

ORDINANCE NO. 02-607

AN ORDINANCE RELATING TO alcoholic beverages; to provide for issuance of catering licenses to holders of Class D-1 licenses; to authorize an occupation tax; to repeal conflicting ordinances and sections; to provide for the publication of this ordinance in pamphlet form; and to provide an effective date.

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

Section 1. Section 10-114 of the Municipal Code of Friend, Nebraska, is amended to read as follows:

**ALCOHOLIC BEVERAGES; CATERING LICENSES.**

(A) The holder of a Class C, Class D, Class D-1, or Class I license issued under Neb. RS 53-124(5) or a craft brewery license may obtain an annual catering license by filing an application and license fee with the Nebraska Liquor Control Commission. (Neb. RS 53-124.12(1))

(B) Upon receipt from the Commission of the notice and copy of the application as provided in Neb. RS 53-124.12, the Governing Body shall process the application in the same manner as provided in section 10-110 (Alcoholic Beverages; Licenses; Municipal Powers). (Neb. RS 53-124.12(3))

(C) The Governing Body, with respect to catering licensees within its liquor license jurisdiction, may cancel a catering license for cause for the remainder of the period for which such catering license is issued. Any person whose catering license is canceled may appeal to the District Court. (Neb. RS 53-124.12(4))

(D) The Governing Body may impose an occupation tax on the business of a catering licensee doing business within the liquor license jurisdiction of the Governing Body. The tax may not exceed double the license fee for a catering license. (Neb. RS 53-124.12(6))

(E) For purposes of this section, the liquor license jurisdiction of the Governing Body is, with respect to the holders of Class D-1 licenses, the area outside the corporate limits of the Municipality but within its extraterritorial zoning jurisdiction and, with respect to the holders of other licenses, the corporate limits of the Municipality.

Section 2. Any other ordinance or 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prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.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 in pamphlet form or posting as required by law.

Passed and approved this 4<sup>th</sup> day of December, 2002.



(SEAL)

*Debbie Gilmer*  
Clerk

*Roger C. Horner*  
Mayor