TITLE XI: BUSINESS REGULATIONS

Chapter

110. ALCOHOLIC BEVERAGES

CHAPTER 110: ALCOHOLIC BEVERAGES

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GENERAL PROVISIONS

§ 110.01 DEFINITIONS.

For purposes of this chapter, the definitions found in section Neb. RS 53-103 shall be used. (Neb. RS 53-103)

§ 110.02 SALE OR GIFT TO MINOR OR MENTALLY INCOMPETENT PERSON PROHIBITED.

No person shall sell, give away, dispose of, exchange, or deliver, or permit the sale, gift, or procuring of any alcoholic liquors, to or for any minor or to any person who is mentally incompetent. (Neb. RS 53-180) Penalty, see § 10.99

Statutory reference:

Authority, see Neb. RS 17-135

§ 110.03 CONSUMPTION IN PUBLIC PLACES OR PLACES OPEN TO THE PUBLIC; RESTRICTIONS.

(A) Except when the Nebraska Liquor Control Commission has issued a license as provided in Neb. RS 53-186(2), it is unlawful for any person to consume alcoholic liquor upon property owned or controlled by the state or any governmental subdivision thereof unless authorized by the governing bodies having jurisdiction over such property.
(Neb. RS 53-186(1))

(B) It is unlawful for any person owning, operating, managing, or conducting any dance hall, restaurant, cafe, or club or any place open to the general public to permit or allow any person to consume alcoholic liquor upon the premises except as permitted by a license issued for such premises pursuant to the Nebraska Liquor Control Act. It is unlawful for any person to consume alcoholic liquor in any dance hall, restaurant, cafe, or club or any place open to the general public except as permitted by a license issued for such premises pursuant to the Act. This division does not apply to a retail licensee while lawfully engaged in the catering of alcoholic beverages.
(Neb. RS 53-186.01) Penalty, see § 10.99

Statutory reference:

Statutory restrictions and exceptions, see Neb. RS 53-186 and 53-186.01

§ 110.04 REMOVAL OF INTOXICATED PERSONS FROM PUBLIC OR QUASI-PUBLIC PROPERTY.

(A) Any law enforcement officer with the power to arrest for traffic violations may take a person who is intoxicated and in the judgment of the officer dangerous to himself, herself, or others, or who

is otherwise incapacitated, from any public or quasi-public property. An officer removing an intoxicated person from public or quasi-public property shall make a reasonable effort to take such intoxicated person to his or her home or to place such person in any hospital, clinic, alcoholism center, or with a medical doctor as may be necessary to preserve life or to prevent injury. Such effort at placement shall be deemed reasonable if the officer contacts those facilities or doctor which have previously represented a willingness to accept and treat such individuals and which regularly do accept such individuals. If such efforts are unsuccessful or are not feasible, the officer may then place such intoxicated person in civil protective custody, except that civil protective custody shall be used only as long as is necessary to preserve life or to prevent injury, and under no circumstances longer than 24 hours.

(B) The placement of such person in civil protective custody shall be recorded at the facility or jail at which he or she is delivered and communicated to his or her family or next of kin, if they can be located, or to such person designated by the person taken into civil protective custody.

(C) The law enforcement officer who acts in compliance with this section shall be deemed to be acting in the course of his or her official duty and shall not be criminally or civilly liable for such actions.

(D) The taking of an individual into civil protective custody under this section shall not be considered an arrest. No entry or other record shall be made to indicate that the person has been arrested or charged with a crime.

(E) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC PROPERTY. Any public right-of-way, street, highway, alley, park, or other state, county, or municipally-owned property.

QUASI-PUBLIC PROPERTY. Private or publicly-owned property utilized for proprietary or business uses which invites patronage by the public or which invites public ingress and egress. (Neb. RS 53-1,121) Penalty, see § 10.99

LICENSES REQUIRED

§ 110.20 MANUFACTURE, SALE, DELIVERY, AND POSSESSION; GENERAL PROHIBITIONS; EXCEPTIONS.

(A) No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish, or possess any alcoholic liquor for beverage purposes except as specifically provided in this chapter and Nebraska Liquor Control Act.

