure on the  
liquor licensing process  
in the City of Papillion  
2015

*(This publication is not intended to provide legal advice. It contains general, non-specific information. Readers should consult their own attorney regarding how liquor laws may apply to particular circumstances.)*

# APPLICATION PROCESS

## APPLICANT:

Must obtain and submit a completed liquor license application to the Nebraska Liquor Control Commission (NLCC). (Applications can be obtained from the NLCC's website: <http://www.lcc.ne.gov/>)

## NEBRASKA LIQUOR CONTROL COMMISSION (NLCC):

After review, the NLCC sends the application by certified mail to the City Clerk for local governing recommendation.

## CITY CLERK:

Sets the hearing date and sends a copy of the application to the following departments for inspections/recommendations: Police, Building, and Planning. Please note, their recommendations will be included in the staff report presented to City Council.

Will notify the applicant of the date, time, and place of the public hearing.

Will publicize notice of hearing. Publication must not be less than 7 days nor more than 14 days prior to the hearing.

## CITY COUNCIL:

Public hearing is held during a regular City Council meeting. During the public hearing, the City Council will hear testimony and receive evidence in support or in opposition.

City Council will vote to approve or deny the application.

City Council can make the following recommendations to the Liquor Control Commission:

1. Approve Application
2. No Recommendation
3. Deny Application

## CITY CLERK:

Notifies Liquor Control Commission of decision by the City Council.

## COMPLAINTS OF RESIDENTS

Who: At least 5 residents who reside within the city where the license is held.

What: Complaints regarding a liquor license based on violations of the Liquor Control Act. Forms can be picked up at the City Clerk's office.

When: Anytime.

Where: Objections submitted in writing to the City Clerk.

Why: Upon receipt of the complaints, the City Council will set a hearing to provide opportunity to hear citizen concerns if the complaints are in violation of statute.

### Send Local Protests To:

**Elizabeth Butler, City Clerk**

**122 East Third Street**

**Papillion, NE 68046**

**402-597-2021**

**[cityclerk@papillion.org](mailto:cityclerk@papillion.org)**

# GUIDELINES FOR PROTESTS

**Who:** At least 3 residents who reside within the City of Papillion where the application is filed.

**What:** Objections regarding a liquor license with specific issue (objections) of protest listed clearly.

**When:** Within 10 days after the Nebraska Liquor Control Commission receives a recommendation by the City Council on a liquor license application.

**Where:** Objections submitted in writing to the Nebraska Liquor Control Commission.

**Why:** Upon receipt of the protest, the commission will set a hearing to provide opportunity to hear citizen concerns.

**Note:** If you have concerns regarding a liquor license in our community, it is imperative to engage at the beginning of the process with a new liquor license applicant.

## AUTOMATIC RENEWAL OF LIQUOR LICENSES

**Who:** At least 3 residents who reside within the city where the license is held.

**What:** Objections regarding a liquor license automatic renewal with specific issue (objections) of protest listed clearly.

**When:** For Class “C” licenses, the clerk will publish the notice of the automatic renewal between July 10 and 30 of each year; for all other licenses, the clerk will publish the notice between January 10 and 30 of each year. Deadline to protest renewal of Class “C” Licenses: August 10. Deadline to protest renewal of all other license classes: February 10.

**Where:** Objections submitted in writing to the City Council.

**Why:** Upon receipt of the protest, the City Council will set a hearing to provide opportunity to hear citizen concerns.

**Note:** For existing applications, residents have the opportunity to protest license renewals annually. However, if the City Council opts to

## NEBRASKA LIQUOR CONTROL COMMISSION (NLCC):

The NLCC receives the following reports before a liquor license is issued:

- City Council Recommendation
- State Patrol
- Health
- State Fire Marshal

Depending on the decision from the City Council, the Liquor Control Commission may do one of the following:

- 1) **City Council Approves an Application** - The Liquor Control Commission will hold the application for 10 days upon receipt of the recommendation. The license will then be issued ONCE all of the NLCC’s requirements have been met.
- 2) **City Council Denies an Application** - There is an automatic 45 day holding period. A hearing date at the NLCC level will be set within 45 days after the date of the application or within 10 days after the receipt of a recommendation of denial from the City.
- 3) **City Council Makes No Recommendation** - It goes through the same the process at the NLCC as an approval except there is a 45 day waiting period from the date the certified mail receipt card was signed by the city

If the liquor license is approved, the NLCC will send the license to the City Clerk.

The City Clerk will notify the applicant that the license has been received and can be picked up.

All fees must be collected before the license is released.

# LIQUOR LICENSE TYPES

CLASS A - BEER ON SALE ONLY

CLASS B - BEER OFF SALE ONLY

CLASS C - ALL ALCOHOLIC LIQUOR ON & OFF SALE

CLASS D - ALL ALCOHOLIC LIQUOR OFF SALE ONLY

CLASS I - ALL ALCOHOLIC LIQUOR ON SALE ONLY

CLASS L - CRAFT BREWERY (BREW PUB)

CLASS W - WHOLESALE BEER

CLASS X - WHOLESALE LIQUOR

CLASS Y - FARM WINERY

CLASS K - CATERING

Liquor licenses are renewed on an annual basis.

Class "C" licenses are valid from November 1st to October 31st each year

Non-Class "C" licenses are valid from May 1st to April 30th each year

The City Clerk will communicate this process with establishments currently holding a liquor license.

# LIQUOR LICENSE FEES

(Collected Annually)

<u>License Type</u>	<u>State License Fee</u>	<u>City Occupation Tax</u>	<u>Publication Fee</u>
Class "C"	\$300.00	\$450.00	\$12.00
Class "A"	\$100.00	\$150.00	\$12.00
Class "B"	\$100.00	\$150.00	\$12.00
Class "D"	\$200.00	\$300.00	\$12.00
Class "I"	\$250.00	\$375.00	\$12.00
Class "K"	\$100.00	\$150.00	\$12.00
Class "L"	\$250.00	\$375.00	\$12.00
Class "W"	\$500.00	\$750.00	\$12.00

\*License fees are prorated on a quarterly basis

\*All of the fees listed above are collected by the City Clerk. An explanation of each fee is listed below.

- 1) License Fee : This amount is set by the State of Nebraska
- 2) Occupation Tax: This amount is set by City Ordinance and the fee is one and one-half times the liquor license fee
- 3) Publication - This is a reimbursement for the liquor license application public hearing notice published in the paper. It is \$12.00 as established in the Papillion Master Fee Schedule.