

HOUSE No. 4525

The Commonwealth of Massachusetts

PRESENTED BY:

Jerald A. Parisella 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 Beverly to grant additional licenses for the sale of alcoholic beverages.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jerald A. Parisella</i>	<i>6th Essex</i>	<i>7/13/2016</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>7/13/2016</i>

HOUSE No. 4525

By Representative Parisella of Beverly and Senator Lovely, a joint petition (accompanied by bill, House, No. 4525) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) that the city of Beverly be authorized to grant six additional licenses for the sale of wines and malt beverages to be drunk on the premises and three 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 Beverly to grant additional licenses for the sale of alcoholic beverages.

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 Beverly may grant; (i) 6 additional licenses for the sale of wines
3 and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138; (ii) 3
4 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to
5 said section 12 of said chapter 138; provided, however, that 2 of these licenses shall be restricted
6 to establishments with seating capacities of not more than 150 persons; and (iii) 3 additional
7 licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to
8 section 15 of said chapter 138; provided, however, these licenses shall be restricted to specialty
9 grocery stores as defined in subsection (b). The licenses shall be subject to all of said chapter 138

10 except said section 17. The licensing board may restrict the all alcoholic beverage licenses to a
11 holders of a common victualler license.

12 (b) For the purposes of this act, “specialty grocery store” shall mean retail food markets
13 that are limited in scale and offer food provisions including, but not limited to, fresh produce,
14 dairy, baked goods and meats similar to a delicatessen or green grocer. A specialty grocery store
15 may include locally-grown or locally-made food and beverages and may also include prepared
16 food for consumption off the premises.

17 (c) Notwithstanding sections 12 and 15 of chapter 138 of the General Laws, a license
18 issued pursuant to this act may be subject to an initial, 1-time acquisition fee in an amount to be
19 determined by the city of Beverly which shall be in addition to any existing annual license fee
20 applicable in the city of Beverly for the sale of wines and malt beverages to be drunk on the
21 premises, for the sale of all alcoholic beverages to be drunk on premises or for the sale of all
22 alcoholic beverages not to be drunk on the premises, as the case may be. The initial 1-time
23 acquisition fee shall be due and payable upon the original issuance of the license and also upon
24 the issuance of any such license to a new applicant under this act.

25 (d) Once issued, a granted issued pursuant to this act shall not be transferable to any other
26 location but it may be granted to a new applicant at the same location if the applicant files a letter
27 from the department of revenue and a letter from the department of unemployment assistance
28 indicating that the license is in good standing with the those departments and that all applicable
29 taxes, fees and contributions have been paid.

30 (e) If a license issued under this act is cancelled, revoked or no longer in use, it shall be
31 returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing

32 authority, and the licensing authority may then grant the license to a new applicant at the same
33 location under the same conditions as specified in this act.

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