

HOUSE No. 4185

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 11, 2016.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 3884) of Cory Atkins (by vote of the town) that the town of Acton be authorized to grant sixteen additional licenses for the sale of all alcoholic beverages and six additional licenses for the sale of wines and malt beverages to be drunk on the premises, reports recommending that the accompanying bill (House, No. 4185) ought to pass [Local Approval Received].

For the committee,

JENNIFER E. BENSON

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Acton may grant 9 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and 4
4 additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
5 to said section 12 of chapter 138, to locations to be determined by the licensing authority in
6 accordance to this section. The licenses shall be subject to all of said chapter 138 except said
7 section 17.

8 (b) The licensing authority of the town of Acton shall restrict the licenses authorized by
9 this section in the following manner: 5 licenses for the sale of all alcoholic beverages and 2
10 licenses for the sale of wines and malt beverages to be drunk on the premises pursuant to said
11 section 12 of said chapter 138 shall be restricted to entities located within the Kelley’s Corner,
12 West Acton Village and Village Residential districts; 2 licenses for the sale of all alcoholic

13 beverages and 1 license for the sale of wines and malt beverages to be drunk on the premises
14 pursuant to said section 12 of said chapter 138 shall be restricted to entities located within the
15 Limited Business and East Acton Village districts ; 2 licenses for the sale of all alcoholic
16 beverages and 1 license for the sale of wines and malt beverages to be drunk on the premises
17 pursuant to said section 12 of said chapter 138 shall be unrestricted and available to entities
18 located anywhere within Acton where restaurants are allowed or permitted by zoning.

19 (c) Notwithstanding sections 12 and 77 of said chapter 138, the licensing authority may
20 restrict the licenses issued pursuant to this section to holders of common victualler licenses.

21 (d) The licensing authority may approve the transfer of any license issued pursuant to this
22 section to another location provided that the license shall remain subject to the location
23 restriction set forth in subsection (b) that applied to such license as initially issued.

24 (e) If any license granted under this section is cancelled, revoked, or no longer in use, it
25 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
26 thereto, to the licensing authority which may then grant the license to a new applicant under the
27 same conditions as specified in this section provided that the applicant files with the licensing
28 authority a letter from the department of revenue and a letter from the department of
29 unemployment assistance indicating that the licensee is in good standing with those departments
30 and that all applicable taxes, fees and contributions have been paid.

31 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
32 licensing authority of the town of Acton may grant 7 additional licenses for the sale of all
33 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and 2
34 additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant

35 to said section 12 of chapter 138, to locations to be determined by the licensing authority in
36 accordance to this section. The licenses shall be subject to all of said chapter 138 except said
37 section 17.

38 (b) The licensing authority of the town of Acton shall restrict the licenses authorized by
39 this section in the following manner: 3 licenses for the sale of all alcoholic beverages and 1
40 license for the sale of wines and malt beverages to be drunk on the premises pursuant to said
41 section 12 of said chapter 138 shall be restricted to entities located within the Kelley's Corner,
42 West Acton Village and Village Residential districts; 2 licenses for the sale of all alcoholic
43 beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 shall be
44 restricted to entities located within the Limited Business and East Acton Village districts ; 2
45 licenses for the sale of all alcoholic beverages and 1 license for the sale of wines and malt
46 beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 shall be
47 unrestricted and available to entities located anywhere within Acton where restaurants are
48 allowed or permitted by zoning.

49 (c) Notwithstanding sections 12 and 77 of said chapter 138, the licensing authority may
50 restrict the licenses issued pursuant to this section to holders of common victualler licenses.

51 (d) The licensing authority may approve the transfer of any license issued pursuant to this
52 section to another location provided that the license shall remain subject to the location
53 restriction set forth in subsection (b) that applied to such license as initially issued.

54 (e) If any license granted under this section is cancelled, revoked, or no longer in use, it
55 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
56 thereto, to the licensing authority which may then grant the license to a new applicant under the

57 same conditions as specified in this section provided that the applicant files with the licensing
58 authority a letter from the department of revenue and a letter from the department of
59 unemployment assistance indicating that the licensee is in good standing with those departments
60 and that all applicable taxes, fees and contributions have been paid.

61 SECTION 3. Section 1 of this Act shall take effect upon passage.

62 SECTION 4. Section 2 of this Act shall take effect on January 1, 2018 or upon the
63 issuance of all licenses as allocated under section 1 of this act.