

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1166

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 131.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 131.01 of the La Vista Municipal Code is amended to read as follows:

§ 131.01 OPEN CONTAINER.

It shall be unlawful for any person to consume, possess, or have under their control open alcoholic beverages in the public streets, alleys, roads, highways or upon any property owned by the city, state or other governmental subdivision of the state thereof, or inside vehicles while upon the public streets, alleys, roads, or highways or other public property of the city, state or any governmental subdivision of the state within the city's boundaries, or upon premises of any, in theaters, dance halls, restaurants, clubs, cafes or any other place open to the general public, except that the provisions of this section shall not apply if the consumption, possession or control is lawful in accordance with a validly issued liquor license or otherwise permitted in accordance with the to liquor establishments licensed by the state of Nebraska Liquor Control Act. ('79 Code, § 6-309) (Am. Ord. 279, passed 11-18-80) Penalty, see § 10.99

Statutory reference:

Similar provisions, see Neb. RS 53-186; and 53-186.01; and 60-6.211.08

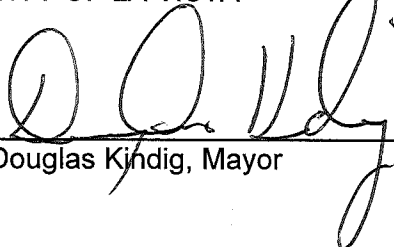
SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

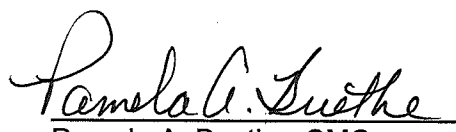
SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe, CMC
City Clerk