

HOUSE No. 3831

The Commonwealth of Massachusetts

PRESENTED BY:

John D. Keenan and Joan B. Lovely

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 Salem to convert 1 seasonal license to an annual license for the sale of wines and malt beverages to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John D. Keenan</i>	<i>7th Essex</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>

HOUSE No. 3831

By Representative Keenan of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 3831) of John D. Keenan and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to convert a seasonal liquor license to an annual license for the sale of wines and malt beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act authorizing the city of Salem to convert 1 seasonal license to an annual license 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 sections 17 and 17A of chapter 138 of the General Laws,
2 the licensing authority of the city of Salem may convert 1 seasonal license for the sale of wines
3 and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138,
4 currently issued to SMN, Inc., d/b/a Firenze Trattoria, located at 2 Lynde street, to an annual
5 license for the sale of wines and malt beverages to be drunk on the premises pursuant to said
6 section 12 of said chapter 138 to SMN, Inc., d/b/a/ Firenze Trattoria, located at 2 Lynde street.
7 An annual license converted pursuant to this section shall be subject to all of said chapter 138,
8 except sections 17 and 17A.

9 The licensing authority shall not approve the transfer of the license converted pursuant to
10 this section to any other location, but it may grant the license to a new applicant at the same
11 location if the applicant for the license files with the authority a letter from the department of
12 revenue indicating that the license is in good standing with the department and that all applicable
13 taxes have been paid.

14 If the license converted or granted pursuant to this section is cancelled, revoked or no
15 longer in use, it shall be returned physically, with all of the legal rights, privileges and
16 restrictions pertaining thereto, to the licensing authority, which may then grant the license to a
17 new applicant at the same location under the same conditions as specified in this section.

18 SECTION 2. (a) The city of Salem shall charge a fee for the conversion to an annual
19 license for the sale of wines and malt beverages pursuant to this act that shall be paid by the
20 licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement
21 with the licensee that would enable the fee to be divided into multiple payments or prorated over
22 multiple periods of time. If the city elects to accept prorated payments over time from a licensee,
23 the option shall be made available, upon request, to all qualified applicants for licensure.

24 (b) Any fee collected by the city of Salem for a license converted or granted pursuant to
25 this act that is greater than the amount of the fee charged for an annual renewal of a similar
26 license issued by the city, shall be deposited into an economic development account, which shall
27 be established by the city of Salem to be expended by it in a manner consistent with the purposes
28 of the account.

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