

## RESOLUTION 45-2009

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, APPROVING A SPECIAL EVENT LICENSE FOR THE FRATERNAL ORDER OF EAGLES AERIE 3593, FOR JULY 4, 2009 AT LIONS PARK, ON ADAMS STREET IN BENSON, ARIZONA.

WHEREAS, the Fraternal Order of Eagles, has applied to the City of Benson for a special event license to allow selling and serving spirituous liquor for consumption at Lions Park on July 4, 2009; and

WHEREAS, a qualifying organization may be granted a special event license for no more than ten (10) days in a calendar year with the Council's approval; and

WHEREAS, the Mayor and Council of the City of Benson have reviewed the application of the Fraternal Order of Eagles and have determined that its approval is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson, Arizona, as follows:

- Section 1.** The Application for the Fraternal Order of Eagles is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.
- Section 2.** All orders or resolutions in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect upon its adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Benson, Arizona, this 22nd day of June, 2009.

  
MARK M. FENN, Mayor

ATTEST:

  
VICKI L. VIVIAN, City Clerk

APPROVED AS TO FORM:

  
MICHAEL J. MASSEE, City Attorney



10. Has the applicant been convicted of a felony in the past five years, or had a liquor license revoked?  
 YES  NO (attach explanation if yes)

11. This organization has been issued a special event license for 0 days this year, including this event  
(not to exceed 10 days per year).

12. Is the organization using the services of a promoter or other person to manage the event?  YES  NO  
If yes, attach a copy of the agreement.

13. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds.  
**THE ORGANIZATION APPLYING MUST RECEIVE 25% OF THE GROSS REVENUES OF THE SPECIAL EVENT LIQUOR SALES.**

Name Fraternal Order of Eagles Aerie 3593 50%  
Percentage

Address 750 E 4<sup>th</sup> St. Benson AZ 85602

Name Benson Senior Center 50%  
Percentage

Address 705 W. Union St. Benson AZ 85602

(Attach additional sheet if necessary)

14. Knowledge of Arizona State Liquor Laws Title 4 is important to prevent liquor law violations. If you have any questions regarding the law or this application, please contact the Arizona State Department of Liquor Licenses and Control for assistance.

NOTE: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.  
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT PREMISES."

15. What security and control measures will you take to prevent violations of state liquor laws at this event?  
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

     # Police  Fencing

2 # Security personnel  Barriers

Area will be roped off and security along with Eagle members will ensure all laws are obeyed.

16. Is there an existing liquor license at the location where the special event is being held?  YES  NO

If yes, does the existing business agree to suspend their liquor license during the time period, and in the area in which the special event license will be in use?  YES  NO

