

CHAPTER 115: AMUSEMENTS AND ENTERTAINMENTS

Section

General Provisions

115.01 Public entertainment; hours, supervision

Lottery

115.15 Lottery established

115.16 Sales outlet locations; approval required; qualifications standards

115.17 Participation; restrictions

GENERAL PROVISIONS

§ 115.01 PUBLIC ENTERTAINMENT; HOURS, SUPERVISION.

(A) It shall be unlawful for any person to manage, sponsor or participate in any public entertainment later than the hour of 2:00 a.m. or before the hour of 8:00 a.m. **PUBLIC ENTERTAINMENT** shall include music concerts, dances, rock festivals, masquerade or ball, play, comedy, entertainment, circus or carnival given or conducted for which a fee, contribution or collection for purposes of admission is charged. The term **PUBLIC ENTERTAINMENT** shall not be construed to include any such activity to which admission is limited strictly to persons expressly invited by the person, business, organization or society giving or holding such public entertainment, and which is not given or conducted designedly for profit or gain to such person, business, organization or society giving or conducting the entertainment. The provisions of this division (A) shall not apply to any public entertainment conducted under the supervision and direction of a department or division of the city or any college or school district within the city.

(2002 Code, § 10-1)

(B) The city police shall be permitted to enter any public entertainment event for the purpose of inspection at any time.

(2002 Code, § 10-2)

(Ord. 98-6, passed 5-12-1998) Penalty, see § 10.99

LOTTERY**§ 115.15 LOTTERY ESTABLISHED.**

Under the provisions of Neb. RS 9-625, a lottery is created and established; and the proceeds of the lottery will be used for community betterment purposes and the awarding of prizes to participants. The Council shall adopt, by resolution, the necessary rules and regulations for the conduct of the lotteries. (2002 Code, § 10-31)

Statutory reference:

Authority to establish lotteries, see Neb. RS 9-625

§ 115.16 SALES OUTLET LOCATIONS; APPROVAL REQUIRED; QUALIFICATIONS STANDARDS.

(A) The lottery operator with whom the City Council contracts to conduct its lottery shall not operate the lottery at a sales outlet location other than the location of the lottery operator without prior approval of the sales outlet location by the City Council. The City Council shall approve or disapprove each sales outlet location and individual, sole proprietorship, partnership, limited liability company, or corporation which desires to conduct the lottery at its sales outlet location solely on the basis of the qualification standards prescribed in division (B) of this section.

(B) Any individual, sole proprietorship, partnership, limited liability company or corporation which seeks to have its location approved as an authorized sales outlet location shall:

(1) Obtain a retail liquor license for consumption on the premises pursuant to Neb. RS Ch. 53, Art. 1;

(2) Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty or nolo contendere to any offense or crime, whether a felony or a misdemeanor, involving any gambling activity or fraud, theft, willful failure to make required payments or reports, or filing false reports with a governmental agency at any level;

(3) Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty or nolo contendere to any felony other than those described in division (B)(2) of this section within the ten years preceding the filing of this application;

(4) Not have had a gaming license revoked or canceled under the Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act or the Nebraska Pickle Card Lottery Act; and

(5) Be fit, willing, and able to properly provide the service proposed in conformance with all provisions and requirements of the Nebraska County and City Lottery Act and the rules and regulations adopted and promulgated.

(C) If the person seeking to have its location approved as an authorized sales outlet location is a partnership, limited liability company, or corporation, the qualification standards shall apply to every partner of such partnership, every member of such limited liability company, every officer of such corporation, and every stockholder owning more than 10% of the stock of such corporation.

(D) The municipality shall notify the Department of Revenue of all approved lottery locations within 30 days of approval.

(Ord. 2016-1, passed 2-16-2016)

Statutory reference:

Requirements for sales outlet locations, Neb. RS 9-642.01

§ 115.17 PARTICIPATION; RESTRICTIONS.

(A) No person under 19 years of age shall play or participate in any way in the lottery established and conducted by the city.

(B) No owner or officer of a lottery operator with whom the municipality contracts to conduct its lottery shall play the lottery conducted by the city.

(C) No employee or agent of the city, lottery operator, or authorized sales outlet location shall play the lottery of the city for which he or she performs work during such time as he or she is actually working at such lottery or while on duty.

(D) Nothing in this section shall prohibit the playing of any lottery conducted by the city by any member of the City Council, a city official, or the immediate family of any such member or official, except as otherwise expressly prohibited by this section.

(E) Nothing shall prohibit an owner or officer of an authorized sales outlet location for the municipality from playing the lottery conducted by the municipality as long as such person is 19 years of age or older.

(F) No person, or employee or agent of any person or the city shall knowingly permit an individual under 19 years of age to play or participate in any way in the lottery conducted by the city.

(Ord. 2016-2, passed 2-16-2016; Ord. 2016-5, passed 4-19-2016) Penalty, § 10.99

