HOUSE DOCKET, NO. 4148 FILED ON: 3/7/2014

HOUSE . . . . . No. 3949

The Commonwealth of Massachusetts

PRESENTED BY:

Theodore C. Speliotis and Leah Cole

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the city of Peabody to grant ten additional all alcoholic beverages licenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Theodore C. Speliotis	*13th Essex*
Leah Cole	*12th Essex*
Joan B. Lovely	*Second Essex*

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By Representatives Speliotis of Danvers and Cole of Peabody, a petition (accompanied by bill, House, No. 3949) of Theodore C. Speliotis, Leah Cole and Joan B. Lovely (with the approval of the mayor and city council) that the city of Peabody be authorized to grant ten additional licenses for the sale of all alcoholic beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act authorizing the city of Peabody to grant ten additional all alcoholic beverages licenses.

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, or any other general or special law to the contrary, the City of Peabody may grant ten additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138, subject to the conditions set forth in this act. Such licenses shall only be granted to establishments located within Section 2.

(b) The licensing authority shall not approve the transfer of a license granted under this act to any other person, partnership, corporation, LLC, organization, or any other entity: (i) for a period of 3 years from the date of original issuance or 3 years from the date of enactment of this legislation, whichever is later; and (ii) located outside of defined areas within Section 2. Any transfer in violation of Sections 1 or 2 of this Act shall render said license null and void.

(c) A license granted under this act, if cancelled, revoked or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority for the City of Peabody. The licensing authority may then grant the license to a new applicant, only at the same location within Section 2, under the same conditions as specified in this act. No license shall be re-issued for use in the same location unless the applicant therefore files with the licensing authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

(d) Notwithstanding section 12 of chapter 138 of the General Laws, the additional licenses authorized in this act shall be subject to an original license fee of $5,000 in addition to the annual fee for existing all alcoholic beverages license $2250 in the City of Peabody, such fee to be due and payable upon the original granting of any such license and also upon reissuance of any such license pursuant to this act. Said additional $5,000 fee shall be deposited into an economic development account and expended consistently with the purpose of such account.

SECTION 2. The licensing authority of the City of Peabody shall restrict the licenses granted under this act as to number of and to any persons, corporations, organizations, and entities located in the following locations:

(a) Five (5) licenses for the sale of alcoholic beverages to be drunk on the premises to be available for the area commonly referred to as the North Shore Mall, an area bordered by Route 128, Essex Center Drive, Route 114 (Andover Street), Prospect Street and Cross Street for the further purpose of enhancing the shopping experience at the North Shore Mall and further to enable it to remain competitive. The specific street address is 210 Andover Street: Map 51, Lots 1, 2, 7, 8, 9, 10 and Map 52, Lot 1.

(b) Five (5) licenses for the sale of alcoholic beverages to be drunk on the premises to be available for Downtown Peabody with the goal of revitalization. Specific street address and corresponding Map and Lot numbers are: 9 Main Street, Map 85, Lot 173; 2 Washington Street, Map 85, Lot 89; 0 Foster Street Map 85, Lot 181, 166 Main Street, Map 86, Lot 150B; and 88 Main Street, Map 85, Lot 72B.

SECTION 3. This act shall take effect upon its passage.