

ORDINANCE NO. 2022-05

AN ORDINANCE OF THE VILLAGE OF MALCOLM, LANCASTER COUNTY, NEBRASKA, TO AMEND THE VILLAGE CODE TO REMOVE THE PROHIBITION ON THE SALE AND DISPENSING OF LIQUOR AND BEER ON SUNDAYS FROM 6:00AM TO 12:00PM; TO REPEAL ANY CONFLICTING ORDINANCES; TO PROVIDE FOR PUBLICATION; AND TO PROVIDE FOR AN EFFECTIVE DATE

**BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF MALCOLM, NEBRASKA:**

**Section 1.** Section 10-319 of the Malcolm Village Code is hereby amended as follows:

No alcoholic liquors, including beer, shall be sold at retail or dispensed on any day between the hours of 2:00 a.m. and 6:00 a.m.

It shall only be lawful to sell at retail or dispense alcoholic beverages liquors, including beer, on any day the secular days, excluding Sunday, on sale or off sale, between the hours of 6:00 a.m. and 2:00 a.m. of the following day.

~~It shall be unlawful to sell at retail or dispense any alcoholic liquors, other than beer or wine, between the hours of 6:00 a.m. Sunday and 12:00 noon Sunday.~~

~~It shall be lawful to sell at retail or dispense any alcoholic liquors between the hours of 12:00 noon Sunday and 2:00 a.m. Monday.~~

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 purpose of consumption between the hours of 2:15 a.m. and 6:00 a.m. on any day.

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. (Ref. Neb. Rev. Stat. §53-179)

The words fixing or importing time or the hour of the day as used in this Code section, shall be construed to mean Central Standard Time or Central Daylight Savings Time whichever is in effect at the time.

**Section 2.** Any conflicting provisions in the Malcolm Village Code or other ordinances are hereby repealed.

**Section 3.** This ordinance shall be published in book or pamphlet form and posted in three (3) public locations in the Village of Malcolm. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

SUSPEND  
READINGS  
(3/4 VOTE)

9/7/2022

FIRST READING

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SECOND READING

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THIRD READING

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PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF SEPTEMBER 2022



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Jerad Little, Chairperson, Board of Trustees

ATTESTED AND PUBLISHED IN BOOK OR PAMPHLET FORM AND BY POSTING IN THE VILLAGE HALL, POST OFFICE, AND FIRE STATION PER § 1-405 AND § 1-410 OF THE MALCOLM MUNICIPAL CODE WITHIN FIFTEEN (15) DAYS OF PASSAGE ON THE 7<sup>TH</sup> DAY OF SEPTEMBER 2022.



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Nadine Link, Village Clerk

