STATE OF NEBRASKA

Pete Ricketts
Governor

NEBRASKA LIQUOR CONTROL COMMISSION
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June 25, 2020

Updated
Industry Advisory
Temporary Additions to existing Licensed premises during COVID-19 State of Emergency.
This advisory replaces the earlier Industry Advisory regarding Temporary Additions.

This advisory is temporary in nature and specific to those in the Liquor industry in Nebraska.

The following are Rule provisions that the Nebraska Liquor Control Commission is modifying during the pendency of this crisis.

As Bars and Restaurants are being allowed to re-open under the modified Directed Health Measures (DHMs) the occupancy capacity of those businesses is allowed to be 100% of actual occupancy. However, the requirement of social distancing often results in an actual capacity of a much lower amount

In an effort to help those negatively impacted businesses many local jurisdictions have expanded the food service areas of those businesses in accordance with local ordinances. In an effort to aid those negatively impacted businesses the Nebraska Liquor Control Commission will be adopting the following administrative position to allow an easier and less expensive method to temporarily expand an existing liquor licensed premise without the need for multiple and continuous usage of Special Designated Licenses. (SDL's).

NLCC Advisory

1. An existing licensee may file for an addition to its licensed premises under Neb. Rev. Stat. 53-129. The licensee shall file the application for addition using -Form 110 which can be found on the Commission's website at www.lcc.nebraska.gov under the licensing tab.

2. Since these additions are designed to be temporary in nature the NLCC rule that the fence be permanent is waived. However, the area must still be contained and confined in such a way that the service area is clear and unambiguous and allow adequate control over the area by the licensee.

3. The temporary addition will only be in effect during the State of Emergency and for as long as DHM's effect the capacity of the premises through the requirements of social distancing. Therefore, the licensed applicant shall also file a deletion of area on Form 112 at the same time. The deletion will become effective on the date specified by the DHMs lifting mandated social distancing. The processing fee of $45.00 for the deletion is waived.

Janice M. Wiebusch
Commissioner

Bruce Bailey
Chairman

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4. Please remember that all additions must be approved by the local governing body before they will be issued and must comply with all other provisions of the Liquor Control Act, such as fire codes, sanitation, and enforcement requirements.

Please call our office with any questions and concerns.

Thank You

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