(B) Nothing in this chapter or the Act shall prevent:

(1) The possession of alcoholic liquor legally obtained as provided in this chapter or the Act for the personal use of the possessor and his or her family and guests;

(2) The making of wine, cider, or other alcoholic liquor by a person from fruits, vegetables, or grains, or the product thereof, by simple fermentation and without distillation, if made solely for the use of the maker and his or her family and guests;

(3) Any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of his or her profession, any hospital or other institution caring for the sick and diseased persons from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or other institution, or any drug store employing a licensed pharmacist from possessing or using alcoholic liquor in the compounding of prescriptions of licensed physicians;

(4) The possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church;

(5) Persons who are sixteen years old or older from carrying alcoholic liquor from licensed establishments when they are accompanied by a person not a minor;

(6) Persons who are sixteen years old or older from handling alcoholic liquor containers and alcoholic liquor in the course of their employment;

(7) Persons who are sixteen years old or older from removing and disposing of alcoholic liquor containers for the convenience of the employer and customers in the course of their employment; or

(8) Persons who are nineteen years old or older from serving or selling alcoholic liquor in the course of their employment.
(Neb. RS 53-168.06)
Penalty, see § 10.99

§ 110.21 ACQUISITION AND POSSESSION; RESTRICTIONS.

(A) It shall be unlawful for any person to purchase, receive, acquire, accept, or possess any alcoholic liquor acquired from any other person other than one duly licensed to handle alcoholic liquor under this chapter and the Nebraska Liquor Control Act unless within specific exemptions or exceptions provided in this chapter or the Act.
(Neb. RS 53-175)

(B) It shall be unlawful for any person to transport, import, bring, ship, or cause to be transported, imported, brought, or shipped into the State of Nebraska for the personal use of the possessor, his or her family, or guests a quantity of alcoholic liquor in excess of nine liters in any one calendar month.
(Neb. RS 53-194.03)
Penalty, see § 10.99

§ 110.22 LICENSEE REQUIREMENTS.

(A) No license shall be issued to:

(1) A person who is not a resident of Nebraska, except in case of railroad, airline, or boat licenses;

(2) A person who is not of good character and reputation in the community in which he or she resides;

(3) A person who is not a citizen of the United States;

(4) A person who has been convicted of or has pleaded guilty to a felony under the laws of this state, any other state, or the United States;

(5) A person who has been convicted of or has pleaded guilty to any Class I misdemeanor pursuant Neb. RS Chapter 28, Article 3, 4, 7, 8, 10, 11, or 12, or any similar offense under a prior criminal statute or in another state, except that any additional requirements imposed by this subdivision on May 18, 1983, shall not prevent any person holding a license on such date from retaining or renewing such license if the conviction or plea occurred prior to May 18, 1983;

(6) A person whose license issued under the Nebraska Liquor Control Act has been revoked for cause;

(7) A person who at the time of application for renewal of any license issued under the act would not be eligible for such license upon initial application;

(8) A partnership, unless one of the partners is a resident of Nebraska and unless all the members of such partnership are otherwise qualified to obtain a license;

(9) A limited liability company, unless one of the members is a resident of Nebraska and unless all the members of such company are otherwise qualified to obtain a license;

(10) A corporation, if any officer, manager, or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of such corporation would be ineligible to receive a license under this section for any reason other than the reasons stated in subdivisions (1) and (3) of this division (A), except that a manager of a corporate licensee shall be a resident of Nebraska. This subdivision shall not apply to railroad licenses;

(11) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee;

(12) A person who does not own the premises for which a license is sought or does not have a lease or combination of leases on such premises for the full period for which the license is to be issued;

(13) Except as provided in this subdivision, an applicant whose spouse is ineligible under this section to receive and hold a liquor license. Such applicant shall become eligible for a liquor license only if the Nebraska Liquor Control Commission finds from the evidence that the public interest will not be infringed upon if such license is granted. It shall be prima facie evidence that when a spouse is ineligible to receive a liquor license, the applicant is also ineligible to receive a liquor license. Such prima facie evidence shall be overcome if it is shown to the satisfaction of the Commission:

(a) That the licensed business will be the sole property of the applicant; and

(b) That such licensed premises will be properly operated;

(14) A person seeking a license for premises which do not meet standards for fire safety as established by the State Fire Marshal;

(15) A law enforcement officer, except that this subdivision shall not prohibit a law enforcement officer from holding membership in any nonprofit organization holding a liquor license or from participating in any manner in the management or administration of a nonprofit organization; or

(16) A person less than 21 years of age.

