

HOUSE No. 4642

The Commonwealth of Massachusetts

PRESENTED BY:

F. Jay Barrows and Paul R. Feeney

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 Foxborough to grant one additional license for the sale of all alcoholic beverages not to be consumed on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>6/13/2018</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>6/13/2018</i>

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By Representative Barrows of Mansfield and Senator Feeney, a joint petition (accompanied by bill, House, No. 4642) of F. Jay Barrows and Paul R. Feeney (by vote of the town) that the town of Foxborough be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises in said town. 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 Foxborough to grant one additional license for the sale of all alcoholic beverages not to be consumed 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:

2 (a) Notwithstanding section 12 and 17 of chapter 138 of the General Laws or any
3 other general or special law to the contrary, the Foxborough Board of Selectmen may grant one
4 additional license for the sale of all alcoholic beverages not to be consumed on the premises to
5 Smiley Stores, LLC d/b/a Hops and Grapes, or its successors or assigns, to be exercised at and
6 located at Foxborough Plaza, 30 Commercial Street (Route 140) (the “Site”) in said Town. The
7 license shall be subject to all of said chapter 138 except said section 17.

8 (b) Notwithstanding said section 12 of said chapter 138, the additional license
9 authorized by this act shall be subject to an original license fee of \$5,000 in addition to the
10 annual fee for existing all alcoholic beverages in the Town of Foxborough, such fee to be due

11 and payable upon the original issuance of any such license and also upon the reissuance of such
12 licenses pursuant to Section (d) below.

13 (c) The Board of Selectmen shall determine reasonably whether an applicant or
14 license meets the criteria set forth in this act consistent with the rules and regulations governing
15 the issuance of liquor licenses promulgated by the Board of Selectmen from time to time and all
16 other applicable law.

17 (d) Any such license, if revoked or no longer in use, shall be returned physically, with
18 all of the legal rights and privileges pertaining thereto, to the Board of Selectmen, which may
19 grant any such returned license to a new applicant who meets the criteria set forth in this act
20 whose business is located within the Site, such reissuance to be subject to the payment of the
21 reissuance fee of \$5,000 as stated above.

22 SECTION 2: This act shall take effect upon its passage. And further, to authorize the
23 Board of Selectmen to take such actions and to enter into such additional instruments and
24 agreements as they may deem appropriate and necessary to effectuate the purposes of this act.