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OCT 27 2010

NEBRASKA LIQUOR
CONTROL COMMISSION

ORDINANCE NO. 2010-494

Introduction of Ordinance No. 2010-494 of the Village of Waco, Nebraska.

And the matter now coming before the Chairperson and Board of Trustees was the passage and approval of Ordinance No. 2010-494 of the Village of Waco, Nebraska. This Ordinance was introduced by Trustee Schachenmeyer, and is in words and figures as follows, to-wit:

ORDINANCE NO. 2010-494

AN ORDINANCE RELATING TO THE HOURS OF SALE OF ALCOHOLIC LIQUOR, INCLUDING BEER, WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF WACO, NEBRASKA; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF WACO, NEBRASKA:

Section 1. Section 111.48 of the Waco Village Code of Ordinances is amended 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. 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

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hours of 2:15 a.m. and 6 a.m. on any day. If the Board of Trustees provides an 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. (Neb. RS 53-179)

Passed and approved this 12th day of July, 2010.

Janelle Schachenmeyer
Janelle Schachenmeyer, Chairperson

ATTEST:

Cheryl Kraft
Cheryl Kraft, Village Clerk

(SEAL)

SUSPENSION OF RULES

Whereupon it was moved by Trustee Kinney, and seconded by Trustee Beckmann, 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 Schachenmeyer 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: Honour, Kinney, Schachenmeyer, Feather - Beckmann
Nays: None
Absent: None
Motion: Carried

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MOVED FOR FINAL PASSAGE

Read Ordinance by title and Trustee Kinney moved for final passage of Ordinance No. 2010-494. Seconded by Trustee Beckmann.

Whereupon the Chairperson declared said Ordinance No. 2010-494 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. 2010-494. The Clerk called the roll and the following was the vote on Ordinance No. 2010-494.

Yeas: Feather, Beckmann, Honner, Kinney + Schackemeyer
Nays: None
Absent: None
Motion: Carried

Trustees of the Village Board, having voted in the affirmative for the passage and approval of said Ordinance No. 2010-494, the Chairperson declared said Ordinance No. 2010-494 duly passed and adopted as an Ordinance of the Village of Waco, Nebraska.

APPROVAL

Whereupon the Chairperson approved the said Ordinance No. 2010-494 of the Village of Waco, Nebraska, subscribing her 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 Waco, Nebraska.

The above proceedings of the Chairperson and the Board of Trustees of this Village with reference to the ordinance aforesaid, were had on the 12th day of July, 2010.

Cheryl Kraft
Cheryl Kraft, Village Clerk

(SEAL)

