

**ORDINANCE NO. 1193**

**AN ORDINANCE OF THE CITY OF GORDON, NEBRASKA AMENDING SECTION 5-113 OF THE MUNICIPAL CODE OF GORDON, NEBRASKA, REVISING THE HOURS OF SALE OF ALCOHOL AND AUTHORIZING THE SALE OF ALCOHOL WITHIN THE MUNICIPALITY ON SUNDAY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.**

*Recitals*

Whereas, on the 12<sup>th</sup> day of May, 2020 an election was called and held by the City of Gordon, Nebraska in conjunction with the state-wide primary election and where the question of whether to allow for the sale of alcohol on Sundays within the City of Gordon was presented to the electorate of the municipality;

Whereas, on the 28th day of May, 2020, the Sheridan County Election Commissioner certified to the City of Gordon that 255 electors voted in favor of the sale of alcohol on Sundays, while 175 electors voted in opposition to the sale of alcohol on Sundays;

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GORDON, NEBRASKA:

SECTION 1. That Section 5-113 of the Gordon Municipal Code is amended as follows:

**SECTION 5-113: HOURS OF SALE**

A. For the purposes of this section:

1. "On sale" shall be defined as alcoholic beverages sold by the drink for consumption on the premises of the licensed establishment.
2. "Off sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

B. It shall be unlawful for any licensed establishment, person or persons or their agents to sell at retail or dispense any alcoholic beverages within the city except during the hours provided herein:

<b>Alcoholic Liquors (except Beer and Wine)</b>	
Monday through Thursday	
On and Off Sale	6:00 a.m. to 12:00 midnight
Friday and Saturday	
On and Off Sale	6:00 a.m. to 1:00 a.m.
Sunday	
On and Off Sale	12:00 noon to 1:00a.m.

<b>Beer and Wine</b>	
Monday through Thursday	
On and Off Sale	6:00 a.m. to 12:00 midnight
Friday and Saturday	
On and Off Sale	6:00 a.m. to 1:00 a.m.
Sunday	
On and Off Sale	12:00 noon to 1:00a.m.

C. Exceptions to the above hours of sale:

<b>New Year's Eve (December 31)</b>	
Monday through Saturday	6:00 a.m. to 1:00 a.m.
Sunday	12:00 noon to 1:00 a.m.

D. 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 fifteen minutes after the closing hour applicable to the licensed premises and 6 a.m. on any day.

E. Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which this section prohibits the sale or dispensing of alcoholic beverages.

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: This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

**PASSED AND APPROVED** this 11th day of June, 2020.

CITY OF GORDON, NEBRASKA

\_\_\_\_\_/s/ Nancy I Russell\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_/s/ Kim Buchan\_\_\_\_\_  
CITY CLERK