

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 5.04 of the Lincoln Municipal Code relating to
2 Alcoholic Liquor by amending Section 5.04.020, Definitions, to add a definition for “catering”;
3 amending Section 5.04.035 to eliminate the date reference; amending Section 5.04.050 to require
4 the applicant to post application location and remove the duties of the police department;
5 amending Section 5.04.064 to clarify game day limitations apply only to outdoor areas and to
6 eliminate reference to class of liquor licenses; amending Section 5.04.066 to grant authority for
7 the city clerk to administratively approve indoor and outdoor special designated liquor
8 applications except where limited by Chapter 5.04; amending Section 5.04.068 eliminating the
9 City Clerk’s duty to publish and to establish an annual due date for applications; amending
10 Sections 5.04.124 and 5.04.125 to eliminate date reference; amending Section 5.04.130 to
11 eliminate expired duties of the Internal Liquor Committee; amending Section 5.04.175 to
12 eliminate date reference; amending Section 5.04.250 to eliminate reference to public service
13 agency; amending Section 5.04.280 to update statutory reference; and repealing Sections
14 5.04.020, 5.04.035, 5.04.050, 5.04.064, 5.04.066, 5.04.068, 5.04.124, 5.04.125, 5.04.130,
15 5.04.175, 5.04.250, and 5.04.280 as hitherto existing.

16 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

17 Section 1. That Section 5.04.020 of the Lincoln Municipal Code be amended to read as
18 follows:

19 **5.04.020 Definitions.**

20 Unless the context otherwise requires, the words and phrases herein defined are used in
21 this chapter in the sense given them in the following definitions:

1 **Alcohol** shall mean the product of distillation of any fermented liquid, whether rectified
2 or diluted, whatever the origin thereof, and shall include synthetic ethyl alcohol, but shall not
3 include denatured alcohol or wood alcohol.

4 **Alcoholic liquor** shall include alcohol, spirits, wine, beer, and every liquid or solid,
5 patented or not, containing alcohol, spirits, wine, or beer, and capable of being consumed as a
6 beverage by a human being. The provisions of this chapter shall not apply to:

7 (1) alcohol used in the manufacture of denatured alcohol produced in accordance
8 with acts of Congress and regulations promulgated thereunder;

9 (2) flavoring extracts, syrups, or medicinal, mechanical, scientific, culinary, or
10 toilet preparations, or food products unfit for beverage purposes, but this chapter shall not be
11 construed to exclude or not apply to alcoholic liquor used in the manufacture, preparation, or
12 compounding of such products, or confections or candy that contains more than one-half of one
13 percent alcohol; or

14 (3) wine intended for use and used by any church or religious organization for
15 sacramental purposes.

16 **Beer** shall mean a beverage obtained by alcoholic fermentation of an infusion or
17 concoction of barley, or other grain, malt, and hops in water; and shall include, among other
18 things, beer, ale, stout, lager beer, near beer, porter, and the like.

19 **Beer garden** shall mean an outdoor area included in licensed premises, which is used for
20 the service and consumption of alcoholic liquors, and which is contained by a six foot or higher
21 fence, or other rigid barrier, preventing the uncontrolled entrance or exit of persons from the
22 premises, and preventing the passing of alcoholic liquors to persons outside the premises.

23 **Bottle club** shall mean any business or commercial operation, whether open to the public
24 or where entrance is limited by any fee, cover charge, membership or other similar requirement,

1 to which patrons bring with them alcoholic liquor to be consumed or stored for consumption on
2 the business premises, and where such business or premises is not licensed to sell alcoholic
3 liquor.

4 Catering shall mean the act of providing, pursuant to a written or oral contract between a
5 licensee with a valid catering license and an unlicensed individual or entity, alcoholic liquor at an
6 event hosted by the unlicensed individual or entity and at an event location that is not currently
7 licensed by the licensee.

