

# **HOUSE . . . . . No. 4757**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, December 12, 2016.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 4737) 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 certain seasonal liquor licenses to annual licenses and grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises, reports recommending that the accompanying bill (House, No. 4757) ought to pass [Local Approval Received].

For the committee,

JENNIFER E. BENSON.

**HOUSE . . . . . No. 4757**

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**The Commonwealth of Massachusetts**

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

An Act authorizing the City of Salem to convert certain seasonal liquor licenses to annual licenses and grant 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:*

1           SECTION 1. (a) Notwithstanding section 18 and 17A of chapter 138 of the General  
2 Laws, the licensing authority of the City of Salem may:

3           1) grant 1 additional license for the sale of all alcoholic beverages to be drunk on the  
4 premises pursuant to section 12 of said chapter 138 to ZXE, LLC, d/b/a Merchant Hotel, to be  
5 located at 148 Washington Street;

6           2) grant 1 additional license for the sale of wine and malt beverages to be drunk on the  
7 premises pursuant to section 12 of said chapter 138 to Brew on the Grid Salem, LLC, d/b/a Brew  
8 on the Grid, to be located at 217 Essex Street; and

9           3) convert 1 currently issued seasonal license for the sale of all alcoholic beverages to be  
10 drunk on the premises under section 12 of said chapter 138, currently issued to Salem BC, LLC,  
11 d/b/a Bonchon, located at 299 Essex Street to an annual license for the sale of all alcoholic  
12 beverages to be drunk on the premises under said section 12 of said chapter 138.

13 An application for conversion of a seasonal wine and malt license to an annual wine and  
14 malt license shall not be required to notify abutters as required by section 15A of said chapter  
15 138.

16 The licenses granted under this section shall be subject to all of said chapter 138 except  
17 sections 17 and 17A.

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

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

28 SECTION 2. (a) The city of Salem shall charge a fee for the granting of an annual license  
29 for the sale of alcoholic beverages pursuant to this act, which shall be paid by the licensee at the  
30 time of issuance, unless the licensing authority agrees to enter into a contract with the licensee to  
31 allow the division of the fee into multiple payments over time from a licensee. If the city elects  
32 to accept multiple payments over time from a licensee, the option shall be made available, upon  
33 request, to all qualified applicants for a license.

34           (b) Any fee collected by the city of Salem for a license granted under this act which is  
35 greater than the amount of the fee charged for an annual renewal of a similar license issued by  
36 the city shall be deposited into the city's economic development account and expended by it in a  
37 manner consistent with the purposes of this account.

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