

RECEIVED

ORDINANCE NO. 280

JUL 16 2010

AN ORDINANCE RELATING TO THE SALE OR DISPENSING OF ALCOHOLIC LIQUOR; NEBRASKA LIQUOR CONTROL COMMISSION; FORBIDDEN DURING CERTAIN HOURS; EXCEPTIONS. ALCOHOLIC LIQUOR IN OPEN CONTAINERS; UNLAWFUL AFTER HOURS; REPEALING INCONSISTENT ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF HILDRETH, NEBRASKA:

Section 1. HOURS OF SALE. Section 111.48 of the Hildreth Village Code is hereby to read as follows:

(A) No alcoholic liquor, including beer, shall be sold at retail or dispensed on any day between the hours of 2 a.m. and 6 a.m.. Between the hours of 1 a.m. and 2 a.m. the retail sale or dispensing of alcoholic liquor shall only be for consumption on the premises and sales for consumption off the premises after 1 a.m. are prohibited. The Board of Trustees with respect to area inside the corporate limits of the village may by ordinance require closing prior to 2 a.m. on any day.

(B) Except as provided for and allowed by ordinance of the Board of Trustees, no alcoholic liquor, including beer, shall be sold at retail or dispensed inside the corporate limits of the village between the hours of 6 a.m. Sunday and 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 2:15 a.m. and 6 a.m. on any day. If the Board of Trustees 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 2:15 a.m..

(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. Hildreth Village Code Section 111.48 is hereby amended by this ordinance and all other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall be full force and effect from and after its final passage and publication as required by law, or on July 15, 2010, whichever date is the latest.

Passed and approved this 14<sup>th</sup> day of June, 2010.

ATTEST:

APPROVED:

[Signature]  
Village Clerk.

[Signature]  
Chairman.

(Seal)

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JUL 16 2010

CERTIFICATE

STATE OF NEBRASKA )  
 )  
COUNTY OF Franklin ) ss

NEBRASKA LIQUOR  
CONTROL COMMISSION

I, La Donna Koch, Clerk of the Village of Hildreth, Nebraska, hereby certify that the foregoing is a true and complete copy and transcript of Ordinance No. 280 of said Village passed by the Village Board of the Village of Hildreth, Nebraska at a regular session open to the public and preceded by a public notice specifying the time and place for the said session, on the 11th day of June, 2010, and approved by the Chairman on the 14th day of June, 2010, and of the proceedings in relation to its passage had in said Village on the 14th day of June, 2010.

La Donna Koch  
Village Clerk

(SEAL)

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Village Board Member Lance Buoy introduced Ordinance  
Number 280 entitled as follows: JUL 16 2010

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FORBIDDEN DURING CERTAIN HOURS; EXCEPTIONS. ALCOHOLIC LIQUOR IN OPEN  
CONTAINERS; UNLAWFUL AFTER HOURS; REPEALING INCONSISTENT ORDINANCES;  
AND PROVIDING FOR AN EFFECTIVE DATE.

and moved that the statutory rule requiring reading on three dif-  
ferent dates be suspended. Village Board member Leon Bertrand  
seconded the motion to suspend the rules and upon the motion, the  
following Village Board Members votes Yes: Daniel Adam, Leon Bertrand,  
Lance Buoy, Terry Warnken

The following voted No: None

The motion to suspend the rules was adopted by three-fourths of  
the Village Board and the statutory rule was declared suspended for  
consideration of this ordinance.

This ordinance was then read by title and thereafter Village  
Board Member Daniel Adam moved for final passage of this  
ordinance and said motion was seconded by Village Board Member  
Leon Bertrand. The Chairman then stated the question, "Shall  
Ordinance Number 280 be passed and adopted?" Upon roll call vote,  
the following Village Board Members voted Yes: Daniel Adam,  
Leon Bertrand, Lance Buoy, Terry Warnken

The following voted No: None

The passage and adoption of this ordinance having been concurred  
in by a majority of all members of the Village Board, the Chairman  
declared the ordinance adopted; and the Chairman in the presence of  
the Village Board signed and approved the ordinance and the Clerk  
attested the passage and approval of the same and affixed her  
signature thereto and ordered the ordinance to be published in  
pamphlet form as provided herein. True and complete copies of this  
ordinance is attached hereto and incorporated by reference.