8 **Club** shall mean a corporation organized under the laws of this state, not for pecuniary
9 profit, solely for the promotion of some common object other than the sale or consumption of
10 alcoholic liquors, which is kept, used, and maintained by its members through the payment of
11 annual dues, and which owns, hires, or leases a building or space in a building of such extent and
12 character as may be suitable and adequate for the reasonable and comfortable use and
13 accommodation of its members and their guests. ~~and provided with suitable and adequate kitchen~~
14 ~~and dining room space and equipment, and maintaining a sufficient number of servants and~~
15 ~~employees for cooking, preparing, and serving food and meals for its members and their guests.~~

16 Such club shall file with the city at the time of its application for a license two copies of a list of
17 names and residences of its members and similarly shall file within ten days of the election of
18 any additional member his or her name and address. The affairs and management of such club
19 shall be conducted by a board of directors, executive committee, or similar body chosen by the
20 members at their annual meeting, and no member or any officer, agent, or employee of the club
21 shall be paid, or shall directly or indirectly receive, in the form of salary or other compensation,
22 any profits from the distribution or sale of alcoholic liquor to the club or the members of the club
23 or its guests introduced by members other than the amount of such salary as may be fixed and

1 voted at any annual meeting by the members or by its board of directors or other governing body
2 out of the general revenue of the club.

3 **Commission** shall mean the Nebraska Liquor Control Commission.

4 **Commons Area** shall mean an area:

5 (a) Within an Entertainment District designated by the City Council pursuant to
6 Chapter 5.21;

7 (b) Shared by authorized licensees with annual Entertainment District licenses
8 issued by the Commission;

9 (c) Abutting the licensed premises of such licensees;

10 (d) Having limited pedestrian accessibility by use of a physical barrier, either on a
11 permanent or temporary basis; and

12 (e) Closed to vehicular traffic when used as a commons area.

13 **Entertainment District** shall mean an area of real property designated and permitted by
14 City Council pursuant to Chapter 5.21 whereby the Commission may issue annual entertainment
15 district licenses pursuant to the Nebraska Liquor Control Act to allow retail licensees, craft
16 | brewery licensees, ~~and/or~~ microdistillery, and/or manufacturer's licensees to share in the use of
17 | one or more commons areas.

18 **Entrance** shall be defined as any means of ingress and egress from a premises.

19 **Health Director** shall mean the Director of the Lincoln-Lancaster County Health
20 Department or an authorized representative of the Director.

21 **Manufacture** shall mean to distill, rectify, ferment, brew, make, mix, concoct, process,
22 blend, bottle, or fill an original package with any alcoholic liquor, and shall include blending but
23 shall not include the mixing or other preparation of drinks for serving by those persons

1 authorized and permitted in this chapter to serve drinks for consumption on the premises where
2 sold.

3 **Manufacturer** shall mean every brewer, fermenter, distiller, rectifier, winemaker,
4 blender, processor, bottler, [restaurant](#), [hotel](#), or person who fills or refills an original package and
5 others engaged in brewing, fermenting, distilling, rectifying, or bottling alcoholic liquors as
6 above defined.

7 **Minor** shall mean any person, male or female, under twenty-one years of age, regardless
8 of marital status.

9 **Nonprofit corporation** shall mean a corporation, whether located within any
10 incorporated city or village or not, organized under the laws of this state, not for profit, and
11 which has been exempted from the payment of federal income taxes.

12 **Original package** shall mean any bottle, flask, jug, can, cask, barrel, keg, hogshead, or
13 other receptacle or container whatsoever, used, corked, or capped, sealed, and labeled by the
14 manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.

15 **Person** shall mean any natural person, corporation, partnership, or association.

16 **Premises** shall mean the designated area specified in a license issued under the Nebraska
17 Liquor Control Act.

18 **Restaurant** shall mean any public place kept, used, maintained, advertised, and held out
19 to the public as a place where meals are served, and where meals are actually and regularly
20 served, without sleeping accommodations, such place being provided with adequate and sanitary
21 kitchen and dining room equipment and capacity and having employed therein a sufficient
22 number and kind of employees to prepare, cook and serve suitable food for its guests.

23 **Retailer** shall mean a person who sells, or offers for sale, alcoholic liquors for use and
24 consumption and not for resale in any form.

1 **Sale** shall mean any transfer, exchange, or barter in any manner or by any means
2 whatsoever for a consideration, and includes all sales made by any person, whether principal,
3 proprietor, agent, servant, or employee.

4 **Sell at retail** and **sale at retail** shall refer to and mean sales for use or consumption and
5 not for resale in any form.

6 **Serve** shall mean to provide for immediate consumption.

