

CITY OF WEST POINT, NEBRASKA

ORDINANCE NO. 1319

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA AMENDING SECTION 4-205 OF ARTICLE II OF CHAPTER IV OF THE MUNICIPAL CODE OF THE CITY OF WEST POINT, NEBRASKA, RELATING TO LIQUOR REGULATIONS - HOURS OF SALE; REPEALING SAID SECTION 4-205 OF ARTICLE II OF CHAPTER IV AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT, NEBRASKA:

Section 1. Section 4-205 of Article II of Chapter IV of the Municipal Code of the City of West Point, Nebraska is hereby amended to read as follows:

CHAPTER IV
ARTICLE II - LIQUOR REGULATIONS

SECTION 4-205: HOURS OF SALE

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

Alcoholic Liquors (except beer and wine)

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.

Beer and Wine

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 6:00 A.M. to 1:00 A.M.
On Sale 6:00 A.M. to 2:00 A.M.

Such limitations shall not apply after 12:00 noon on Sunday to a licensee which is a nonprofit corporation and the holder of a Class C license or a Class I license.

2. For the purposes of this section "on sale" is defined as alcoholic liquor sold by the drink for consumption on the premises of the licensed establishment; "off sale" is defined as alcoholic liquor sold at retail in the original container for consumption off the premises of the licensed establishment.

3. It shall be unlawful for 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 hours of fifteen minutes after the closing hour applicable to the licensed premises and 6:00 A.M. on any day.

4. 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 liquor is prohibited by this section.

Section 2. This ordinance shall be reviewed in one year, being July, 2011.

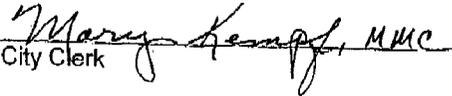
Section 3. Existing Section 4-205 of Article II of Chapter IV of the Municipal Code and all ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect on July 15, 2010 and be in full force from and after its passage, approval and publication according to law.

Passed and approved this 6<sup>th</sup> day of July, 2010.

  
Mayor

Attest:

  
City Clerk

(SEAL)