(B) When a trustee is the licensee, the beneficiary or beneficiaries of the trust shall comply with the requirements of this section, but nothing in this section shall prohibit any such beneficiary from being a minor or person who is mentally incompetent.
(Neb. RS 53-125)

§ 110.23 LICENSEES AND APPLICANTS; MUNICIPAL POWERS AND DUTIES.

(A) The Board of Trustees is authorized to regulate by ordinance, not inconsistent with the Nebraska Liquor Control Act, the business of all retail, bottle club, or craft brewery licensees carried on within the corporate limits of the municipality. (Neb. RS 53-134.03)

(B) During the period of 45 days after the date of receiving from the Nebraska Liquor Control Commission an application for a new license to sell alcoholic liquor at retail, a bottle club license, or a craft brewery license, the Board of Trustees may make and submit to the commission recommendations relative to the granting or refusal to grant such license to the applicant. (Neb. RS 53-131(2))

(C) The Board of Trustees, with respect to licenses within the corporate limits of the municipality, has the following powers, functions, duties with respect to retail, bottle club, and craft brewery licenses:

(1) To cancel or revoke for cause retail, bottle club, or craft brewery licenses to sell or dispense alcoholic liquor issued to persons for premises within its jurisdiction, subject to the right of appeal to the Nebraska Liquor Control Commission;

(2) To enter or to authorize any law enforcement officer to enter at any time upon any premises licensed under the Nebraska Liquor Control Act to determine whether any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the Board of Trustees has been or is being violated and at such time examine the premises of such licensee in connection with such determination;

(3) To receive a signed complaint from any citizen within its jurisdiction that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation relating to alcoholic liquor has been or is being violated and to act upon such complaints in the manner provided in the Act;

(4) To receive retail license fees, bottle club license fees, and craft brewery license fees as provided in Neb. RS 53-124 and pay the same, after the license has been delivered to the applicant, to the Municipal Treasurer;

(5) To examine or cause to be examined any applicant or any retail licensee, bottle club licensee, or craft brewery licensee upon whom notice of cancellation or revocation has been served as provided in the Act, to examine or cause to be examined the books and records of any applicant or licensee, and to hear testimony and to take proof for its information in the performance of its duties. For purposes of obtaining any of the information desired, the Board of Trustees may authorize its agent or attorney to act on its behalf;

(6) To cancel or revoke on its own motion any license if, upon the same notice and hearing as provided in § 110.30, it determines that the licensee has violated any of the provisions of the Nebraska Liquor Control Act or any valid and subsisting ordinance or regulation duly enacted, adopted, and promulgated relating to alcoholic liquor. Such order of cancellation or revocation may be appealed to the Commission within 30 days after the date of the order by filing a notice of appeal with the Commission. The Commission shall handle the appeal in the manner provided for hearing on an application in Neb. RS 53-133;

(7) (a) Upon receipt from the Commission of the notice and copy of application as provided in Neb. RS 53-131, to fix a time and place for a hearing at which the governing body shall receive evidence, either orally or by affidavit from the applicant and any other person, bearing upon the propriety of the issuance of a license. Notice of the time and place of such hearing shall be published in a legal newspaper in or of general circulation in the municipality, one time not less than 7 and not more than 14 days before the time of the hearing. Such notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the Board of Trustees in support of or in protest against the issuance of such license may do so at the time of the hearing.

(b) The hearing shall be held not more than 45 days after the date of receipt of the notice from the Commission, and after such hearing the Board of Trustees shall cause to be recorded in the minute record of their proceedings a resolution recommending either issuance or refusal of such license. The Municipal Clerk shall mail to the Commission by first-class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice, except that failure to comply with this

provision shall not void any license issued by the Commission. If the Commission refuses to issue such a license, the cost of publication of notice shall be paid by the Commission from the security for costs. (Neb. RS 53-134)

(D) (1) When the Nebraska Liquor Control Commission mails or delivers to the Municipal Clerk a license issued or renewed by the commission, the Clerk shall deliver the license to the licensee upon proof of payment of:

(a) The license fee if by the terms of Neb. RS 53-124(5) the fee is payable to the Municipal Treasurer;

(b) Any fee for publication of notice of hearing before the Board of Trustees upon the application for the license;

(c) The fee for publication of notice of renewal, if applicable, as provided in Neb. RS 53-135.01; and

(d) Occupation taxes, if any, imposed by the municipality.

