

ORDINANCE NO. 575

AN ORDINANCE TO AMEND THE CURRENT ORDINANCE 10-117 DEFINING "ON SALE" AND "OFF SALE" LIQUOR AND SETTING FORTH THE HOURS OF SALE OF "ON SALE" ALCOHOLIC BEVERAGES AND CONSUMPTION THEREOF; PERMITTING THE SALE OF "ON SALE" ALCOHOLIC BEVERAGES UNTIL 2 A.M.; STATING EXCEPTIONS THERETO; REPEALING ORDINANCES IN CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION I: Section 10-117 of the Village of Municipal Code shall be amended to read as follows:

SECTION 10-117: ALCOHOLIC BEVERAGES; HOURS OF SALE

A. For the purposes of this section, "on sale" shall be defined as alcoholic beverages sold at retail by 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.

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

<i>Alcoholic Liquors (except Beer and Wine)</i>	
Monday through 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.
<i>Beer and Wine</i>	
Daily	
Off Sale	6:00 a.m. to 1:00 a.m.
On Sale	6:00 a.m. to 2:00 a.m.

C. No person or persons shall consume any alcoholic beverages nor remain or be in possession or control of open alcoholic liquor containers for purposes of consumption on the licensed premises for a period of time longer than 15 minutes after the time fixed herein for stopping the sale of alcoholic beverages and before 6:00 a.m. on any day on the said premises.

D. 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. (Neb-Rev. Stat. § 53-179)

Section II.

All ordinances and parts of ordinances, passed and approved, prior to the passage and approval of this ordinance in and conflict herewith, are hereby repealed.

Section III.

This ordinance shall take effect and be in full force after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 9 day of May, 2011.

VILLAGE OF PENDER

By: *Aden Hubbard*, Chairman
Village Board of Trustees

ATTEST.

Connie S. Miller
Connie Miller, Village Clerk