

ORDINANCE NO. 977

AN ORDINANCE RELATING TO alcoholic beverages; adding bottle clubs to location restrictions; to repeal conflicting ordinances and sections; and to provide an effective date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GOTHENBURG, NEBRASKA:

Section 1. The City of Gothenburg's Code of Ordinances is revised to read as follows regarding alcoholic beverages, bottle clubs and location restrictions:

**ALCOHOLIC BEVERAGES; LOCATION RESTRICTIONS.**

(A) Except as otherwise provided in division (B) of this section, no license shall be issued for the sale at retail of any alcoholic liquor or for a bottle club within 150 feet of any church, school, hospital, or home for indigent persons or for veterans and their wives or children. This prohibition does not apply to any location within such distance of 150 feet:

(1) For which a license to sell alcoholic liquor at retail or for a bottle club has been granted by the Nebraska Liquor Control Commission for two years continuously prior to making of application for license;

(2) To hotels offering restaurant service, to regularly organized clubs, or to restaurants, food shops, or other places where sale of alcoholic liquor is not the principal business carried on, if such place of business so exempted was established for such purposes prior to May 24, 1935; or

(3) To a college or university in the state which is subject to Neb. RS 53-177.01.

(B) If a proposed location for the sale at retail of any alcoholic liquor or for a bottle club is within 150 feet of any church, a license may be issued if the Commission gives notice to the affected church and holds a hearing as prescribed in Neb. RS 53-133 if the affected church submits a written request for a hearing.  
(Neb. RS 53-177)

(C) Unless otherwise exempted by Neb. RS 177.01, no alcoholic liquor, other than beer, shall be sold for consumption on the premises within 300 feet from the campus of any college or university within the village, and no bottle club shall be operated within 300 feet from the campus of any college, except that this section:

(1) Does not prohibit a nonpublic college or university from contracting with an individual or corporation holding a license to sell alcoholic liquor at retail for the purpose of selling alcoholic liquor at retail on the campus of such college or university at events sanctioned by such college or university but does prohibit the sale of alcoholic liquor at retail by such licensee on the campus of such nonpublic college or university at student activities or events; and

(2) Does not prohibit sales of alcoholic liquor by a community college culinary education program pursuant to Neb. RS 53-124.15.  
(Neb. RS 53-177.01

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 18<sup>th</sup> day of June, 2019.



(SEAL)

Joyce E. Hudson  
Mayor, Joyce Hudson

Brandi Klopping  
Clerk, Brandi Klopping