HOUSE . . . . . No. 4238

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 21, 2016.

The committee on Consumer Protection and Professional Licensure to whom was referred the joint petition (accompanied by bill, House, No. 4157) of F. Jay Barrows (by vote of the town) that the town of Foxborough be authorized to grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises, reports recommending that the accompanying bill (House, No. 4238) ought to pass [Local Approval Received].

For the committee,

JENNIFER E. BENSON.

HOUSE DOCKET, NO. FILED ON: 4/20/2016

HOUSE . . . . . No. 4238

The Commonwealth of Massachusetts

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

An Act authorizing the town of Foxborough to grant two additional licenses for the sale of all alcoholic 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:

SECTION 1. (a) Notwithstanding sections 12 and 17 of chapter 138 of the General Laws or any other general or special law to the contrary, the board of selectmen of the town of Foxborough may grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises subject to the conditions set forth in this act

(b) The board of selectmen shall restrict the licenses authorized in this act to business entities located within the site containing a development to be known as FORBES CROSSING, as more particularly shown on a plan which is on file with the board of selectmen, hereinafter referred to as the “site”. A license granted pursuant to this act shall be clearly marked on its face “Forbes Crossing Only” and shall be subject to all of said chapter 138 except said section 17.

(c) Notwithstanding said section 12 of said chapter 138, the additional licenses authorized by this act shall be subject to an original license fee of $5,000 in addition to the annual fee for existing all alcoholic beverages or wines and malt beverages licenses, as applicable, in the town of Foxborough, such fee to be due and payable upon the original granting of any such license and

also upon the reissuance of such license pursuant to this act. Said additional $5,000 fee shall be deposited into an economic development account in the town and expended consistently with the purposes of such account.

(d) Prior to the granting of a license pursuant to this act, the board of selectmen shall determine whether an applicant or licensee meets the criteria set forth in this act and with the rules and regulations governing the granting of alcoholic beverages licenses promulgated by the board of selectmen from time to time and all other applicable laws.

(e) The board of selectmen shall not approve the transfer of a license granted pursuant to this act to a location outside the site, but it may grant a license to a new applicant within the site if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(f) If a license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the board of selectmen. The board of selectmen may then grant the license to a new applicant who meets the criteria set forth in this act and whose business is located within the site, and subject to the payment of the reissuance fee of $5,000 under the same conditions as set forth in this act.

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