

HOUSE No. 196

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

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 town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages.

PETITION OF:

NAME:

Colleen M. Garry

DISTRICT/ADDRESS:

36th Middlesex

HOUSE No. 196

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 196) of Colleen M. Garry (by vote of the town) that the town of Tyngsborough be authorized to issue up to ten additional licenses for the sale of alcoholic beverages. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages.

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

1 An Act authorizing the town of Tyngsborough to grant additional licenses for the sale of
2 alcoholic beverages.

3 SECTION 1. (a) Notwithstanding the maximum number of licenses authorized to be
4 granted pursuant to section 17 or 17A of chapter 138 of the General Laws or any other general or
5 special law to the contrary, the licensing authority of the town of Tyngsborough may grant 10
6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, and 2
7 additional licenses for the sale of wine and malt beverages to be drunk on the premises pursuant
8 to section 12 of said chapter 138, and may grant 2 additional licenses for the sale of all alcoholic
9 beverages not to be drunk on the premises pursuant to section 15 of said chapter 138, to
10 operators and locations to be determined by the licensing authority in accordance with subsection
11 (c). The licenses shall be subject to all of said chapter 138, except said sections 17 and 17A.

12 (b) A license granted under this section shall not be transferrable to any other person,
13 corporation or organization for 3 years after the original issuance date. A transfer in violation of
14 this act shall render the license void.

15 (c) The licensing authority of the town of Tynsborough shall restrict the licenses
16 authorized by subsection (a) in the following manner: 1 license for the sale of all alcoholic
17 beverages to be drunk on the premises shall be restricted to an entity located in the town center, a
18 designated economic development zone which is 2,000 feet from the intersection of Middlesex
19 road and Kendall road, and with a maximum of 50 seats; 1 license for the sale of all alcoholic
20 beverages to be drunk on the premises shall be restricted to an entity located in such town center
21 with a maximum of 75 seats; 1 license for the sale of all alcoholic beverages to be drunk on the
22 premises shall be restricted to an entity located in such town center with a maximum of 100
23 seats; 1 license for the sale of wine and malt beverages to be drunk on the premises shall be
24 restricted to an entity located in such town center with a maximum of 50 seats; and both licenses
25 for the sale of all alcoholic beverages not to be drunk on the premises shall be restricted to
26 entities located on the east side of the Merrimack river. A license for the sale of all alcoholic
27 beverages to be drunk on the premises or for the sale of wine and malt beverages to be drunk on
28 the premises granted pursuant to this subsection shall also be restricted to an entity with frontage
29 on Kendall road, Middlesex road, or Pawtucket boulevard; and such frontage shall be as required
30 by the zoning by-laws of the town of Tynsborough or by variance, or shall be a legal pre-
31 existing, nonconforming lot.

32 (d) Notwithstanding any general or special law, rule or regulation to the contrary, the
33 licensing authority of the town of Tyngsborough may approve the transfer a license granted
34 pursuant to subsection (a) to any other location, except as otherwise provided in this act.

35 (e) If a license granted pursuant to this act is cancelled, revoked or no longer in use, it
36 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
37 thereto, to the licensing authority which may then grant the license to a new applicant and under
38 the same conditions as specified in this act; provided, that an applicant for the license shall file
39 with the licensing authority a certificate of good standing from the department of revenue, or
40 other required documentation, indicating that the licensee is in good standing with the
41 department and that all applicable taxes have been paid.

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