

**HOUSE . . . . . No. 4463**

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**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 grant 2 additional licenses for the sale of alcoholic beverages to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul Tucker</i>	<i>7th Essex</i>	<i>6/21/2016</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>6/18/2019</i>

**HOUSE . . . . . No. 4463**

By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 4463) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to grant two additional licenses for the sale of all alcoholic 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 grant 2 additional licenses for the sale of 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:*

1           SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the  
2   licensing authority of the City of Salem may grant 1 additional license for the sale of all  
3   alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to  
4   Hotel Salem Op Co, LLC to be located at 203-209 Essex Street in the City of Salem. The license  
5   shall be subject to all of said chapter 138 except section 17.

6           b) The licensing authority shall not approve the transfer of the license to any other  
7   location but it may grant the license to a new applicant at the same location if the applicant files  
8   with the licensing authority a letter from the department of revenue and a letter from the  
9   department of unemployment assistance indicating that the license is in good standing with those  
10   departments and that all applicable taxes, fees and contributions have been paid.

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

15 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the  
16 licensing authority of the City of Salem may grant 1 additional license for the sale of all  
17 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to  
18 Odd Fellows Restaurant LLC to be located at 125 Washington Street in the City of Salem. The  
19 license shall be subject to all of said chapter 138 except section 17.

20 (b) The licensing authority shall not approve the transfer of the license to any other  
21 location but it may grant the license to a new applicant at the same location if the applicant files  
22 with the licensing authority a letter from the department of revenue and a letter from the  
23 department of unemployment assistance indicating that the license is in good standing with those  
24 departments and that all applicable taxes, fees and contributions have been paid.

25 (c) If the license granted pursuant to this act is cancelled, revoked or no longer in use, it  
26 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining  
27 thereto, to the licensing authority which may then grant the license to a new applicant at the same  
28 location and under the same conditions as specified in this act.

29 SECTION 3. (a) The fee charged by the City of Salem for a license issued pursuant to  
30 this act shall be paid by the licensee to the City in full at the time of issuance unless the licensing  
31 authority agrees to enter into an arrangement with the licensee which would enable the fee to be  
32 divided into multiple payments or prorated over multiple periods of time.

33           (b) Notwithstanding section 12 of said chapter 138, if the City of Salem charges a fee for  
34 a license pursuant to this act which is greater than the amount of the fee charged for an annual  
35 renewal of a similar license issued by the City, then the City shall deposit the fee into its special  
36 economic development account established for the deposit of revenue from additional alcoholic  
37 beverage licenses issued pursuant to special acts and the fee charged shall be expended by the  
38 City in a manner consistent with the purposes of the account.

39           SECTION 4. This act shall take effect upon its passage.