

Section 2. That Article 1, of Chapter 10 of the Municipal Code of the Village of Valparaiso, Nebraska, be amended as follows:

Chapter 10  
Business Regulations

Article 1. Alcoholic ~~Beverages~~ Liquor

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NEBRASKA LIQUOR  
CONTROL COMMISSION

§10-101 ALCOHOLIC BEVERAGES LIQUOR; DEFINITIONS. All words phrases herein used are to have the definitions applied thereto, as defined in the Liquor Control Act of the State of Nebraska. (Ref. 53-103 RS Neb.)

§10-102 ALCOHOLIC BEVERAGES LIQUOR; LICENSE REQUIRED. It shall be unlawful for any person to manufacture for sale, sell, keep for sale, or to barter any alcoholic liquors within the Village unless said person shall have in full force and effect a license as provided by the Nebraska Liquor Control Act. (Ref. 53-102 RS Neb.)

§10-103 ALCOHOLIC BEVERAGES LIQUOR; INCORPORATION OF STATE STATUTES. All applicable statutes of the State of Nebraska pertaining to the sale and consumption of alcoholic ~~beverages~~ liquor are incorporated herein by reference.

§10-104 ALCOHOLIC BEVERAGES LIQUOR; HOURS OF SALE. It shall further be unlawful for any licensed person or persons or their agents to sell any alcoholic ~~beverages~~ liquor within the Village except during the hours provided herein:

HOURS OF SALE

Alcoholic Liquors (~~except beer and wine~~)

Secular Days

Off Sale ..... 6:00 A.M. to 1:00 A.M.

On Sale ..... 6:00 A.M. to ~~1:00~~ 2:00 A.M.

Sundays

Off Sale ..... Prohibited.

On Sale ..... 6:00 A.M. to ~~1:00~~ 2:00 A.M.

~~Beer and Wine~~

~~Secular Days~~

~~Off Sale ..... 6:00 A.M. to 1:00 A.M.~~

~~On Sale ..... 6:00 A.M. to 1:00 A.M.~~

~~Sundays~~

~~Off Sale ..... 6:00 A.M. to 1:00 A.M.~~

~~On Sale ..... 6:00 A.M. to 1:00 A.M.~~

Provided, that such limitations shall not apply after twelve (12:00) o'clock Noon on Sunday to a licensee which is a non-profit corporation holding a license pursuant to the Nebraska Liquor Control Act.

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NEBRASKA LIQUOR  
CONTROL COMMISSIONORDINANCE NO. 2010-14

AN ORDINANCE OF THE VILLAGE OF VALPARAISO, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 10, ARTICLE 1 OF THE MUNICIPAL CODE OF THE VILLAGE OF VALPARAISO, NEBRASKA, PERTAINING TO ALCOHOLIC BEVERAGES, AND SPECIFICALLY TO EXTEND THE HOURS OF SALE, ON SALE, FROM 1:00 O'CLOCK A.M. TO 2:00 O'CLOCK A.M.; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF VALPARAISO, NEBRASKA, ARE HEREBY AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST 15 DAYS AFTER ITS PASSAGE AND APPROVAL EITHER IN PAMPHLET FORM OR BY POSTING IN THREE PUBLIC PLACES IN THE VILLAGE OF VALPARAISO, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF VALPARAISO, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, Chapter 10, Article 1 of the Municipal Code of the Village of Valparaiso, Nebraska, pertains to alcoholic beverages, and specifically, the hours of sale, and,

WHEREAS, the 2010 Nebraska Legislature did adopt LB 861 setting forth a new definition for alcoholic beverages and extending the required closing time of 1:00 o'clock a.m. to 2:00 o'clock a.m., on any day, provided said time extension was adopted by a vote of at least two thirds (2/3rds) of the members of the local governing body, excluding sales of alcoholic liquors for consumption off the premises, and,

WHEREAS, the Chair and Board of Trustees of the Village of Valparaiso, Nebraska, deem it in the best interests of the citizens of the Village of Valparaiso, Nebraska, to permit within the corporate limits of the Village of Valparaiso, Nebraska, the retail sale or dispensing of alcoholic liquor for consumption on the premises until 2:00 o'clock a.m. on any day,

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIR AND BOARD OF TRUSTEES OF THE VILLAGE OF VALPARAISO, NEBRASKA, as follows:

Section 1. That the findings herein and above made should be and are hereby made a part of this Ordinance as fully as if set out at length herein.



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CONTROL COMMISSION

No person or persons shall consume any alcoholic ~~beverages~~ liquor on licensed premises for a period of time longer than fifteen (15) minutes after the time fixed herein for stopping the sale of alcoholic ~~beverages~~ liquor on the said premises. For the purpose of this Section, "on sale" shall be defined as alcoholic ~~beverages~~ liquor sold by the drink for consumption on the premises of the licensed establishment; "off sale" shall be defined as alcoholic ~~beverages~~ liquor sold at retail in the original container for consumption off the premises of the licensed establishment.

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 ~~beverages~~ liquor is prohibited by this Section.

Section 3. That the Chair, and the appropriate department, whether one or more, of the Village of Valparaiso, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 4. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of the Chair and Board of Trustees of the Village of Valparaiso, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

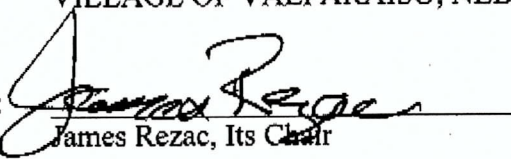
Section 5. That this Ordinance shall be published within the first 15 days after its passage and approval either in pamphlet form or by posting in three public places in the Village of Valparaiso, Nebraska, and shall be in full force and take effect on the 15<sup>th</sup> day from and after its passage, approval, and publication, as provided herein.

Section 6. That it is the intention of the Chair and Board of Trustees of the Village of Valparaiso, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall amend the Municipal Code of the Village of Valparaiso, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

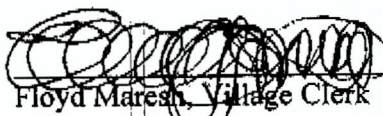
This Ordinance passed and approved this 14 day of September, 2010.

VILLAGE OF VALPARAISO, NEBRASKA

By:

  
James Rezac, Its Chair

ATTEST:

  
Floyd Mares, Village Clerk  
(SEAL)