

NEBRASKA LIQUOR CONTROL COMMISSION

VIOLATIONS/PENALTY SCHEDULE

VIOLATIONS <i>Nebraska Liquor Control Commission</i>	SUCCESSIVE VIOLATIONS The Commission, as a general guideline, will only look at the previous four years history from the date of offense, for purposes of setting a penalty on a second or subsequent conviction. Note: if previous violation is ten (10) years or longer, penalty would be half. Disclaimer: These are general guidelines used to establish penalties for violations of the Nebraska Liquor Control Act and the Rules and Regulations of the Nebraska Liquor Control Commission. The Commission reserves the option to deviate from these guidelines to encourage voluntary compliance with the act and regulations, and ensure the public health, safety and welfare, as necessary when circumstances merit such deviation.			
	1 ST	2ND	3RD	4 TH
	DAYS SUSP	DAYS SUSP	DAYS SUSP	
SALES TO A MINOR; MINOR CONSUME/POSSESS (Multiple minors may result in higher penalty)	10-20. On guilty plea 5 days upon written cert from licensee that person making sale had completed w/in past 3 yrs, training program approved by Comm (TIPS, CARE, RHC etc)	occurring w/in 4 yrs, 2 days close + 20 days; w/in 3 yrs, 2 days close + 30 days; w/in 2 yrs, 2 days close + 40 days; w/in 1 yr, 2 days close + 50 days. Written cert. or proof that person making sale has received approved training between the 1st & 2nd sale would avoid mandatory closure, but would be added to total susp. (i.e., instead of 2 + 20, would be 22 days susp.)	occurring w/in 4 yrs, 5 days close + 20 days; w/in 3 yrs, 10 days close + 30 days; w/in 2 yrs, 12 days close + 40 days; w/in 1 yr, 15 days close + 50 days.	CANCEL
OPEN CONTAINERS AFTER HOURS & SALES AFTER HOURS INCLUDING SUNDAY SALES (Time of offense may result in higher penalty)	5-10	10-20	20-30	CANCEL
DISTURBANCE: NOT INVOLVING SERIOUS INJURY OR DEATH INVOLVING SERIOUS INJURY OR DEATH	5-15 10-20	10-20 20-40	20-30 40-60	CANCEL
REFILLING	5-10	10-20	20-30	CANCEL
SALE TO VISIBLY INTOXICATED PERSON	10-20	20-40	40-60	CANCEL

- * SALE TO MINOR & MINOR IN POSSESSION DO NOT WORK INDEPENDENTLY BUT ARE COMBINED TOGETHER.
- * FOR ANY PENALTY IN ABEYANCE, PENALTY WILL BE TRIPLE PER ABOVE.
- * 1ST SUSPENSION IS \$50.00 PER DAY. ALL SUBSEQUENT SUSPENSIONS AT \$100.00 PER DAY.
- * EXCEPTION WOULD BE WHEN PREVIOUS SUSPENSION IS OLDER THAN FOUR YEARS, THEN SUSPENSION REVERTS BACK TO \$50.00 PER DAY.

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	1 ST		2ND		3RD		4 TH	
DAYS SUSP		DAYS SUSP		DAYS SUSP				
OPEN CONTAINERS OFF LICENSED PREMISE	5-10		10-20		20-30		CANCEL	
PURCHASE FROM OTHER THAN A WHOLESALER	5-10		10-20		20-30		CANCEL	
SALE FOR RESALE A. WITHOUT ACTUAL KNOWLEDGE B. WITH ACTUAL KNOWLEDGE	5-10 10-20		10-20 20-30		20-30 CANCEL		CANCEL	
SALE OFF LICENSED PREMISES	5-10		10-20		20-30		CANCEL	
SALE ON CREDIT	5-10		10-20		20-30		CANCEL	
UNAUTHORIZED SALES, SUCH AS LIQUOR OR WINE SALES FROM SUPER LICENSE OFF PREMISES SALES FROM ON PREMISES ONLY LICENSE; UNLAWFUL DELIVERY	5-10		10-20		20-30		CANCEL	
FAILURE TO KEEP RECORD OF QUANTITATIVE SALES	5-10		10-20		20-30		CANCEL	

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	1 ST		2 ND		3 RD		4 TH	
	DAYS	SUSP	DAYS	SUSP	DAYS	SUSP	DAYS	SUSP
ILLEGAL ACTIVITIES	10	20	20	30	30	40		CANCEL
ILLEGAL ACTIVITIES: GAMBLING DEVICE WITH CONVICTION	20		CANCEL					
ILLEGAL ACTIVITIES: GAMBLING	5	10	10	20	20	30		CANCEL
MINOR DISPENSING LIQUOR	10	20	20	40	40	60		CANCEL
FAILURE TO PERMIT TIMELY ENTRY	10	20	20	40	40	60		CANCEL
SANITATION	5	10	10	20	20	30		CANCEL
ALLOWING ANOTHER TO OPERATE ON LICENSE	20	40	CANCEL					
VIOLATION OF SPOUSAL AFFIDAVIT	CANCEL							

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FAILURE TO COMPLY W/ ORDER OF COMMISSION	20-40		CANCEL					
LATE RENEWALS	1-3 days late, 1 day; 4-7 days late, 2 days; 8-11 days late, 3 days; 12-30, 5 days; Over 30 days late will require the filing of a new long form application							
ANY OTHER VIOLATION NOT SPECIFICALLY LISTED, i.e., FAILURE TO HAVE LICENSE FRAMED AND HUNG; FAILURE TO HAVE "WARNING TO MINOR" SIGN OR PREGNANCY POSTER DISPLAYED	5-10		10-20		20-30			

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