

RESOLUTION NO. 2013 - 04

WHEREAS, Section 53-179 (1)(a) of the Nebraska Revised Statutes allows the governing body of the Village to adopt, by a vote of at least two-thirds of its board members, a resolution to permit retail sale or dispensing of alcoholic liquor for consumption on the premises, excluding sales for consumption off the premises, later than 1 a.m and prior to 2 a.m on any day. And, Section 9-647 of the Nebraska Revised Statutes that no lottery shall be conducted between the hours of 1:00 a.m and 6:00 a.m , except that if alcoholic liquor is allowed to be sold later than 1:00 a.m pursuant to a vote under subdivision (1)(a) of section 53-179, no lottery shall be conducted between the hour established pursuant to such vote and 6:00 a.m within the area affected by the vote;

and WHEREAS, the Village Board of Trustees of the Village of Johnstown, Brown County, Nebraska, wish to adopt a resolution permitting retail sale or dispensing of alcoholic liquor for consumption on the premises until 2:00 a.m on any day beginning June, 2013 and to extend the lottery hour of 1:00 a.m to 2:00 a.m;

ALCOHOLIC BEVERAGES: HOURS OF SALE. It shall be unlawful for any licensed person or persons or their agents to sell any alcoholic beverages within the municipality except during the hours provided herein:

Monday – Saturday

Off Sale..... 6:00 a.m to 1:00 a.m
On Sale..... 6:00 a.m to 2:00 a.m

Sunday

Off Sale..... 12:00 (Noon) to 1:00 a.m
On Sale..... 12:00 (Noon) to 2:00 a.m

No person or persons shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed herein for the stopping the sale of the alcoholic beverages on said premises. "On Sale" shall be defined as alcoholic beverages sold by the drink for consumption on the premises of the licensed establishment; "Off Sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off premises of the licensed establishment. Nothing in this resolution 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 is prohibited by this resolution. The hours during which a holder of a special designated license may sell or distribute alcohol for consumption on the premises shall be established at the time the permit application is considered.

NOW THEREFORE, BE IT RESOLVED by the Village Board of Trustees of the Village of Johnstown, Brown County, Nebraska to:

Permit retail sale or dispensing of alcoholic liquor for consumption on the premises, excluding sales for consumption off the premises until 2:00 a.m on any day beginning on June 11, 2013 and to extend the lottery hour of 1:00 a.m to 2:00 a.m.

PASSED AND ADOPTED THIS 11TH DAY OF JUNE, 2013

ATTEST:

VILLAGE OF JOHNSTOWN, NEBRASKA

Say 2 Magary
Village Clerk

BY: *Daniel West*
Chairman, Board of Trustees

CERTIFICATE

STATE OF NEBRASKA)
)SS
COUNTY OF BROWN)

I hereby certify that the above and foregoing Resolution 2013 – 04 was duly passed and approved by the Chairman and Board of Trustees of the Village of Johnstown, Nebraska, on the 11th day of June, 2013 and was posted in each of three public places in said Village, to-wit: Johnstown Post Office; Village Office Front Door Window and L-Bow Room on the 12th day of June, 2013.

SEAL

May J Magary
Village Clerk