

ORDINANCE NO. 4259

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, AMENDING HASTINGS CITY CODE SECTION 8-107 PERTAINING TO CONSUMPTION OF ALCOHOL ON PUBLIC PROPERTY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING ANY ORDINANCES OR OTHER PROVISIONS IN CONFLICT HEREWITH.

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

SECTION 1. That Hastings City Code Section 8-107 be amended to read as follows:

8-107. Consumption on property owned by the state or certain governmental subdivisions thereof.

It shall be unlawful for any person to consume alcoholic liquors in the public streets, alleys, parking areas, roads, or highways, or inside vehicles while upon the public streets, alleys, parking areas, roads, or highways; or upon property owned by the State of Nebraska, Adams County, City of Hastings, or the School District of Hastings; provided however, alcoholic liquors, including beer, may be sold or distributed for consumption on the premises only:

(1) At Brickyard Park during the annual Cottonwood Prairie Festival, the Hastings City Auditorium, Central Park and the Hastings Museum and Museum Park, under a special designated permit issued by the Nebraska Liquor Control Commission with the approval of the Hastings City Council;

(2) At property controlled by the Chamber of Commerce;

(3) For any portion of Prairie Ridge Park for which a State of Nebraska liquor license is in effect; and

(4) The City may execute a license agreement for the use of a portion of the public sidewalk by a properly licensed establishment located within the downtown area. The terms of the license agreement shall be developed according to the circumstances of the parties and any laws, rules, and regulations applicable. For purposes of this section, downtown area shall be all property abutting or located within Bellevue Avenue on the west, Minnesota Avenue on the east, 1st Street on the south, and 3rd Street on the north.

SECTION 2. That existing Hastings City Code Section 8-107 and all other ordinances or provisions in conflict with this ordinance are hereby repealed.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, in its entirety, or in pamphlet form, as the case may be, said effective date being July 15, 2010, 2010, and this ordinance shall thereafter be included in the Hastings City Code Book.

SECTION 4. The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of this ordinance.

PASSED AND APPROVED this 28th day of June, 2010.



Wesley P. Parnell
Mayor

Donna Hartman
City Clerk

APPROVED AS TO FORM:

[Signature]
City Attorney