

HOUSE No. 4776

Substituted by the House, on motion of Mr. Speliotis of Danvers, for a Bill 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 (House, No. 4757).
December 22, 2016.

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 for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises and 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 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 seasonal license for the sale of all alcoholic beverages to be drunk on the
10 premises pursuant to section 12 of said chapter 138, currently issued to Salem BC, LLC, d/b/a
11 Bonchon, located at 299 Essex street to an annual license for the sale of all alcoholic beverages
12 to be drunk on the premises pursuant to said section 12 of said chapter 138.

13 An applicant for conversion of a seasonal license to an annual license pursuant to clause
14 (3) shall not be required to notify abutters pursuant to section 15A of said chapter 138.

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

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

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

28 SECTION 2. (a) The city of Salem shall charge a fee for the granting or conversion of a
29 license pursuant to this act, which shall be paid by the licensee at the time of issuance, unless the
30 licensing authority agrees to enter into a contract with the licensee to allow the division of the fee

31 into multiple payments over time from a licensee. If the city elects to accept multiple payments
32 over time from a licensee, the option shall be made available, upon request, to all qualified
33 applicants for a license.

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

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