7 **Sidewalk café** shall mean an outdoor area included in licensed premises, which is used
8 for the service and consumption of food and alcoholic liquors, and contained by a thirty-six inch
9 or higher fence, or other rigid barrier, defining the area. There shall be no more than one open
10 entrance which shall not exceed eight feet in width, except where approved by City Council as
11 part of the design of an Entertainment District.

12 **Spirits** shall mean any beverage which contains alcohol obtained by distillation, mixed
13 with water or other substance in solution, and shall include brandy, rum, whiskey, gin or other
14 spirituous liquors, and such liquors when rectified, blended, or otherwise mixed with alcohol or
15 other substances.

16 **To sell** shall mean to solicit or receive an order for, to keep or expose for sale, or to keep
17 with intent to sell.

18 **Wine** shall mean any alcoholic beverage obtained by the fermentation of the natural
19 contents of fruits or vegetables, containing sugar, including such beverages when fortified by the
20 addition or spirits, as above defined.

21 **ANNOT.:** Insofar as these ordinances preclude the sale of alcohol on
22 Sundays by bottle clubs they are inconsistent with the Liquor Control
23 Act and are, therefore, void. Arrow Club, Inc. v. Nebr. Liquor Control
24 Commission, 177 Neb. 686, 131 N.W.2d 134 (1964).

1 Section 2. That Section 5.04.035 of the Lincoln Municipal Code be amended to read as
2 follows:

3 **5.04.035 Responsible Beverage Management Certificate Required.**

4 It shall be unlawful for any person to sell alcoholic liquor at retail until the manager or
5 licensee has successfully completed a course in responsible beverage management training
6 approved by the City Council. This requirement shall also apply to special designated licenses.
7 The Responsible Beverage Management Certificate shall be valid for a period of three years.
8 ~~Beginning April 1, 2013, a~~ Responsible Beverage Server/Seller Permit will be issued in
9 conjunction with a Responsible Beverage Management Certificate. The cost of the training shall
10 be paid by the manager or licensee.

11 Section 3. That Section 5.04.050 of the Lincoln Municipal Code be amended to read as
12 follows:

13 **5.04.050 License; Posting Notice of Application.**

14 Notice for public hearings required to be held by the City Council pursuant to Neb. Rev.
15 Stat. § 53-134, in addition to that required by statute, shall be given as follows:

16 (a) A notice provided by the City Clerk shall be posted by the ~~Lincoln Police~~
17 ~~Department~~ applicant on the public entrance or in a conspicuous place on or near the location set
18 forth in any application for the granting of a liquor license or the expansion of the premises of an
19 existing license notifying the public that an application for a liquor license at that location is
20 pending before the City Council and advising the public of the time and date of the hearing
21 thereon. It shall be unlawful for any person to remove, mutilate, destroy, or change the posted
22 notice prior to the date of hearing on the application; and

23 (b) The City Clerk shall include, at the time of causing the required notice to be
24 published in a legal newspaper, the publication of a caption directly above the legal notice stating

1 "Liquor License Application" followed by the street address of the proposed licensed premises,
2 which caption shall be printed in at least 5 1/2 point letters. Costs of publication of the legal
3 notice and caption shall be paid by the applicant.

4 Immediately after publication of such notice, the City Clerk will cause a copy of the
5 published notice to be posted upon the official bulletin board for the City and in all Lincoln city
6 libraries.

7 (c) The notice required in (a) and (b) above shall not be required for any ~~automatic~~
8 renewal of any liquor license.

9 (d) Any decision made by the City Council on any liquor license application shall not
10 be void or invalidated or affected in any way for any irregularity, defect, error, or failure to
11 provide the notice as set forth in (a) and (b) above.

12 Section 4. That Section 5.04.064 of the Lincoln Municipal Code be amended to read as
13 follows:

14 **5.04.064 Criteria for Approval of Special Designated Licenses.**

15 In reviewing applications for special designated licenses, the City Clerk shall approve the
16 same only when:

17 (a) The Chief of Police, or a representative designated by the Chief, has completed a
18 report of the applicant showing that the applicant is qualified to hold a license under the
19 Nebraska Liquor Control Act and the premises and proposed services can conform in all respects
20 to applicable liquor laws and in particular those relating to the sale and consumption of liquor by
21 minors.

22 (b) The Director of Building and Safety, or a representative designated by the Director,
23 has completed a report of the proposed premises and concluded that the premises can conform in

1 all respects to any applicable fire code, building code, or other health or safety code and in
2 particular those relating to maximum occupancy.

