

HOUSE No. 3740

The Commonwealth of Massachusetts

PRESENTED BY:

Paul Tucker 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:	DATE ADDED:
<i>Paul Tucker</i>	<i>7th Essex</i>	<i>7/28/2015</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>7/29/2015</i>

HOUSE No. 3740

By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 3740) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to convert a seasonal license for the sale of wine and malt beverages to a license for the sale all alcohol beverages to be drunk on the premises. 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 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 currently issued seasonal license for
3 the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter
4 138, currently issued to Ragazza Restaurant Group, Inc. d/b/a Bambolina, located at 288 Derby
5 Street, to an annual license for the sale of wines and malt beverages to be drunk on the premises
6 under said section 12 of said chapter 138 to Ragazza Restaurant Group, Inc. d/b/a/ Bambolina,
7 located at 288 Derby Street. An annual license converted under this section shall be subject to
8 all of said chapter 138, except sections 17 and 17A. An application for conversion of a seasonal
9 wine and malt license to an annual wine and malt license shall not be required to notify abutters
10 as required by section 15A of said chapter 138.

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

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

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

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

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