

HOUSE No. 2787

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Walsh 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 Peabody to grant 20 licenses for the sale of all alcoholic beverages to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas P. Walsh</i>	<i>12th Essex</i>	<i>2/28/2017</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/28/2017</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>	<i>2/28/2017</i>

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By Representative Walsh of Peabody and Senator Lovely, a joint petition (accompanied by bill, House, No. 2787) of Thomas P. Walsh, Joan B. Lovely and Theodore C. Speliotis (with the approval of the mayor and city council) that the city of Peabody be authorized to grant twenty 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 Ninetieth General Court
(2017-2018)**

An Act authorizing the city of Peabody to grant 20 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 17 of chapter 138 of the General Laws, the
2 licensing authority of the city of Peabody may grant 20 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to
4 operators and locations to be determined by the licensing authority in accordance with this
5 section. The licenses shall be subject to all of said chapter 138 except said section 17.

6 (b) The licensing authority of the city of Peabody shall restrict the licenses authorized in
7 this section as follows:

8 (i) 10 licenses shall be restricted to the Downtown Peabody area, using Foster street,
9 Main street, Howley street, Walnut street, Washington street, Railroad avenue and Central street
10 as the borders and encompassing all property therein;

11 (ii) 7 licenses shall be restricted to the interstate 95, route 1 and route 114 corridors,
12 which shall include all parcels on and immediately bordering interstate highway route 95, United
13 States highway route 1 and state highway route 114; and

14 (iii) 3 licenses shall be restricted to the Centennial Park area, which shall include
15 Centennial drive, Corporation way, Technology drive, Summit street, First avenue and Second
16 avenue.

17 Licenses shall only be granted to parcels as allowed by the zoning ordinance for the city
18 of Peabody.

19 (c) The licensing authority shall not approve the transfer of any license granted pursuant
20 to this act to any location outside any of the areas described in subsection (b) but it may grant the
21 license to a new applicant at a location within an area described in subsection (b) if the applicant
22 files 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 (d) If a 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 for the city of Peabody and the licensing authority may then
28 grant the license to a new applicant at a location within an area described in subsection (b) under
29 the same conditions as specified in this act.

30 SECTION 2. (a) Notwithstanding section 3 of chapter 133 of the acts of 2014 or any
31 other general or special law to the contrary, the licensing authority of the city of Peabody, may
32 approve the transfer of the license for the sale of all alcoholic beverages to be drunk on the

33 premises originally granted to an establishment located at 88 Main street pursuant to said chapter
34 133 to an establishment located at 2 Main street. Such license shall continue to be subject to all
35 of chapter 138 of the General Laws, except section 17.

36 (b) After the transfer of the license pursuant to this section, the licensing authority shall
37 not approve a subsequent transfer to a new location but it may grant the license to a new
38 applicant at the same location if the applicant files with the licensing authority a letter from the
39 department of revenue and a letter from the department of unemployment assistance indicating
40 that the license is in good standing with those entities and that all applicable taxes, fees and
41 contributions have been paid.

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

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