3 (c) The applicant has provided all required restroom facilities.

4 (d) The applicant will not violate the noise control ordinance, Lincoln Municipal Code
5 Chapter 8.24.

6 (e) The applicant will not create or allow the requested services and related activities to
7 create a traffic congestion hazard or other public safety hazards.

8 (f) The applicant has obtained any necessary food service or other permits required by
9 law for any related activities on the licensed premises.

10 (g) The applicant and the proposed service of alcohol otherwise complies with all other
11 requirements of the Nebraska Liquor Control Act.

12 In addition to the above requirements, all applications under Section 5.04.068, relating to
13 special designated licenses for a series of events, requesting hours of operation for one or more
14 licenses at any time between 12:01 a.m. the day of any University of Nebraska home football
15 game through 6:30 a.m. the following day, the proposed service of alcohol shall be limited to
16 [outdoor](#) premises immediately adjacent to the applicant's own currently licensed ~~Class A, Class~~
17 ~~C, Class I, or Class J~~ premises under the Nebraska Liquor Control Act; and the applicant shall
18 provide adequate supervision upon the premises by utilizing at a minimum two persons on duty
19 at each entry and exit point and one additional staff person on duty within the proposed premises
20 for each and every 50 persons based on capacity of the proposed premises.

21 Notwithstanding the above, the City Clerk may issue special designated licenses upon
22 application of or on behalf of the State of Nebraska or any agency or office of the State of
23 Nebraska.

1 Section 5. That Section 5.04.066 of the Lincoln Municipal Code be amended to read as
2 follows:

3 **5.04.066 Limitations on Authority to Issue Special Designated Licenses.**

4 Unless authorized by Section 5.04.068 or otherwise directed by the City Council, the City
5 Clerk shall not approve any application where:

6 (a) The applicant is an existing retail liquor license holder and the application is for
7 property owned or leased by the applicant which is not adjacent to the applicant's existing retail
8 premises.

9 (b) The applicant is an association, corporation or organization whose members are, in
10 the majority, persons under the age of twenty-one.

11 (c) A location has not been previously approved for a Special Designated Liquor
12 License. If the event is significantly different than past events, the City Clerk should consider
13 the need for a public hearing on the application. ~~The premises included in the requested license is~~
14 ~~outside of any fully enclosed structure or building except when the application is made in~~
15 ~~conjunction with an event permitted by the Mayor under the special events ordinance or in~~
16 ~~conjunction with a golf tournament or golf related event at Holmes, Mahoney, Pioneers, or~~
17 ~~Highlands golf courses.~~

18 (d) The applicant is requesting hours of operation otherwise prohibited by law for a
19 retail liquor license holder within the city.

20 (e) The applicant is requesting hours of operation at any time between 12:01 a.m. the
21 day of any University of Nebraska home football game through 6:30 a.m. the following day.

22 (f) The City Clerk has received a written objection to the special designated liquor
23 license.

1 Section 6. That Section 5.04.068 of the Lincoln Municipal Code be amended to read as
2 follows:

3 **5.04.068 Special Designated Licenses for a Series of Events.**

4 An applicant may submit a series of applications to the City Clerk for City Council
5 consideration when the applicant requests more than one special designated license within a
6 period of 180 days which the City Clerk cannot approve under Section 5.04.066. Applications
7 under this section requesting hours of operation for one or more licenses to operate at any time
8 between 12:01 a.m. the day of any University of Nebraska home football game through 6:30 a.m.

9 the following day may only be submitted under this section if received by the City Clerk ~~prior to~~
10 ~~the cutoff date. The City Clerk shall establish the cutoff date each year. The Clerk shall publish~~
11 ~~the cutoff date not less than ten days in advance thereof in the same manner as the posting~~
12 ~~required for the City Council agenda. The City Clerk shall establish the cutoff date so that on or~~
13 ~~before August 1st.~~ ¶The City Council may consider the applications in advance of the first home

14 football game day or as soon thereafter as may be practicable. Applications subject to the cutoff
15 date and submitted after the cutoff date are not eligible for the procedure under this section and
16 shall be considered by the clerk as submitted individually without further action or request by the
17 applicant. The determination of the City Council shall not be considered final until a license for
18 each requested date is either approved or denied by the City Clerk.