(2) Notwithstanding any ordinance or charter power to the contrary, the municipality shall not impose an occupation tax on the business of any person, firm, or corporation licensed under the Nebraska Liquor Control Act and doing business within the corporate limits of the municipality in any sum which exceeds two times the amount of the license fee required to be paid under the Act to obtain such license. (Neb. RS 53-132(4))

Statutory reference:

Additional powers and duties; hearings and the like, see Neb. RS 53-134(2) and (3)

Authority to regulate, see Neb. RS 53-134.03

§ 110.24 LICENSEES; INSPECTIONS.

The Board of Trustees shall cause frequent inspections to be made on the premises of all retail and bottle club licensees. If it is found that any such licensee is violating any provision of this chapter, the Nebraska Liquor Control Act, or the regulations of the Nebraska Liquor Control Commission or is failing to observe in good faith the purposes of this chapter or the Act, the license may be suspended, canceled, or revoked after the licensee has been given an opportunity to be heard in his or her defense by the Board of Trustees.
(Neb. RS 53-116.01)

§ 110.25 LICENSE RENEWAL; MUNICIPAL POWERS AND DUTIES.

(A) Retail or bottle club licenses issued by the Nebraska Liquor Control Commission and outstanding may be automatically renewed in the absence of a written request by the Board of Trustees to require the licensee to submit an application for renewal. Any licensed retail or bottle club premises

located in an area which is annexed to the municipality shall file a formal application for a license, and while such application is pending, the licensee may continue all license privileges until the original license expires, is canceled, or is revoked. If such license expires within 60 days following the annexation date of such area, the license may be renewed by order of the Commission for not more than one year.

(B) The Municipal Clerk, upon notice from the Commission, shall cause to be published in a legal newspaper in or of general circulation in the municipality, one time between January 10 and January 30 of each year, individual notice in the form prescribed by law of the right of automatic renewal of each retail liquor and beer license within the municipality, except that Class C license renewal notices shall be published between the dates of July 10 and July 30 of each year. If written protests to the issuance of automatic renewal of a license are filed in the office of the Municipal Clerk by three or more residents of the municipality on or before February 10, or August 10 for Class C licenses, the Board of Trustees shall hold a hearing to determine whether continuation of the license should be allowed. Upon the conclusion of any hearing required by this section, the Board of Trustees may request a licensee to submit an application.

Statutory reference:

State license renewal procedures, see Neb. RS 53-135 and 53-135.01

§ 110.26 CATERING LICENSE.

(A) The holder of a Class C, Class D, 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 § 110.23 of this code.
(Neb. RS 53-124.12(3))

(C) The Board of Trustees, with respect to catering licensees within the municipality's corporate limits, may cancel a catering license for cause for the remainder of the period for which the license is issued. Any person whose catering license is canceled may appeal to the District Court.
(Neb. RS 53-124.12(4))

(D) The municipality may impose an occupation tax on the business of any person, firm, or corporation receiving a catering license and doing business within the municipality. The tax may not exceed double the license fee for a catering license.
(Neb. RS 53-124.12(6))

§ 110.27 DISPLAY OF LICENSE.

Every licensee under the Nebraska Liquor Control Act shall cause his or her license to be framed and hung in plain view in a conspicuous place on the licensed premises.
(Neb. RS 53-148) Penalty, see § 10.99

§ 110.28 OWNER OF PREMISES OR AGENT; LIABILITY.

If the owner of the licensed premises or any person from whom the licensee derives the right to possession of such premises, or the agent of such owner or person, knowingly permits the licensee to use such licensed premises in violation of the terms of the Nebraska Liquor Control Act or any municipal ordinance, such owner, agent, or other person shall be deemed guilty of a violation of the Act or ordinance to the same extent as such licensee and be subject to the same punishment.
(Neb. RS 53-1,101)

§ 110.29 LICENSEE; LIABILITY FOR ACTS OF OFFICER, AGENT, OR EMPLOYER.

Every act or omission of whatsoever nature constituting a violation of any of the provisions of the Nebraska Liquor Control Act or any municipal ordinance by any officer, director, manager, or other agent or employee of any licensee, if such act is committed or omission is made with the authorization, knowledge, or approval of the licensee, shall be deemed and held to be the act of such employer or licensee, and such employer or licensee shall be punishable in the same manner as if such act or omission had been done or omitted by the licensee personally.
(Neb. RS 53-1,102)

§ 110.30 CITIZEN COMPLAINTS.

