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MAY 20 2011

NEBRASKA LIQUOR
CONTROL COMMISSION

CITY OF HUMBOLDT

ORDINANCE NO. 591

AN ORDINANCE AMENDING CODE SECTION 111.48 TO EXTEND THE TIME FOR SALE OF ALCOHOLIC LIQUOR, INCLUDING BEER, AT RETAIL; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HUMBOLDT, NEBRASKA:

Section 1. That § 111.48 of the Humboldt Municipal Code is hereby amended to read as follows:

§ 111.48 HOURS OF SALE

(A) No alcoholic liquor, including beer, shall be sold at retail or dispensed on any day between the hours of ~~4~~ 2 a.m. and 6 a.m. The City Council with respect to area inside the corporate limits of the city may by ordinance require closing prior to ~~4~~ 2 a.m. on any day.

(B) Except as provided for and allowed by ordinance of the City Council, no alcoholic liquor, including beer, shall be sold at retail or dispensed inside the corporate limits of the city between the hours of 6 a.m. Sunday and ~~4~~ 2 a.m. Monday. No such ordinance shall permit alcoholic liquor, other than beer and wine, to be sold at retail or dispensed between the hours of 6 a.m. Sunday and 12 noon Sunday. This division (B) shall not apply after 12 noon on Sunday to a licensee which is a nonprofit corporation and the holder of a Class C license or a Class I license.

(C) 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 purposes of consumption between the hours of ~~4:15~~ 2:15 a.m. and 6 a.m. on any day. If the City Council provides by ordinance for an earlier closing hour, the provisions of this division (C) shall become effective 15 minutes after such closing hour instead of ~~4:15~~ 2:15 a.m.

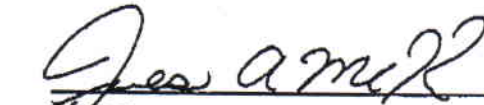
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(D) Nothing in this section shall prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic liquor is prohibited by this section.

Section 2. Original Section 111.48, and any other ordinance or section passed and approved prior to passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.


Section 3. This ordinance shall take effect and be in full force from and after its passage approval and publication or posting as provided by law.

Passed by a vote of at least two-thirds of the members of the City Council and approved this 5th day of October, 2010.



Mayor

ATTEST:



Clerk

(SEAL)

PREPARED BY
DONAHUE & FAESSER, P.C., L.L.O.
CITY ATTORNEY