

# HOUSE . . . . . No. 3688

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Kenneth I. Gordon and Kenneth J. Donnelly***

*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 Burlington to grant additional alcoholic beverages licenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>9/30/2013</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	<i>10/7/2013</i>

# HOUSE . . . . . No. 3688

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By Representative Gordon of Bedford and Senator Donnelly, a joint petition (accompanied by bill, House, No. 3688) of Kenneth I. Gordon and Kenneth J. Donnelly (by vote of the town) that the town of Burlington be authorized issue an additional license for the sale of all alcoholic beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act authorizing the town of Burlington to grant additional 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:*

1           SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, the  
2           licensing authority of the Town of Burlington may grant eight (8) licenses for the sale of all  
3           alcoholic beverages to be drunk on the premises under Section 12 of said Chapter 138. The  
4           licenses shall be subject to all of said Chapter 138, except Section 17.

5           SECTION 2. The licensing authority of the Town of Burlington shall restrict the licenses  
6           granted under Sections 1 and 2 of this Act as to number and to persons, corporations,  
7           organizations, and entities located in the following locations:

8           (a) Three (3) licenses for the sale of all alcoholic beverages to be drunk on premises to  
9           be available for the property know as and comprising the “Burlington Mall”; as more specifically  
10          shown on a plan which is on file with the Board of Selectmen of the Town of Burlington.

11          (b) Three (3) licenses for the sale of all alcoholic beverages to be drunk on premises to  
12          the development known as and comprising “New England Executive Park”; as more specifically  
13          shown on a plan which is on file with the Board of Selectmen of the Town of Burlington.

14          (c) Two (2) licenses for the sale of all alcoholic beverages to be drunk on premises to  
15          the development presently known as 15-20 South Avenue as more specifically shown on a plan  
16          which is on file with the Board of Selectmen of the Town of Burlington.

17 (The properties identified in subparagraph (a) – (c) above being referred to in this Act as  
18 a “Permitted Location”.)

19 SECTION 3. License granted under this section shall not be transferable to any other  
20 person, corporation or organization for a period of three (3) years from the date of original  
21 issuance or three (3) years from the enactment of this legislation, whichever is later. Any  
22 transfer in violation of Sections 2 (a), (b) or (c) of this Act shall render said license null and void.

23 SECTION 4. Notwithstanding Sections 12 and 77 of Chapter 138 of the General Laws,  
24 the licensing authority of the Town of Burlington may restrict the licenses issued pursuant to this  
25 Act to holders of common victualler licenses.

26 SECTION 5. If a license granted under this section, is revoked or no longer in use at the  
27 location of original issuance, it shall be returned physically, with all of the legal rights and  
28 privileges pertaining thereto, to the licensing authority which may then grant the license to a new  
29 applicant only at the same location under the same conditions as specified in this act provided  
30 that the applicant files with the licensing authority a letter from the Department of Revenue and a  
31 letter from the Division of Unemployment Assistance indicating that the license is in good  
32 standing with those entities and that all applicable taxes, fees, and contributions have been paid.

33 SECTION 6. This Act shall take effect upon its passage.