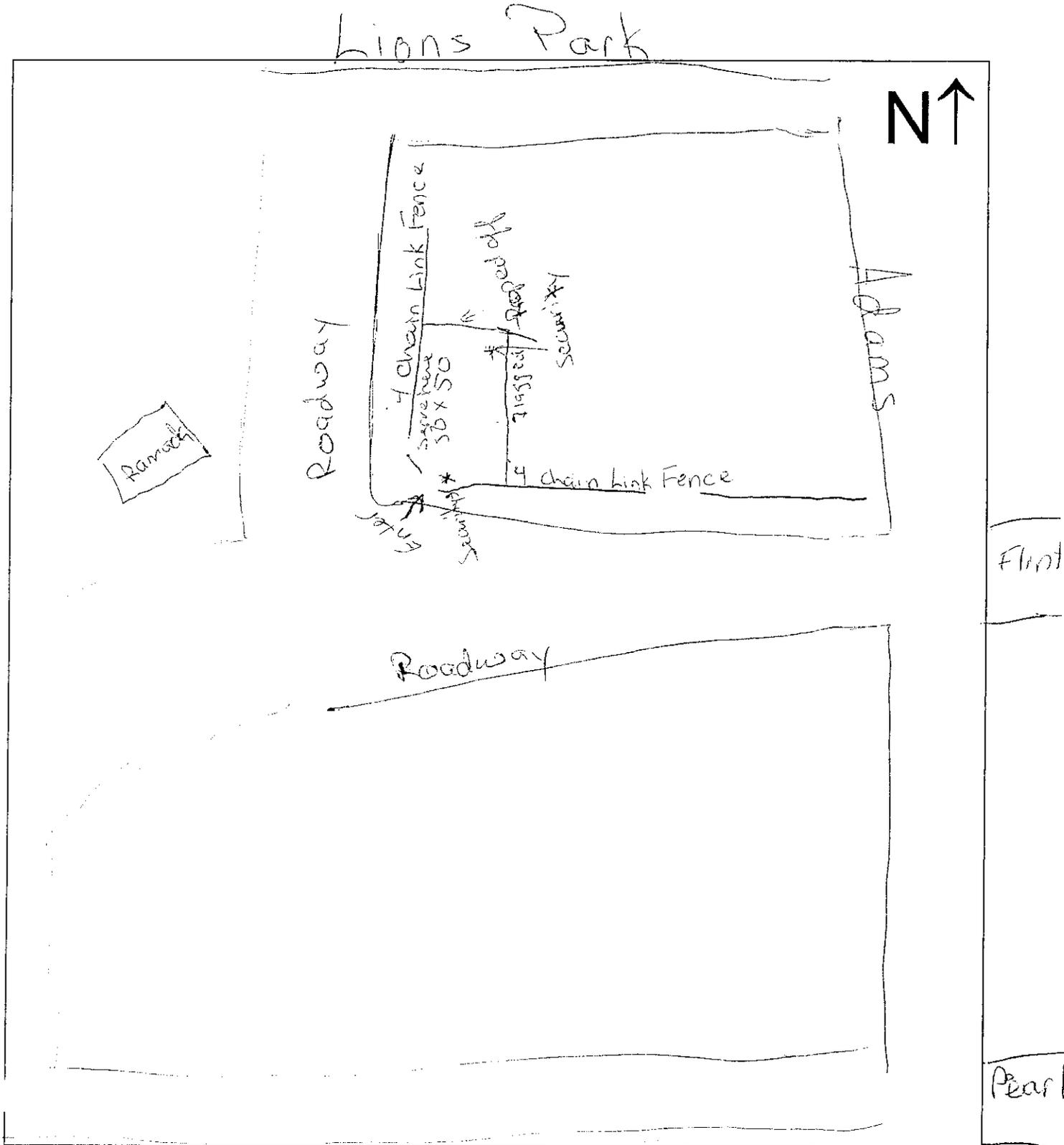
**(ATTACH COPY OF AGREEMENT)**

\_\_\_\_\_  
Name of Business ( ) Phone Number

17. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

**SPECIAL EVENT LICENSED PREMISES DIAGRAM**  
(This diagram must be completed with this application)

Special Event Diagram: (Show dimensions, serving areas, and label type of enclosure and security positions)  
NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.





# Lions Park Vendor Layout

July 4th 2009

100 amp Electric Panel

44 Dunk Tank

5amp Small

15amp Ramada

Water

40

41

Main Switch

15amp

Water

Circuit Box

Ramada

Big

15amp

15amp

15amp

42

43  
37  
38  
39

28 29 30 31 32 33 34 35 36

23 24 25 26 27

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

15amp 15amp

Roadway

Fence - chain link 4

Boys Camp

Chain Link

Leak Way

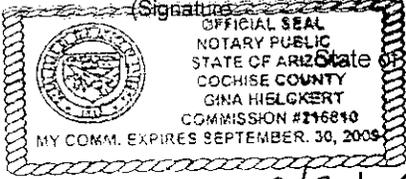
Roadway Flint

REST ROOMS

**THIS SECTION TO BE COMPLETED ONLY BY AN OFFICER, DIRECTOR OR CHAIRPERSON OF THE ORGANIZATION NAMED IN QUESTION #1**

18. I, Ronald R. Cox declare that I am an Officer/Director/Chairperson appointing the applicant listed in Question 6 to apply on behalf of the foregoing organization for a Special Event Liquor License.

X [Signature] Trustee 6/9/2009 (520) 586-3043  
 (Signature) (Title/Position) (Date) (Phone #)  
Arizona County of Cochise  
 The foregoing instrument was acknowledged before me this  
9th June 2009  
 Day Month Year  
[Signature]  
 (Signature of NOTARY PUBLIC)



My Commission expires on: 9/30/09  
 (Date)

**THIS SECTION TO BE COMPLETED ONLY BY THE APPLICANT NAMED IN QUESTION #6**

19. I, Ronald R. Cox declare that I am the APPLICANT filing this application as listed in Question 6. I have read the application and the contents and all statements are true, correct and complete.

