

CITY OF RUSHVILLE  
ORDINANCE NO. 11-758

AN ORDINANCE OF THE CITY OF RUSHVILLE, NEBRASKA, AMENDING CHAPTER 10 ARTICLE 1, SECTION 10-103 OF THE MUNICIPAL CODE OF RUSHVILLE, NEBRASKA, PROVIDING FOR CHANGES TO THE HOURS OF SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; ESTABLISHING DEFINITIONS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF RUSHVILLE, THE COUNTY OF SHERIDAN, STATE OF NEBRASKA,

SECTION 1. That Chapter 10, Article 1, Section 10-103 of the Rushville Municipal Code be amended as follows:

**ALCOHOLIC BEVERAGES; HOURS OF SALE.**

(A) For the purpose of this section the following definition 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 municipality except during the hours provided herein:

**Alcoholic Liquors (Except beer and wine)**

**Monday through Thursday:**

<b>Off sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>
<b>On sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>

**Friday and Saturday:**

<b>Off sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>
<b>On sale</b>	<b>6:00 A.M. to</b>	<b>2:00 A.M. the following day</b>

**Sundays:**

<b>Off sale</b>	<b>12:00 noon to</b>	<b>1:00 A.M. the following day</b>
<b>On sale</b>	<b>12:00 noon to</b>	<b>12:00 A.M. the following day</b>

**Beer and Wine****Monday through Thursday:**

<b>Off sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>
<b>On sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>

**Friday and Saturday**

<b>Off sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>
<b>On sale</b>	<b>6:00 A.M. to</b>	<b>2:00 A.M. the following day</b>

**Sunday**

<b>Off sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>
<b>On sale</b>	<b>6:00 A.M. to</b>	<b>1:00 A.M. the following day</b>

(C) 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.

(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 (REF. 53-179 RS Neb.)

(E) Any Class C License holder within the municipality may request special permission from Rushville City Council to allow the sale of on sale alcoholic liquors, including beer and wine, from 6:00 A.M. to 2:00 A.M. the following day, on a day of the week that is not a Friday or a Saturday for a special occasion. Such special permission must be sought from the Rushville City Council prior to the date being requested for the extension of time for the hours of sale of alcohol. A request for special permission to extend the hours of sale on a day other than Friday or Saturday must include the date for which the extension is being sought and the reason for which the extension is being sought. If approval is granted by the Council for the City of Rushville for the extension of the hours of sale of alcohol, the applicant is responsible for notifying the Sheridan County Sheriff's Office of the date for which the extension was granted.

SECTION 2: All ordinances or parts of an ordinance in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be published pursuant to law.

SECTION 4: The provisions of this ordinance are separable and the invalidity of any phrase, clause or part of this ordinance shall not effect the validity or effectiveness of the remainder of the ordinance.

SECTION 5: This ordinance shall be in full force and effect from and after it's approval, passage, and publication according to law.

PASSED, APPROVED AND ADOPTED AND ORDERED PUBLISHED this 25<sup>th</sup> day of April, 2011.

THE CITY OF RUSHVILLE,  
SHERIDAN COUNTY, NEBRASKA

ATTEST:

By: Chris Heiser  
Chris Heiser, Mayor

Cynthia Roffess  
Clerk

(SEAL)