Any five residents of the municipality shall have the right to file a complaint with the Board of Trustees stating that any retail or bottle club licensee, subject to the jurisdiction of the Board of Trustees, has been or is violating any provision of the Nebraska Liquor Control Act or the rules or regulations issued pursuant to the Act. Such complaint shall be in writing in the form prescribed by the Board of Trustees and shall be signed and sworn to by the parties complaining. The complaint shall state the particular provision, rule, or regulation believed to have been violated and the facts in detail upon which belief is based. If the Board of Trustees is satisfied that the complaint substantially charges a violation and that from the facts alleged there is reasonable cause for such belief, it shall set the matter for hearing within ten days from the date of the filing of the complaint and shall serve notice upon the licensee of the time and place of such hearing and of the particular charge in the complaint. The complaint shall in all cases be disposed of by the Board of Trustees within 30 days from the date the complaint was filed by resolution thereof. The resolution shall be deemed the final order for purposes of appeal to the Nebraska Liquor Control Commission as provided by law.
(Neb. RS 53-134.04)

RETAIL ESTABLISHMENTS

§ 110.50 LOCATION.

It shall be unlawful for any person to own, maintain, manage, or hold open to the public any establishment for the purpose of selling at retail any alcoholic liquor within 150 feet of any church, school, hospital, or home for aged or indigent persons or for veterans, their wives or children. This prohibition shall not apply to any location within such distance when the establishment has been licensed by the Nebraska Liquor Control Commission at least two continuous years and to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops, or other places where the selling of alcoholic liquors is not the principal business carried on, if the place of business was established for such purposes prior to May 24, 1935. 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 municipality.
(Neb. RS 53-177) Penalty, see § 10.99

§ 110.51 ACCESS TO DWELLINGS.

Except in the case of hotels and clubs, no alcoholic liquor shall be sold at retail upon any premises which have any access which leads from such premises to any other portion of the same building or structure used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public. This provision shall not prevent any connection between such premises and such other portion of the building or structure which is used only by the licensee, his family, or personal guests.
(Neb. RS 53-178) Penalty, see § 10.99

§ 110.52 SANITARY CONDITIONS.

It shall be unlawful to open for public use any retail liquor establishment that is not in a clean and sanitary condition. Toilet facilities shall be adequate and convenient for customers and patrons. The licensed premises shall be subject to any health inspections the Board of Trustees or the municipal police may make, or cause to be made. All applications for liquor licenses shall be viewed in part from the standpoint of the sanitary conditions, and a report concerning the sanitary conditions shall be made at all hearings concerning the application for or renewal of a liquor license.
Penalty, see § 10.99
Statutory reference:
State sanitary rules and regulations authorized, see Neb. RS 53-118
Authority to regulate licensed premises, see Neb. RS 53-134.03

§ 110.53 HOURS OF SALE.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

OFF SALE. Alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

ON SALE. Alcoholic beverages sold at retail by the drink for consumption on the premises of the licensed establishment.

(B) It shall be unlawful for any licensed person or persons or their agents to sell any alcoholic beverages within the municipality except during the hours provided herein, provided that such limitations shall not apply after 12:00 p.m. noon on Sunday to a licensee which is a nonprofit corporation holding a license pursuant to Neb. RS 53-124(5)(C) and (H):

HOURS OF SALE

Alcoholic Liquor (except beer and wine)
- Mondays through Saturdays
  - Off Sale 8:00 a.m. to 1:00 a.m. of the next day
  - On Sale 8:00 a.m. to 1:00 a.m. of the next day
- Sundays
  - Off Sale Prohibited
  - On Sale Noon to 1:00 a.m. of the next day

Beer and Wine
- Mondays through Saturdays
  - Off Sale 8:00 a.m. to 1:00 a.m. of the next day
  - On Sale 8:00 a.m. to 1:00 a.m. of the next day
- Sundays
  - Off Sale Noon to 1:00 a.m. of the next day
  - On Sale Noon to 1:00 a.m. of the next day

(C) No person or persons shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed herein for stopping the sale of alcoholic beverages on the said premises.

