

ORDINANCE # 297

An Ordinance amending Article 5-305 of the Gothenburg Municipal Code of 1974, as amended; making it unlawful to operate any motor vehicle while under the influence of alcoholic liquor or of any drug; to provide a penalty; to repeal all ordinances in conflict herewith; and to provide an effective date.

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

SECTION I. Repeal. Article 5-305 of the Gothenburg Municipal Code of 1974, as amended, is hereby repealed.

SECTION II. Drunken Driving; Penalty. It shall be unlawful for any person to operate, or be in actual physical control of any motor vehicle while under the influence of alcoholic liquor, or of any drug, or when that person has ten hundredths of one percent or more by weight of alcohol in his body fluid as shown by chemical analysis of his blood, breath, or urine. Any person who shall operate or be in the actual physical control of any motor vehicle while under the influence of alcoholic liquor or any drug, or while having ten hundredths of one percent by weight of alcohol in his body fluid as shown by chemical analysis of his blood, breath, or urine, shall be deemed guilty of a crime, and upon conviction thereof, shall be fined not more than \$100.00. In addition, such person shall be subject to such punishment as is provided by the laws of the State of Nebraska effective upon the adoption of this ordinance.

SECTION III. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IV. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed and approved this 1st day of Feb., 1977.

THE CITY OF GOTHENBURG, NEBRASKA

BY:

John A. Gallagher
Mayor

ATTEST:

Marcia Jowers
City Clerk

APPROVED AS TO FORM:

Steve Windham
City Attorney