19 If the applications comply with the criteria under Section 5.04.064, the City Council shall
20 consider the applications submitted under this section together at one public hearing. Unless
21 specifically waived by the City Council, applications tentatively approved by the City Council
22 shall be:

23 (a) Referred to the City Clerk who shall submit as approved each individual license one
24 at a time so that each is timely submitted as required by the Nebraska Liquor Control Act

1 allowing a reasonable amount of time, where possible, after the initial date and each succeeding
2 date thereafter for the Clerk to receive reports under subsection (b) of this section.

3 (b) Subject to withdrawal from further processing and deemed denied by the City Clerk
4 upon the Clerk's receipt of any of the following:

5 (1) A report from a peace officer that there is reasonable grounds to believe a
6 violation of the Nebraska Liquor Control Act or a violation of this code related to liquor by the
7 applicant or related to the applicant's special designated license has occurred or will occur if the
8 license is issued.

9 (2) A report from a peace officer or the Director of Building and Safety or a
10 representative designated by the director that there is reasonable grounds to believe a violation of
11 any applicable fire code, occupancy code, building code or any other health and safety related
12 code applicable to the applicant or the licensed premises has occurred or will occur if the license
13 is issued.

14 (c) Restricted to operating hours closing at 10:30 p.m.

15 Nothing in Sections 5.04.060 to 5.04.068 shall prevent the City Council from acting on
16 its own to approve or deny any special designated license as allowed by law.

17 Section 7. That Section 5.04.124 of the Lincoln Municipal Code be amended to read as
18 follows:

19 **5.04.124 Responsible Beverage Server/Seller Permit; Education Required.**

20 ~~Beginning April 1, 2013, it~~ shall be unlawful for any person to sell or serve alcoholic
21 liquor at retail without a valid Responsible Beverage Server/Seller Permit, ~~or a valid Responsible~~
22 ~~Beverage Management Certificate that was issued prior to April 1, 2013.~~ Such permit
23 requirement may be waived by the Health Director pursuant to an application for a Special Event
24 pursuant to Lincoln Municipal Code Chapter 14.32.

1 Such permittee shall provide proof of permit or certification upon request of a police
2 officer of the City of Lincoln or the Health Director.

3 Section 8. That Section 5.04.125 of the Lincoln Municipal Code be amended to read as
4 follows:

5 **5.04.125 Responsible Beverage Server/Seller Permit; Application, Terms, & Conditions.**

6 (a) A Responsible Beverage Server/Seller Permit shall be valid for three years after the
7 date of issuance. Such permit is not transferable from one person to another person. A
8 suspended, revoked, or expired permit is not a valid permit.

9 (b) ~~Beginning October 1, 2012, a~~An application for a Responsible Beverage
10 Server/Seller Permit shall be submitted to the Health Director in a method provided by the
11 Health Director. Before an application can be approved, the applicant must:

12 (1) Provide all information required in application form;
13 (2) Successfully complete a training and testing program approved by the City
14 Council;

15 (3) Pay a permit fee of \$15.00 to be credited to the Responsible Beverage Server/
16 Seller Fund. ~~A permit fee will not be charged for a new application filed before April 1, 2013.~~

17 (c) Upon receipt of an application and permit fee, the Health Director shall review the
18 application to determine compliance with the provisions of this chapter. The Health Director
19 shall complete the review and issue or deny the permit within a reasonable time not to exceed
20 thirty days. The Health Director shall issue a permit if the Health Director determines that the
21 applicant complies with this chapter.

22 (d) The permit holder shall have the duty to notify the Health Director of any change of
23 personal or work information contained within the permit record within thirty days of such
24 change.

1 (e) Any failure to comply with this chapter or the Nebraska Liquor Control Act may be
2 grounds for denial, suspension, or revocation of a Responsible Beverage Server/Seller Permit by
3 the Health Director.

4 (f) ~~Beginning April 1, 2013, a Responsible Beverage Server/Seller Permit will be~~
5 ~~issued in conjunction with a Responsible Beverage Management Certificate.~~ The cost of the
6 Responsible Beverage Server/Seller Permit shall be included in the cost of obtaining a
7 Responsible Beverage Management Certificate.

8 Section 9. That Section 5.04.130 of the Lincoln Municipal Code be amended to read as
9 follows:

10 **5.04.130 Hours for Sale at Retail and Dispensing.**

11 (a) No person shall sell at retail or dispense any alcoholic liquor, including beer, on any
12 day between 2:00 a.m. and 6:00 a.m. for consumption on the premises.

