

HOUSE No. 3790

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act authorizing the town of Hadley to grant 6 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. Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Hadley may grant 6 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises and 6 additional licenses for the sale of wines
4 and malt beverages to be drunk on the premises, pursuant to section 12 of chapter 138, to
5 establishments located in the Route 9 business zone and the Route 47 limited business zone and
6 the local business zone in the town of Hadley. Said districts are located and bound as shown on
7 a map titled "Zoning Map of Hadley, Massachusetts," dated September 26, 1978, and on file in
8 the office of the Town Clerk. The licensing authority shall approve neither the transfer of the
9 licenses to any other location nor a transfer to any other new entity. Any transfer in violation of
10 this section shall render said license null and void. The licenses shall be subject to all of said
11 chapter 138 except said section 17.

12 Notwithstanding sections 12 and 77 of chapter 138 of the General Laws, the select board
13 may restrict the all alcoholic beverage license to a holder of a common victualler license.

14 The board of selectmen shall determine reasonably whether an applicant or licensee
15 meets the criteria set forth herein.

16 Notwithstanding any general or special law or any rule or regulation to the contrary, the
17 select board shall not approve the transfer of such license to any other location or any other
18 entity. The license may be re-issued by said select board at the same location if an applicant for
19 the license files with the licensing authority a letter in writing from the department of revenue
20 indicating that the license is in good standing with the department and that all applicable taxes
21 have been paid.

22 If the license granted under this section is cancelled, revoked or no longer in use at the
23 location of original issuance, such license shall be returned physically, with all of the legal rights,
24 privileges and restrictions pertaining thereto, to the select board. Notwithstanding section 17 of
25 chapter 138 of the General Laws or any other general or special law to the contrary, the select
26 board may then grant the license to a new applicant at the same location and under the same
27 conditions as specified in the preceding paragraph.

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