

HOUSE No. 4956

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, November 5, 2018.

The committee on the Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 4932) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Harwich be authorized to issue three additional licenses for the sale of all alcoholic beverages to be consumed on premises, reports recommending that the accompanying bill (House, No. 4956) ought to pass.

For the committee,

TACKEY CHAN.

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**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the town of Harwich to issue three additional liquor licenses.

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 local licensing authority of the Harwich may grant one additional license for the sale of all
3 alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, one
4 license to Blue Stripe LLC d/b/a Cape Sea Grille, to be located at 31 Sea St., in the Town of
5 Harwich Port; one license to Ember Pizza, Inc. d/b/a Ember, to be located at 600 Route 28, in
6 the Town of Harwich Port; and one license to Pleasant Bay Group Inc. d/b/a Wequassett Inn, to
7 be located at 2173 Route 28, in the Town of Harwich. Licenses granted under this section shall
8 be subject to all of said chapter 138 except said section 17.

9 (b) A license granted under this section shall only be exercised in the dining room of a
10 common victualler and such other public rooms or areas as may be deemed reasonable and
11 appropriate by the licensing authority as certified in writing.

12 (c) The licensing authority shall not approve the transfer of the license granted pursuant
13 to this section to any other location but it may grant the license to a new applicant at the same

14 location if the applicant files with the licensing authority a letter from the department of revenue
15 and a letter from the department of unemployment assistance indicating that the license is in
16 good standing with those departments and that all applicable taxes, fees and contributions have
17 been paid.

18 (d) If a licensee terminates or fails to renew a license granted under this section or any
19 such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of
20 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, and the
21 licensing authority may then grant the license to a new applicant at the same location under the
22 same conditions as specified in this section.

23 (e) All licenses granted pursuant to this act shall be issued within 1 year after the
24 effective date of this act; provided, however, that a license originally granted within that time
25 period maybe granted to a new applicant pursuant to subsection (c) or (d) thereafter.

26 SECTION 2. This act shall take effect upon its passage.