

ORDINANCE # 22

An ordinance relating to alcoholic liquors making various regulations thereto, providing rules and regulations for sale of such liquors; establishing certain regulations regarding premises where such liquor is sold, providing levy of occupation tax upon the business in such liquors, imposing fines and penalties for violation of the provision of this ordinance; repealing all other ordinances and parts of ordinances in conflict herewith; and prescribing when this ordinance shall be in full force and effect.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA.

Section 1. Hereafter it shall be unlawful for any person, firm or corporation who is engaged in the business of retail or wholesale such liquors on the day of any National, State, County or Municipal election, including Primary elections during the hours the Polls are open in said City. No person shall within such City sell any Alcohol liquors (Except Beer) on the first day of the week, commonly called Sunday. No person shall sell or deliver any Beer or other Alcoholic liquors between the hours of Twelve o'clock midnight and Six o'clock A. M.

Section 2. It shall be unlawful for any person to consume alcoholic liquors within such City in the Public Streets, alleys, roads or highways, in theatres, dance halls, or in any other place open to the public, and no person shall drink any alcoholic liquor other than Beer upon any premises within which Beer is sold provided that nothing herein shall be construed to prohibit persons purchasing Beer upon the premises within which Beer is lawfully sold for consumption on the premises from drinking such Beer on said premises.

Section 3. It shall be unlawful for any person or persons to dance or permit dancing in said building within which alcoholic liquors are sold including beer for consumption. The word building as used in this ordinance

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shall be construed to mean any room, or any part of building under the control or management of the person, or persons, firm or corporation having a license to keep or sell beer in said building for consumption. If the owner of the licensed premises or any person from whom licensee derived the right to possession of such premises or the agent of such owner or persons shall knowingly permit the licensee to use such licensed premises in violation of the terms of this ordinance, said owner, agent or other persons shall be deemed guilty of violation of this ordinance to the same extent as said licensee and be subject to the same punishment.

Section 4. The violation of any provision of this ordinance shall constitute a misdemeanor and upon conviction thereof except where a different penalty for said offence is herein contained, the person shall be fined in any sum not exceeding one hundred dollars; and in case of violation of this ordinance, the person or persons who shall be found guilty of such violation shall be adjudged to pay the costs of prosecution, and shall stand committed to the City Jail and hard work on the Streets or elsewhere for the benefit of the City until such fine and costs are paid or they be otherwise released by proper authority.

Section 5. OCCUPATION TAX. For the purpose of raising revenue in said City there is hereby levied upon the following described business conducted in said City the following designated occupation taxes:

Alcoholic distributor including beer	\$250.00
Retailer of beer only for consumption on the premises.	25.00
Retailer for beer only for consumption off the premises. Sale in the original package only.	25.00
Retailer of alcoholic liquors including beer, for consumption off the premises in the original package only.	150.00

Class No. 1--\$5.00: Class No. 2--\$25.00: Class No. 3--\$50.00: Class No. 4--\$100.00: Class No. 5--\$250.00.

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Such occupation tax so levied shall be paid to the City Treasurer for the benefit of the general fund of said City Immediately after the final issuance of license under the Nebraska Liquor Control Act for any such business.

The City Treasurer shall issue his receipt for such tax when properly paid and dated specifying the person from who paid and for what purpose. If such City Treasurer be unable to collect facts to the City Attorney who shall then proceed by civil suit in the name of the City of collect the amount due.

Section 6. That all ordinances of such City and all other ordinances or parts of ordinances in conflict herewith be and the same is hereby repealed.

Section 7. That this ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 2nd day of July, 1935.