

ORDINANCE NO. 4740

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 8-107 OF THE OFFICIAL CITY CODE DEALING WITH THE CONSUMPTION OF ALCOHOL ON PROPERTY OWNED BY THE STATE OR CERTAIN GOVERNMENTAL SUBDIVISIONS THEREOF; REPEALING INCONSISTENT PROVISIONS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

SECTION 1. That Section 8-107 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

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

(1) 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 following premises:

(a) At Brickyard Park, the Hastings City Auditorium, Auditorium Park, Central Park and the Hastings Museum and Museum Park, the Hastings Public Library, the Terminal Building at Hastings Municipal Airport, the Fixed Base Operator (FBO) building located at 3100 West 12th Street, and the Hastings Municipal Airport Building #1 located at 3300 West 12th Street under a special designated permit issued by the Nebraska Liquor Control Commission with the approval of the Hastings City Council;

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

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

(d) 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 Burlington Avenue on the west, Kansas Avenue on the east, 1st Street on the south, and 4th Street on the north; and

(e) The City may execute a license agreement for the use of a portion of the public street for a community sponsored event pursuant to and under a special designated permit issued by the Nebraska Liquor Control Commission with the approval of the Hastings City Council. For purposes of this section, downtown area shall be all property abutting or located within Burlington Avenue on the west, Kansas Avenue on the east, 1st Street on the south, and 4th Street on the north.

(2) This section shall not apply to persons who are passengers of, but not drivers of, a limousine or bus being used in a charter or special party service as defined by rules and regulations adopted and promulgated by the Public Service Commission of the State of Nebraska and subject to Chapter 75, Article 3. Such passengers may possess open alcoholic beverage containers and may consume alcoholic beverages while such limousine or bus is upon the public streets, alleys, parking areas, roads or highways if:

(a) the driver of the limousine or bus is prohibited from consuming alcoholic liquor and

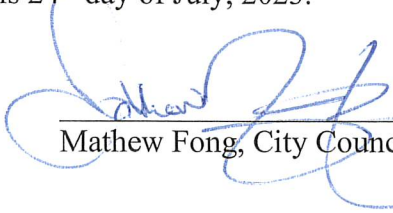
(b) alcoholic liquor is not present in any area that is readily accessible to the driver while in the driver's seat, including any compartments in such area.

(3) This section shall not apply to any person issued a valid and current license to operate a pedal-pub vehicle in the state of Nebraska, nor the pedal-pub vehicle customers.

SECTION 2. Any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions is hereby repealed.

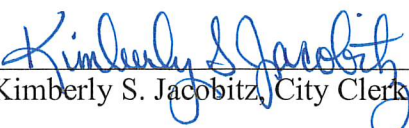
SECTION 3. That this ordinance shall take effect and be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law. This ordinance shall be included in the Hastings City Code Book.

PASSED AND APPROVED this 24th day of July, 2023.



Mathew Fong, City Council President

ATTEST:



Kimberly S. Jacobitz, City Clerk



APPROVED AS TO FORM:



Jesse Oswald, City Attorney