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JUN 24 2010

ORDINANCE NO. 123131

NEBRASKA LIQUOR
CONTROL COMMISSION

AN ORDINANCE TO AMEND THE PROVISIONS OF THE WAUSA VILLAGE CODE TITLE XI, SECTION 111.48, THAT PROHIBITS THE SALE OF ALCOHOL BEYOND 1:00 A.M.; TO AUTHORIZE THE ON-PREMISES SALE AND DISPENSING OF ALCOHOLIC LIQUORS UNTIL 2:00 AM; TO REPEAL SECTION 111.48 AS PREVIOUSLY EXISTS; AND TO PROVIDE AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE CHAIRPERSON AND THE BOARD OF TRUSTEES OF THE VILLAGE OF WAUSA, KNOX COUNTY, NEBRASKA:

Section 1: Title XI Section 111.48 of the Wausa Village Code is hereby amended to read as follows:

- (A) No alcoholic liquor, including beer, shall be sold or distributed for consumption off the premises on any day between the hours of 1 a.m. and 6 a.m.; no alcoholic liquor, including beer, shall be sold or dispensed for consumption on the premises on any day between the hours of 2 a.m. and 6 a.m. The Board of Trustees with respect to the 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 1 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 for consumption on the premises to allow alcoholic liquor in open containers to remain or be in possession or control of any person for purposes of consumption between the hours of 2:15 a.m. and 6 a.m. on any day. If the Board of Trustees provides by 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.

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Section 2: Title XI Section 111.48 of the Wausa Village Code as heretofore existing is hereby repealed.

Section 3: This ordinance shall be in full force and effect on the latter of July 15, 2010, or such date thereafter as this Ordinance is passed, approved, and published as required by law.

Passed and approved this 7th day of June, 2010.

William J. Schumacher
William J. Schumacher, Chairperson

ATTESTED TO BY:

Karen Kleinschmit
Karen Kleinschmit, Village Clerk