X [Signature] State of Arizona County of Cochise  
 The foregoing instrument was acknowledged before me this  
9th June 2009  
 Day Month Year  
[Signature]  
 (Signature of NOTARY PUBLIC)



My commission expires on: 9/30/09  
 (Date)

**You must obtain local government approval. City or County MUST recommend event and complete item #20. The local governing body may require additional applications to be completed and submitted 60 days in advance of the event. Additional licensing fees may also be required before approval may be granted.**

**LOCAL GOVERNING BODY APPROVAL SECTION**

20. I, Mark M. Fenn Mayor hereby recommend this special event application  
 (Government Official) (Title)  
 on behalf of the City of Benson [Signature] 6-23-09  
 (City, Town or County) (Signature of OFFICIAL) (Date)

**FOR DLLC DEPARTMENT USE ONLY**

Department Comment Section:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (Employee) (Date)

APPROVED  DISAPPROVED BY: \_\_\_\_\_  
 \_\_\_\_\_  
 (Title) (Date)

**SERIES: 15 SPECIAL EVENT LICENSE (Temporary)**

**Non-transferable  
On-sale retail privileges**

**PURPOSE:**

**Allows a charitable, civic, fraternal, political or religious organization to sell and serve spirituous liquor for consumption only on the premises where the spirituous liquor is sold, and only for the period authorized on the license. This is a temporary license.**

**ADDITIONAL RIGHTS AND RESPONSIBILITIES:**

**The applicant for a special event license must request a special event application from the Department and file the application with the governing body of the city or town, or Board of Supervisors of an unincorporated area of a county (where the special event is to take place) for approval or disapproval. Some local governing bodies may require approximately 60 days prior notice.**

**If the application is approved by the local authority, and the event meets the requirements for granting the license, the Director will issue a special event license to the qualifying organization.**

**Qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year. Events must be held on consecutive days and at the same location or additional licenses will be required. The license is automatically terminated upon closing of the last day of the event or the expiration of the license, whichever occurs first.**

**The qualified organization must receive at least twenty-five percent (25 %) of the gross revenues of the special event liquor sales.**

**A person selling spirituous liquor under a special event license must purchase the spirituous liquor from the holder of a license authorized to sell off-sale; *except that*, in the case of a non-profit organization which has obtained a special event license for the purpose of charitable fund raising activities, a person may receive the spirituous liquor from a wholesaler as a donation.**

**AVERAGE APPROVAL TIME: One (1) to seven (7) days.**

**PERIOD OF ISSUANCE:**

**Issued for no more than a cumulative total of ten (10) days in a calendar year. A special event may be held for more than one (1) day, but it must be held on consecutive days and at the same location or additional licenses will be required.**

**FEES: \$25.00 per day.**

**ARIZONA STATUTES AND REGULATIONS:**

**ARS 4-203.02, 4-244, 4-261; Rule R19-1-228, R19-1-235, R19-1-309.**

**Disabled individuals requiring special accommodations please call (602) 542-9027**

License No.254

### City of Benson Business License



Issued By: CITY OF BENSON  
120 W 6TH STREET  
BENSON AZ 85602  
520-586-2245

Issued To: 750 E FOURTH ST  
FRATERNAL ORDER OF EAGLES 3593

FRATERNAL ORDER OF EAGLES  
750 E 4TH ST  
BENSON AZ 85602

License Type: Normal  
Amount Paid: \$ 25.00  
Date Issued: 06/30/2008  
Renewal Date: 06/30/2009

This certifies that the above named business has paid the required license fee and is hereby authorized to carry on business in the City of Benson, for the period ending as stated above. The business is subject to the provisions of the Business License Code of the City of Benson and subsequent amendments.

Business License Official

Mayor

THIS LICENSE IS NOT TRANSFERABLE

THIS LICENSE SHOULD BE POSTED IN A CONSPICUOUS PLACE

License No.254

### City of Benson Liquor License



Issued By: CITY OF BENSON  
120 W 6TH STREET  
BENSON AZ 85602  
520-586-2245

Issued To: 750 E FOURTH ST  
FRATERNAL ORDER OF EAGLES 3593

FRATERNAL ORDER OF EAGLES  
750 E 4TH ST  
BENSON AZ 85602

License Type:PStore  
Amount Paid: \$ 50.00  
Date Issued:12/23/2008  
Renewal Date: 12/31/2009

This certifies that the above named business has paid the required license fee and has complied with the provisions of Ordinance No. 47 is hereby authorized to carry on business in the City of Benson, for the period ending as stated above. This license is not transferable to another person and may not be moved from the premises to another location with permission of the Common Council of the City of Benson