(D) Nothing in this section shall be construed to prohibit licensed premises from being open for business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

(Am. Ord. 04-166, passed 6-14-04) Penalty, see § 10.99

Statutory reference:

Authority to alter statutory hours, see Neb. RS 53-179

ORDINANCE NO. 04-166

VILLAGE OF GILTNER
COUNTY OF HAMILTON
STATE OF NEBRASKA

An ordinance of the Village of Giltner, Nebraska to amend **HOURS OF SALE, Section (B), Code 110.53 Hours of Sale, Business Regulations, Code of Ordinances, Giltner, Nebraska.**

WHEREAS, the Chairperson and the Board of Trustees is the Governing Body of the Village of Giltner,

THEREFORE, BE IT ORDAINED THAT THE CHAIRPERSON AND THE BOARD OF TRUSTEES, GILTNER, NEBRASKA, do;

HEREBY, amend Section (B), Code 110.53 of the Giltner Code to read:

HOURS OF SALE

Alcoholic Liquor (except beer and wine)
Sundays

Off Sale	Prohibited
On Sale	noon to 1:00 a.m. of the next day

Beer and Wine
Sundays

Off Sale	noon to 1:00 a.m. of the next day
On Sale	noon to 1:00 a.m. of the next day

Reference: Authority to alter statutory hours, Neb. RS 53-179

Any other ordinance or section passed and approved prior to passage and approval of this ordinance and in conflict with its provisions is repealed.

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

Steve Williams
Chairperson

(SEAL)

Charlynn Kral Krcilek
Village Clerk

Date: June 14, 2004

§ 110.54 CREDIT SALES PROHIBITED.

No person shall sell or furnish alcoholic liquor at retail to any person on credit of any kind, barter, or services rendered, provided that nothing herein contained shall be construed to prevent any club holding a Class C license from permitting checks or statements for alcoholic liquor to be signed by members, or guests of members, and charged to the accounts of the said members or guests in accordance with the bylaws of such club and provided further that nothing in this section shall prevent any hotel or restaurant holding a retail license from permitting checks or statements for liquor to be signed by regular guests residing in the hotel or eating at the restaurant and charged to the accounts of such guests.
(Neb. RS 53-183) Penalty, see § 10.99

§ 110.55 SPIKING BEER PROHIBITED.

It shall be unlawful for any person or for any licensee to sell or offer for sale in this municipality any beer to which there has been added any alcohol or to permit any person to add alcohol to any beer on the licensed premises of such person or licensee.
(Neb. RS 53-174) Penalty, see § 10.99

§ 110.56 ORIGINAL PACKAGE REQUIRED.

No person, except a manufacturer or wholesaler, shall fill or refill, in whole or in part, any original package of alcoholic liquor with the same or any other kind or quality of alcoholic liquor. It shall be unlawful for any person to have in his or her possession for sale at retail any bottles, casks, or other containers containing alcoholic liquor except in original packages. Nothing in this section shall prohibit the refilling of original packages of alcoholic liquor for strictly private use and not for resale.
(Neb. RS 53-184) Penalty, see § 10.99

§ 110.57 MINOR'S PRESENCE RESTRICTED.

It shall be unlawful for any person who owns, manages, or leases an establishment selling alcoholic beverages at retail to allow any minor under the age of 18 years of age to frequent or otherwise remain in the establishment unless the minor is accompanied by his or her parent or legal guardian, and unless the minor remains seated with and under the immediate control of the parent or legal guardian.
Penalty, see § 10.99
Statutory reference:
Authority to regulate, see Neb. RS 53-134.03

§ 110.58 KEG SALES; REQUIREMENTS; PROHIBITED ACTS.

(A) When any person licensed to sell alcoholic liquor at retail sells beer for consumption off the premises in a container with a liquid capacity of five or more gallons or 18.92 or more liters, the seller shall record the date of the sale, the keg identification number, the purchaser's name and address, and the number of the purchaser's motor vehicle operator's license, state identification card, or military identification, if such military identification contains a picture of the purchaser, together with the purchaser's signature. Such record shall be on a form prescribed by the Liquor Control Commission and shall be kept by the licensee at the retail establishment where the purchase was made for not less than six months. The records kept pursuant to this section shall be available for inspection by any law enforcement officer during normal business hours or at any other reasonable time. Any person violating this section shall be guilty of an offense.

(B) Licensees shall place a label bearing a keg identification number on each keg at the time of retail sale. Any person who unlawfully tampers with, alters, or removes the keg identification number from a beer container after such container has been taken from the licensed premises pursuant to a retail sale and before its return to such licensed premises or other place where returned kegs are accepted shall be guilty of an offense.
(Neb. RS 53-167.02 and 53-167.03) Penalty, see § 10.99