

ORDINANCE 2010-03

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MAY 25 2011

AN ORDINANCE OF THE VILLAGE OF MARQUETTE, NEBRASKA PERTAINING TO THE SALE OF ALCOHOLIC BEVERAGES; TO AMEND SECTION 111.48 OF THE BASIC CODE TO CHANGE THE HOURS OF SALE; TO REPEAL THE ORIGINAL SECTION; TO PROVIDE FOR PUBLICATION IN POSTING FORM; AND TO DECLARE AN EFFECTIVE DATE.

NEBRASKA LIQUOR CONTROL COMMISSION

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

Section 1. That section 111.48 of the Basic Code of the Village of Marquette, Nebraska, is hereby amended to read as follows:

§111.48 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:

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 2:00 a.m.

Sundays

Off Sale _____ 12:00 Noon to 1:00 a.m.

On Sale _____ 12:00 Noon to 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 2:00 a.m.

Sundays

Off Sale _____ 6:00 a.m. to 1:00 a.m.

On Sale _____ 6:00 a.m. to 2:00 a.m.

Provided that such limitations shall not apply after twelve o'clock (12:00) Noon on Sunday to a licensee which is a non-profit corporation holding a license pursuant to Section 111.48 (B), (C) and (D) Reissue Revised Statutes of Nebraska 1943.

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

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fixed herein for stopping the sale of alcoholic beverages on the premises.

For the purposes of this Section "on sale" shall be defined as alcoholic beverages sold at retail 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 business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

Section 2. That the original provisions of Sec. 111.48 of the Basic Code are hereby repealed.

Section 3. That this ordinance shall be posted form as part of the Basic Code of the Village of Marquette, Nebraska.

Section 4. That this ordinance shall be in full force and effect from and after its passage, approval, and posting according to law.

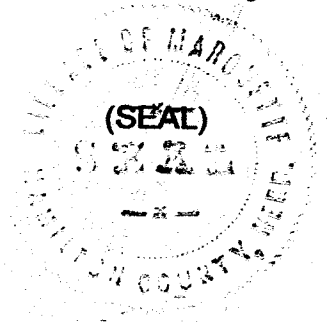
PASSED AND APPROVED this 13 day of October 2010.

APPROVED:

Dennis Saum
Dennis Saum, Chairman of Board

ATTEST:

Jennifer Killion
Jennifer Killion, Clerk



#15th #2145
State of Nebraska County of Hamilton
Filed for record 12-10-2010
at 9:15 M, and recorded in 40120.
Book 48 page 205

Arthur L. Anderson, County Clerk
Donna Driewer, Deputy

REGISTERED ll
RECORDED ll
COMPARED ll
O.K. ll

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SUSPENSION OF RULES

Whereupon it was moved by Trustee Nelson, and seconded by Trustee Skidmore, that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said ordinance might be introduced, read, approved and passed at the same meeting. Chairperson Saum instructed the Clerk to call the role for the vote thereon. The Clerk called the role and the following was the vote on this motion.

Yeas: 3
Nays: 1
Absent: 0
Motion: MC

MOVED FOR FINAL PASSAGE

Read Ordinance by title and Trustee Nelson moved for final passage of Ordinance 2010 – 03 approved for final passage.

The Clerk was then instructed by the Chairperson to call the roll for the vote on final passage of Ordinance No. 2010 – 03. The Clerk called the roll and the following was the vote on Ordinance 2010 – 03.

Yeas: 3
Nays: 1
Absent: 0
Motion: MC

Trustees of the Village Board, having voted in the affirmative for the passage and approval of said Ordinance No. 2010 – 03, the Chairperson declared said Ordinance No. 2010 – 03 duly passed and adopted as and ordinance of the Village of Marquette, Nebraska.

APPROVAL

Whereupon the Chairperson approved the said Ordinance No. 2010 – 03 or the Village of Marquette, Nebraska, subscribing his name thereto, and the Clerk attested said signature of the Chairperson by subscribing her name thereto and affixing thereon the seal of the Village of Marquette, Nebraska.

The above proceedings of the Chairperson and the Board of Trustees of this Village with reference to the ordinance of aforesaid, were had on the 13th day of October, 2010.

Jennifer Killion
Jennifer Killion, Village Clerk

(SEAL)

CERTIFICATE OF PASSAGE AND POSTING
OF ORDINANCE NO. 2010 -02

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NEBRASKA LIQUOR
CONTROL COMMISSION

STATE OF NEBRASKA)
)
County of Hamilton) ss.
)
Village of Marquette)

I, the undersigned, duly elected, qualified and acting Clerk of the Village of Marquette, in the County of Hamilton, State of Nebraska, do hereby certify:

That the annexed and foregoing is a full, true and correct copy of Ordinance No. 2010 – 03 of said Village; the same appears of record in the journal and ordinance book of said Village, and that said Ordinance was duly passed by the Board of Trustees of said Village on the 13 day of October, 2010 and was signed and approved by the Chairperson of the Village Board on the 13 day of October, 2010, and there being no newspaper published in said Village, three (3) copies of said ordinance were posted by me on the 14th day of October, 2010, on in each of three (3) public places in said Village as follows: Aurora Coop, Bank of Marquette, and Town Hall, all in Marquette, Nebraska.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said Village this 14 day of October, 2010.

Jennifer Killion
Jennifer Killion, Village Clerk

(SEAL)