13 (b) No person shall sell at retail or dispense any alcoholic liquor, including beer, on any
14 day between 1:00 a.m. and 6:00 a.m. for consumption off the premises.

15 ~~(c) By January 2013, the Internal Liquor Committee, created pursuant to Resolution A-~~
16 ~~75247, shall conduct an internal review of police reports and protective custody records to~~
17 ~~determine if the adoption of a 2:00 a.m. closing time has had a negative or positive effect on~~
18 ~~police and community resources within the City of Lincoln. The Internal Liquor Committee is~~
19 ~~directed to consider changes in protective custody services and admissions, calls for service,~~
20 ~~traffic accidents or violations, and criminal offenses such as noise disturbances, public urination,~~
21 ~~and assaults involving alcohol. Additionally, the Internal Liquor Committee may also consider~~
22 ~~additional information, such as changes in revenue, new business ventures, and new~~
23 ~~entertainment opportunities. The Internal Liquor Committee may forward any recommendations~~
24 ~~or opinions to the City Council.~~

1 ~~(d) — By October 1, 2011, the Internal Liquor Committee, created pursuant to Resolution A-~~
2 ~~75247, shall create a mandatory responsible beverage service training permit and training course~~
3 ~~whereby all persons who sell or serve liquor at retail will be educated in responsible beverage~~
4 ~~service practices and applicable laws.~~

5 Section 10. That Section 5.04.175 of the Lincoln Municipal Code be amended to read as
6 follows:

7 **5.04.175 Records Requirement.**

8 ~~Beginning April 1, 2013, e~~Every licensee under the Nebraska Liquor Control Act shall
9 maintain an up-to-date list of all individuals who sell or serve alcoholic liquor at retail on a form
10 or other method provided by the Health Director. The list shall contain all individuals' names
11 and expiration date of the individual's Responsible Beverage Server/Seller Permit or
12 Responsible Beverage Management Certificate. Such list shall be immediately available upon
13 request of a police officer of the City of Lincoln or the Health Director.

14 Section 11. That Section 5.04.250 of the Lincoln Municipal Code be amended to read as
15 follows:

16 **5.04.250 Minors; Delivering Liquor Prohibited.**

17 It shall be unlawful for any liquor licensee, or any employees of the licensee to permit
18 any minor to deliver any alcoholic liquor for any licensee, and it shall be unlawful for any minor
19 to do so. No alcoholic liquor shall be delivered by any retail liquor licensee to a purchaser
20 outside of the licensed premises, except by such licensee's own employees, ~~___, or by the~~
21 ~~authorized services of a regular public service agency, but if delivered by any such public service~~
22 ~~agency, n~~No minor shall do any such delivering, and the liquor licensee shall be held responsible
23 for any delivery by any employees of the licensee or by any such agency if such delivery shall be
24 contrary to the ordinances of the City of Lincoln or the laws of the State of Nebraska. Provided,

1 nothing herein contained shall prevent persons who are nineteen years of age or older from
2 serving or selling alcoholic liquor in the course of their employment.

3 Section 12. That Section 5.04.280 of the Lincoln Municipal Code be amended to read as
4 follows:

5 **5.04.280 Licensee to File List of Members.**

6 Nonprofit corporation licensees shall file with the city at the time of the application for a
7 license or renewal thereof under Chapter 53, Reissue Revised Statutes of Nebraska, ~~1943, as~~
8 ~~amended~~, two copies of a list of names and residences of its members, and similarly shall file
9 within ten days of the election of any additional member, such additional member's name and
10 address.

11 Section 13. That Sections 5.04.020, 5.04.035, 5.04.050, 5.04.064, 5.04.066, 5.04.068,
12 5.04.124, 5.04.125, 5.04.130, 5.04.175, 5.04.250, and 5.04.280 of the Lincoln Municipal Code as
13 hitherto existing be and the same are hereby repealed.

14 Section 14. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall be
15 posted on the official bulletin board of the City, located on the wall across from the City Clerk's
16 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of
17 passage and such posting to be given by publication one time in the official newspaper by the
18 City Clerk. This ordinance shall take effect and be in force from and after its passage and
19 publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2017:

Mayor