ORDINANCE RECORD

ORDINANCE NO. 1123

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE
LA VISTA MUNICIPAL CODE SECTION 114.46; TO REPEAL CONFLICTING ORDINANCES
PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE
EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY
COUNTY, NEBRASKA:

SECTION 1. Section 114.46. Section 114.46 of the La Vista Municipal Code is
amended to read as follows:

§ 114.46 HOURS OF SALE.

(A) For the purpose of this section, the following definitions shall apply unless the context
clearly indicates or requires a different meaning.

OFF SALE. Alcoholic beverages sold at retail in the original container for consumption
off the premises of the licensed establishment.

ON SALE. Alcoholic beverages sold at retail by the drink for consumption on the
premises of the licensed establishment.

(B) It shall be unlawful for any licensed person or persons or their agents to sell any
alcoholic beverages within the city except during the hours provided herein:

HOURS OF SALE

Alcoholic Liquors (except beer and wine)

Secular Days

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<th>6:00 a.m. to 1:00 a.m.</th>
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<td>Off Sale</td>
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Sundays

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Beer and Wine

Secular Days

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Sundays

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(C) It shall be unlawful on premises licensed to sell alcoholic liquor at retail to allow alcoholic
liquor in open containers to remain or be in the possession or control of any person for purposes
of consumption for a period of time longer than 15 minutes after the time fixed herein for stopping
the sale of alcoholic beverages on the said premises.

(D) 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.

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as
previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this
Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or
invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance.
The Mayor and City Council of the City of La Vista hereby declare that it would have passed this
Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact
that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law or on July 15, 2010 whichever is last.

PASSED AND APPROVED THIS 1ST DAY OF JUNE 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueethe, CMC
City Clerk