

7. The nature and needs of the neighborhood or community where the proposed premises is located as well as its projected growth.

8. Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest.

#### SECTION 4-204: SALE TO MINORS AND INCOMPETENTS PROHIBITED

1. No persons shall within this village sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquors to or for any person who is incompetent or who is physically or mentally incapacitated by the consumption of such liquors.

2. No minor shall have in his/her possession alcoholic liquor in any tavern, public place, street or alley in this village or inside a vehicle while upon any street, alley or public place in this village.

3. No minor shall obtain or attempt to obtain alcoholic liquor by misrepresentation of age or any other method in any tavern or other public place where liquor is sold in this village.

4. Any person violating subsection (1) of this section shall, on conviction thereof, be fined not less than \$50.00 nor more than \$100.00 and shall be assessed the court costs of prosecution. Any person violating subsections (2) or (3) of this section shall, on conviction thereof, be fined not less than \$25.00 nor more than \$100.00 and shall be assessed the court costs of prosecution.

Source: Neb. Rev. Stat. §53-180 and 53-180.01

#### SECTION 4-205: HOURS OF SALE *REPEALED 7/2/2019*

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

It shall be unlawful for any person or persons, or their agents, to sell at retail or dispense any alcoholic beverages within the Village except during the hours specifically provided herein:

Alcoholic Liquors (except beer and wine)

Monday through Saturday

~~Off Sale ----- 7:00 A.M. to 1:00 A.M.~~

~~On Sale ----- 7:00 A.M. to 1:00 A.M.~~

Off Sale 8:00 A.M. to 2:00 A.M.

On Sale 8:00 A.M. to 2:00 A.M. (Revised and Adopted 7/02/19)

Sunday		
Off Sale	<del>6:00 P.M. to 10:00 P.M.</del>	8:00 A.M to 2 A.M
On Sale	<del>6:00 P.M. to 10:00 P.M.</del>	8:00 A.M. to 2 A.M

Beer and Wine

Monday through Saturday		
Off Sale	<del>7:00 A.M. to 1:00 A.M.</del>	8:00 A.M to 2 A.M
On Sale	<del>7:00 A.M. to 1:00 A.M.</del>	8:00 A.M to 2 A.M

Sunday		
Off Sale	<del>12:00 Noon to 10:00 P.M.</del>	8:00 A.M to 2 A.M
On Sale	<del>12:00 Noon to 10:00 P.M.</del>	8:00 A.M to 2 A.M

(All Above changes were revised and adopted 7/02/19)

Provided that such limitation shall not apply after 12:00 noon on Sunday to a licensee which is a nonprofit corporation, but such licensee shall not sell or dispense alcoholic beverages on more than six days each week.

No person or persons shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed herein for the stopping of sales of alcoholic beverages on said premises.

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.

**SECTION 4-206: REVOCATION OF LICENSE**

The chairman and the Board shall, by resolution and subject to the right of appeal to the Nebraska Liquor Control Commission, revoke the license of any licensee finally convicted of violating any provisions of this article.

**SECTION 4-207: ENTRY OF PREMISES FOR INSPECTION**

The chairman, any member of the Board, the village police officer, any policeman or the village attorney shall have the right to enter any licensed premises at any time for the purpose of determining whether the licensee is violating any provision of the Nebraska Liquor Control Act or of this article, and for that purpose to examine and inspect said premises.

**SECTION 4-208: FORM FOR CITIZEN COMPLAINT**

The following form is hereby prescribed for the use of residents of this village desiring to complain to the chairman and the Board that any licensee is violating any provision of the Nebraska Liquor Control Act, regulations prescribed by the Nebraska Liquor Control Commission or any provision of this ordinance.