

ORDINANCE NO. 2010- 04

AN ORDINANCE TO ALLOW THE SALES OF ALCOHOL UNTIL 2:00 A.M.

BE IT ORDAINED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MALCOLM, NEBRASKA:

Section 1: Article 10-319 of the Code shall be deleted and replaced with the following:

10-319 Alcoholic Beverages; Hours of Sale. No alcoholic liquors, including beer, shall be sold at retail or dispensed on any day between the hours of 2:00 a.m. and 6:00 a.m.

It shall only be lawful to sell alcoholic beverages on the secular days, excluding Sunday, on sale or off sale, between the hours of 6:00 a.m. and 2:00 a.m. of the following day.

It shall be unlawful to sell at retail or dispense any alcoholic liquors, other than beer or wine, between the hours of 6:00 a.m. Sunday and 12:00 noon Sunday.

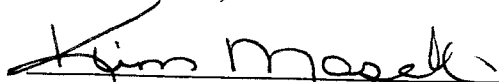
It shall be lawful to sell at retail or dispense any alcoholic liquors between the hours of 12:00 noon Sunday and 2:00 a.m. Monday.

It shall be unlawful, on property licensed to sell alcoholic liquor at retail, to allow alcoholic liquor in open containers to remain or be in possession or control of any person for purpose of consumption between the hours of 2:15 a.m. and 6:00 a.m. on any day.

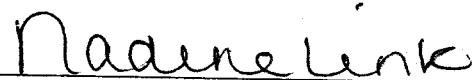
Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic liquor is prohibited by this section (Ref. Neb. Rev. Stat. §53-179)

The words fixing or importing time or the hour of the day as used in this Code section, shall be construed to mean Central Standard Time or Central Daylight Savings Time whichever is in effect at the time.

PASSED AND APPROVED THIS 4th DAY OF AUGUST, 2010.


Kim Masek, Chairperson, Board of Trustees

ATTESTED AND PUBLISHED BY POSTING IN THE VILLAGE HALL, THE POST OFFICE AND THE AUCTION BARN PER §1-405 AND §1-406 OF THE MALCOLM MUNICIPAL CODE WITHIN 15 DAYS OF PASSAGE ON AUGUST 4, 2010.


Nadine Link, Village Clerk