

COPYORDINANCE NO. 10-116-B

AN ORDINANCE OF THE VILLAGE OF COOK, NEBRASKA, AMENDING CHAPTER 10, ARTICLE 1, SECTION 116 OF THE MUNICIPAL CODE OF THE VILLAGE OF COOK, NEBRASKA, TO MODIFY HOURS WHEN RETAIL SALE, OR DISPENSING OF ALCOHOLIC LIQUORS FOR CONSUMPTION ON THE PREMISES, IS PERMITTED.

BE IT ORDAINED BY THE CHAIRWOMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF COOK, NEBRASKA, AS FOLLOWS:

Section 1. That Chapter 10, Article 1, Section 116 of the Municipal Code of the Village of Cook, Nebraska, be and hereby is amended to read as follows, to-wit:

Section 10-116. Alcoholic Beverages: Hours of Sale. Nothing in this Section shall be construed to prohibit licensed premises from selling any alcoholic liquors, including beer, on election day. However, it shall be unlawful for any licensed person or persons or their agents to sell any alcoholic liquors at any of the following times:

1. No alcoholic liquors, including beer, shall be sold at retail or dispensed between the hours of 2:00 A.M. Sunday and 6:00 A.M. Sunday;

No alcoholic liquors for consumption on the premises shall be sold at retail or dispensed between the hours of 2:00 A.M. Sunday and 6:00 P.M. Sunday; and

No alcoholic liquors for consumption off the premises shall be sold at retail or dispensed between the hours of 1:00 A.M. Sunday and 12:00 midnight Sunday.

2. No alcoholic liquors, including beer, for consumption on the premises shall be sold at retail or dispensed on secular days between the hours of 2:00 A.M. and 6:00 A.M.
3. No alcoholic liquors, including beer, for consumption off the premises, shall be sold at retail or dispensed on secular days between 1:00 A.M. and 6:00 A.M.
4. No person or persons shall consume any alcoholic beverages 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 on the said premises.
For the purpose of this Section, "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 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 is prohibited by this Section. (Ref. 53-179 RS Neb.)

Other ordinances and resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 2. It is the intention of the Village Board and is hereby ordained that the provisions of this Ordinance shall become and be made part of the Municipal Code of the Village of Cook, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 3. The Governing Body hereby finds, determines and declares that an emergency exists, and that it is necessary for the immediate preservation of the public peace, health, safety and public interest and welfare of the Village of Cook, Nebraska, and the inhabitants thereof, that the provisions of this Ordinance take effect immediately upon first publication in pamphlet form upon proclamation by the Chairperson of the Village Board of Cook, Nebraska.

Section 4. The Village Clerk be and hereby is directed to file a certified copy of this Ordinance with the Nebraska Liquor Control Commission.

Section 5. This Ordinance shall be in full force and effect immediately from and after its passage, approval and first publication according to the law in pamphlet form and upon proclamation by the Chairperson of the Village Board of Cook, Nebraska, is hereby authorized and directed to so proclaim.

Section 6. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

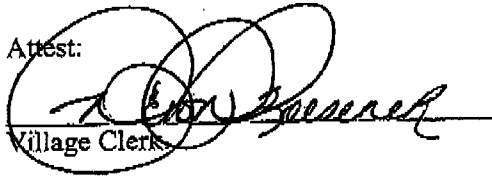
Introduced by Jett . Seconded by HoganCamp

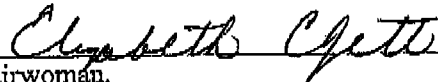
Voting Aye: HoganCamp, Jett, Guenther, McSwiff

Voting Nay: _____ Abstain: Ortiz

Passed and approved this 4th day of August, 2010.
October

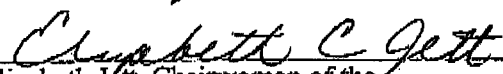
Attest:


Village Clerk


Chairwoman.

PROCLAMATION

I, Elizabeth Jett, Chairwoman of the Board of Trustees of the Village of Cook, Nebraska, do hereby proclaim, as authorized and directed by the Village Board at the terms and provisions of the foregoing Ordinance, Ordinance No. 10-116B shall take effect under the emergency clause provisions set forth therein, immediately upon first publication in pamphlet form in accordance with the laws of the State of Nebraska.


Elizabeth Jett, Chairwoman of the
Village Board of Cook, Nebraska.