Business License Official

Mayor

THIS LICENSE IS NOT TRANSFERABLE

THIS LICENSE SHOULD BE POSTED IN A CONSPICUOUS PLACE



**COCHISE COUNTY  
HEALTH AND SOCIAL SERVICES  
ENVIRONMENTAL HEALTH DIVISION**

Receipt No. 7375

Permit No. BE-1084

For: Drinking-within an eating establishment

Establishment: Eagles F. O. Aerie #3593

Owner: Eagles F.O. Aerie 3593 / Ron Cox - President

Location Address 750 E. 4th St.

Mailing Address 750 E. 4th St.

8 /6 /2008

Issue Date

July, 2009

Expiration Date

Cash ( ) \$200.00

Check ( ) Check #. 3351

  
\_\_\_\_\_  
Health Officer  
  
\_\_\_\_\_  
Environmental Health Director

**THIS PERMIT IS NOT TRANSFERABLE AND MUST BE POSTED  
IN A CONSPICUOUS PLACE**



**COCHISE COUNTY  
HEALTH AND SOCIAL SERVICES  
ENVIRONMENTAL HEALTH DIVISION**

Receipt No. 7376

Permit No. BE-1085

For: Non-Profit Food Estab.

Establishment: Eagles, F.O., Aerie #3593

Owner: Aerie 3593, F.O. Eagles / Ron Cox - President

Location Address 750 E. 4th Street

Mailing Address 750 E. 4th Street

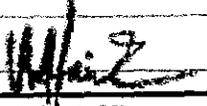
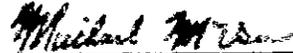
8 /6 /2008

Issue Date

July, 2009

Expiration Date

Cash ( ) \$150 00

  
\_\_\_\_\_  
Health Officer  
  
\_\_\_\_\_  
Environmental Health Director

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSES  
AND CONTROL

ALCOHOLIC BEVERAGE LICENSE

License 14021000

Issue Date: 5/22/1990

Expiration Date: 6/30/2009

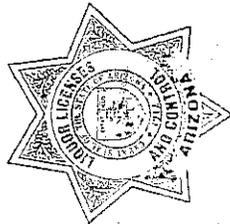
Issued To:  
RONALD RALPH COX, Agent  
FOE #3593, Owner

Location:  
FOE #3593  
750 E 4TH ST  
BENSON, AZ 85602

Private Club

Mailing Address:

RONALD RALPH COX  
FOE #3593  
FOE #3593  
750 E 4TH ST  
BENSON, AZ 85602



*Jerry A. Oliver, Sr.*  
JERRY A. OLIVER, SR.  
DIRECTOR

POST THIS LICENSE IN A CONSPICUOUS PLACE

<b>ACORD <small>101</small> CERTIFICATE OF LIABILITY INSURANCE</b>		DATE (MM/DD/YYYY) <b>06/10/2009</b>
PRODUCER Lockton Risk Services P.O. Box 410679 Kansas City, MO 64141-0679 800-432-4537, INSURER: <b>Benson Fraternal Order of Eagles #3593</b> and Auxiliary 750 East 4th Street Benson, AZ 85602	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURERS AFFORDING COVERAGE INSURER A: <b>Westport Insurance Corporation</b> INSURER B: INSURER C: INSURER D: INSURER E:		NAIC# 39845

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INER ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	<input type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC.	WIB114L02161002	10/19/2008	10/19/2009	EACH OCCURRENCE \$ <b>500,000</b> DAMAGE TO RENTED PREMISES (FA occurrence) \$ <b>300,000</b> MED EXP (Any one person) \$ <b>5,000</b> PERSONAL & AD INJURY \$ <b>Included</b> GENERAL AGGREGATE \$ <b>1,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>1,000,000</b>
	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> RENTED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON OWNED AUTOS				COMBINED SINGLE LIMIT (FA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - FA ACCIDENT \$ OTHER THAN AUTO ONLY: FA ACC \$ AGG \$
	<input type="checkbox"/> EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE  DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER				WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - FA EMPLOYER \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS  
 Certificate Holder is Listed as Additional Insured as Regards to use of premises for 4th of July event

<b>CERTIFICATE HOLDER</b>  City of Benson  120 W. 6th St.  Benson, AZ 85602	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>10</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  AUTHORIZED REPRESENTATIVE 
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## IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.