



City of Grand Island

Tuesday, December 22, 2020

Council Session

Item F-3

#9811 - Consideration of Approving City Code Amendments to Chapter 4, Alcohol; Hours of Operation

Staff Contact: Stacy Nonhof, Interim City Attorney

Council Agenda Memo

From: Stacy R. Nonhof, Interim City Attorney

Meeting: December 22, 2020

Subject: Amending Chapter 4 of City Code to Change Hours of Alcohol Sales and Delivery

Presenter(s): Stacy R. Nonhof, Interim City Attorney

Background

At the December 8, 2020, Council meeting, Riverside Golf Club requested that the City Code pertaining to alcohol sales on Sundays be changed to 9:00 a.m. from noon.

Discussion

There are 2 proposed Ordinances for Council's consideration. The first Ordinance changes the hours of alcohol sales for Sundays from noon to 9:00 a.m. This Ordinance will apply to all alcohol sales, be it stores, restaurants or golf courses. The second Ordinance will only change the hours of sale for on-site consumption of alcohol from noon to 9:00 a.m. This ordinance will only allow for sale of alcohol if the alcohol is being consumed on-site. Stores would still be prohibited from selling any type of alcohol until noon.

In each Ordinance, the second change allows for the delivery of alcohol to retailers prior to 9:00 a.m. on Sundays. This change was made after a request received during the State Fair.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Ordinance amending Chapter 4 of City Code.

Sample Motion

Move to approve the Ordinance.

ORDINANCE NO. 9811 (A)

An ordinance to amend Chapter 4 of Grand Island City Code; to amend Sections 4-9 and 4-16; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Sections 4-9 and 4-16 of the Grand Island City Code Chapter 4 are amended to read as follows:

§4-9. Hours of Operation; Retail Establishment

(A) No alcoholic liquor, including beer, shall be sold at retail or dispensed on any day between the hours of 1:00 a.m. and 6:00 a.m.

(B) No alcoholic liquor, including beer, shall be sold at retail or dispensed between the hours of 6:00 a.m. and 9:00 a.m. on Sunday.

(C) Alcoholic liquor, including beer, may be sold at retail and dispensed from 9:00 a.m. on Sunday until 1:00 a.m. the following Monday.

§4-16 Delivery by Distributor on Sunday

It shall be unlawful for any licensed distributor or wholesaler of beer to deliver such beverage to any retailers of the same in the city on the first day of the week, commonly called Sunday prior to 9:00 a.m.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect fifteen (15) days from and after its passage and publication pursuant to law.

Approved as to Form	□ _____
December 17, 2020	□ City Attorney

ORDINANCE NO. 9811 (A) (Cont.)

Enacted: December 22, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9811 (B)

An ordinance to amend Chapter 4 of Grand Island City Code; to amend Sections 4-9 and 4-16; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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SECTION 1. Sections 4-9 and 4-16 of the Grand Island City Code Chapter 4 are amended to read as follows:

§4-9. Hours of Operation; Retail Establishment

(A) No alcoholic liquor, including beer, shall be sold at retail or dispensed on any day between the hours of 1:00 a.m. and 6:00 a.m.

(B) No alcoholic liquor, including beer, shall be sold at retail or dispensed between the hours of 6:00 a.m. and 12:00 noon on Sunday.

(C) Alcoholic liquor, including beer, may be sold and dispensed for on-site consumption only from 9:00 a.m. on Sunday until 1:00 a.m. the following Monday.

(D) Alcoholic liquor, including beer, may be sold at retail and dispensed for anything other than on-site consumption from 12:00 noon on Sunday until 1:00 a.m. the following Monday.

§4-16 Delivery by Distributor on Sunday

It shall be unlawful for any licensed distributor or wholesaler of beer to deliver such beverage to any retailers of the same in the city on the first day of the week, commonly called Sunday prior to 9:00 a.m.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect fifteen (15) days from and after its passage and publication pursuant to law.

ORDINANCE NO. 9811 (B) (Cont.)

Approved as to Form ☐ _____
December 17, 2020 ☐ City Attorney

Enacted: December 22, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk