

HOUSE No. 4254

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

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 town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/14/2018</i>
<i>Eileen M. Donoghue</i>	<i>First Middlesex</i>	<i>2/15/2018</i>

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By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 4254) of Colleen M. Garry and Eileen M. Donoghue (by vote of the town) that the town of Tyngsborough be authorized to grant 6 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 Ninetieth General Court
(2017-2018)**

An Act authorizing the town of Tyngsborough 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 I.

2 (a) Notwithstanding the maximum number of licenses authorized to be granted under
3 section 17 of chapter 138 of the General Laws or any other general or special law to the contrary,
4 the licensing authority of the Town of Tyngsborough may grant up to six (6) additional all-
5 alcoholic beverages restaurant licenses for the sale of alcoholic beverages to be drunk on the
6 premises, under section 12 of said chapter 138 to operators and locations to be determined by the
7 licensing authority. The licenses shall be subject to all of said chapter 138, except section 17 and
8 section 17A.

9 (b) A license granted under this section shall not be transferrable to any other person,
10 corporation or organization for three (3) years after the original issuance. A transfer in violation
11 of the Act shall render the license void.

12 (c) All-Alcoholic Beverages Restaurant Licenses:

13 Three (3) license's shall be located in the Tyngsborough Crossing Plaza located at 440
14 Middlesex Road, a designated economic development zone on Middlesex Road, for the purpose
15 of re-development of the existing plaza; one (1) license shall be located at 324 Middlesex Road,
16 a designated economic development zone, for the purpose of new construction, and two (2) shall
17 be located along Middlesex Road, Kendall Road or Pawtucket Boulevard for economic
18 development, for the purpose of new construction or renovation of existing structures. A license
19 granted under Section 1 (c) (!) and (2) located in the designated economic development zone
20 shall have frontage on Kendall Road, Middlesex Road, or Pawtucket Boulevard; and such
21 frontage shall be as required by the Zoning Bylaws or by variance, or if a legal pre-existing,
22 nonconforming lot.

23 (d) Notwithstanding any special law or rule or regulation to the contrary, the
24 licensing authority of the Town of Tyngsborough may approve the transfer of the licenses to any
25 other location, except as herein provided. The licenses may be reissued by the licensing
26 authority, if an applicant for the license files with the licensing authority a Certificate of Good
27 Standing from the Department of Revenue (or other required documentation demonstrating tax
28 compliance), indicating that the licensee is in good standing with the Department and that all
29 applicable taxes have been paid.

30 (e) If any license granted under this section is cancelled, revoked or no longer in use,
31 it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
32 thereto, to the licensing authority which may then grant the licenses to new applicants and under
33 the same conditions as specified in this Act.

34 SECTION 2. This Act shall take effect upon its passage. Or take any action relative
35 thereto.