

CITY OF OMAHA
STATEMENT OF BUSINESS ACTIVITY
For
RETAIL LIQUOR LICENSE APPLICANTS

In accordance with Omaha City Municipal Code, Section §15-22, a statement of business activity must be submitted to the Omaha City Council by all applicants for retail liquor licenses. This written statement shall describe all types of business or activity that will be operated on the premises in conjunction with the proposed license. A failure to include a business or activity will be considered by the City Council as the applicant's representation that the omitted business or activity will not occur on the licensed premises without City Council approval. Failure to operate consistent with this statement may be grounds for cancellation, revocation, suspension, or non-renewal of the license (OMC §15-42).

**DESCRIBE ALL BUSINESS OR OTHER ACTIVITIES THAT WILL OCCUR ON THE
LICENSED PREMISES.**

I have read and understand the Good Neighbor Ordinance (Omaha Municipal Code Section §18-90 to §18-92.)

Corporation and/or Trade Name/DBA (Please Print)

Name & Title of Applicant or Authorized Representative

OMAHA MUNICIPAL CODE
ARTICLE IX. - ALCOHOL SALES LOCATIONS

Sec. 18-90. - Statutory authorization.

(a) This article is adopted pursuant to the authority granted in Neb. Rev. Stat. §§ 53-132 and 53-134.03 authorizing a local governing body to regulate the business carried on with a retail liquor license and places where liquor is served or consumed so the business and activity is consistent with the public interest and §§ 14-103 and 18-1720 authorizing the city to define, regulate, suppress, and prevent nuisances.

(b) Findings of fact. This city council has been informed that studies addressing the impact of alcohol-related businesses on the public health, safety, and welfare show businesses selling alcohol tend to create an environment that contributes to nuisances which jeopardize the quality of life throughout the city. This conduct can be traced to inadequate management practices and the availability of alcohol. Criminal offenses and nuisance conduct tends to increase near premises where the sale of alcohol occurs, placing increased stress on law enforcement and other city resources. This council further finds that this nuisance conduct associated with alcohol sales has a negative impact on the health, safety, and welfare of residents, including fear for persons' safety, deterioration of neighborhoods, devaluation of property, impairment of the city's property tax base, and destruction of the community's values and quality of life. While recognizing that alcohol is a legal product and its sale is licensed and regulated by state law, this council finds the sale of alcohol is a type of business that can have such potentially harmful impact on the community that it requires special business regulatory attention to promote and ensure a safe and beneficial environment for the city's residents. Adopting and implementing this article will serve as a proactive tool to prevent business practices that interfere with and harm the quality of life of Omaha residents. It is the purpose of this article to promote the public health, safety, and general welfare by supplementing state law so as to minimize these impacts through regulating harmful business practices and encouraging businesses selling alcohol to operate in a manner that is beneficial to, and compatible with, the public interest.
(Ord. No. 39471, § 1, 10-2-12; Ord. No. 41153, § 1, 5-16-17)

Sec. 18-91. - Public nuisance prevention.

(a) In addition to any other applicable rules or requirements of this chapter or state law, any business or establishment engaged in the retail sale of alcoholic liquor or where alcoholic liquor is served or consumed while viewing either a live or video performance within the city shall operate and maintain its business and premises in conformance with the following public nuisance prevention standards. Any business or establishment that is not operated or maintained in conformance with these standards is hereby declared to constitute a nuisance.

(b) The operations and activities of the business or its customers on the premises and any associated outdoor areas, shall not:

(1) Result in demonstrable adverse effects to the health, peace, or safety of persons residing in, working in, or using the surrounding area;

(2) Through specific acts or conduct jeopardize or endanger the public health or safety of persons residing in, working in, or using the surrounding area;

(3) Result in repeated nuisance activities, including, but not limited to, disturbance of the peace, illegal drug activity, consuming alcohol on public property, consuming alcohol on neighboring private property without the owner's consent, harassment of passersby, illegal gambling, prostitution, sale of stolen goods, public urination or defecation, theft, sales of stolen goods, assaults, batteries, acts of vandalism, littering, loitering, graffiti, excessive loud noises, lewd conduct, or other criminal conduct; or

(4) Maintain the premises and associated outdoor areas in a manner incompatible with or adversely affecting the livability or appropriate development of abutting properties and the surrounding neighborhood.

(Ord. No. 39471, § 1, 10-2-12; Ord. No. 41153, § 1, 5-16-17)

Sec. 18-92. - Notice to abate and enforcement.

(a) Notwithstanding any other provision of this chapter, whenever a nuisance is found to exist because of noncompliance with this article, the planning director shall give the business owner or operator, and/or occupant of the property, written notice to abate the nuisance.

(b) The notice to abate a nuisance issued under the provisions of this article shall contain:

- (1) An order to abate the nuisance;
- (2) The location in which the nuisance exists or occurs;
- (3) A description of what constitutes the nuisance;
- (4) A statement of acts to be taken to abate the nuisance;
- (5) A statement of the reasonable time in which to abate the nuisance; and
- (6) A statement that, if the nuisance is not abated as directed, a resolution will be promptly presented to the city council requesting the certificate of occupancy issued to the premises be suspended or revoked.

(c) The notice to abate a nuisance shall be served as any other legal process may be served pursuant to law.

(d) If the nuisance is not abated as directed, the city council shall consider the resolution submitted by the planning director and determine if a nuisance exists and, if so, may order the certificate of occupancy issued to the premises be suspended or revoked or direct such other remedies as the city council finds appropriate.

(Ord. No. 39471, § 1, 10-2-12)