

HOUSE No. 4716

Text on an amendment, offered by Mr. Speliotis of Danvers, to the Senate Bill authorizing the town of Boxford to grant 2 additional licenses for the sale of alcoholic beverages to be drunk on the premises. (Senate, No. 2366). May 14, 2020.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Boxford may grant an additional license for the sale of wines
3 and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to
4 Boxford Community Store, Inc., located at 7 Elm street in the town of Boxford.

5 (b) The licensing authority shall not approve the transfer of the license granted to
6 Boxford Community Store, Inc. pursuant to this section to another location. The licensing
7 authority may grant the license to a new applicant located at 7 Elm street in the town of Boxford
8 if the applicant files with the licensing authority a letter from the department of revenue and a
9 letter from the department of unemployment assistance indicating that the license is in good
10 standing with those departments and that all applicable taxes, fees and contributions have been
11 paid.

12 (c) If a licensee terminates or fails to renew the license granted under this section or if the
13 license granted under this act is cancelled, revoked or no longer in use at the location of original
14 issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions

15 pertaining thereto, to the licensing authority, which may then grant the license to a new applicant
16 at the same location under the same conditions as specified in this act.

17 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
18 licensing authority of the town of Boxford may grant an additional license for the sale of wines
19 and malt beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 to
20 an establishment located in the town's B-1 Retail Business District as defined by the town's
21 zoning map as it existed as of August 2012 and subject to the approval of and under conditions
22 set by the licensing authority of the town. The license granted pursuant to this section to an
23 establishment located in the town's B-1 Retail Business District shall be clearly marked on its
24 face "B-1 Retail Business District".

25 (b) The licensing authority shall restrict the B-1 Retail Business District license granted
26 pursuant to this section to an establishment located in the town's B-1 Retail Business District,
27 which shall include parcels B-1A, B-1B, B-1C and B-1D, as shown on the map. For the purposes
28 of this subsection, the term "map" shall mean the parcel specific corridor areas designated as the
29 "town of Boxford", dated August, 2012, a copy of which is on file in the office of the Boxford
30 town clerk.

31 (c) The licensing authority shall not approve the transfer of the B-1 Retail Business
32 District license granted pursuant to this section to a location outside of the town's B-1 Retail
33 Business District. The licensing authority may grant the license to a new applicant located in the
34 town's B-1 Retail Business District as applicable, if the applicant files with the licensing
35 authority a letter from the department of revenue and a letter from the department of

36 unemployment assistance indicating that the license is in good standing with those departments
37 and that all applicable taxes, fees and contributions have been paid.

38 (d) If a licensee terminates or fails to renew the license granted under this section or if the
39 license granted under this act is cancelled, revoked or no longer in use at the location of original
40 issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions
41 pertaining thereto, to the licensing authority, which may then grant the license to a new applicant
42 located in the town's B-1 Retail Business District under the same conditions as specified in this
43 act.

44 SECTION 3. The licenses granted pursuant to sections 1 and 2 shall be subject to all of
45 chapter 138 of the General Laws except section 17 of said chapter 138.

46 SECTION 4. A license granted pursuant to sections 1 and 2 shall only be exercised in the
47 dining room of a common victualler and in such other public rooms or areas as may be deemed
48 reasonable and appropriate by the licensing authority as certified in writing.

49 SECTION 5. The licenses granted pursuant to sections 1 and 2 shall be issued within 2
50 years after the effective date of this act; provided, however, that a license originally granted
51 within that time period may be granted to a new applicant pursuant to said sections 1 and 2
52 thereafter.

53 SECTION 6. Notwithstanding section 11 of chapter 138 of the General Laws or any other
54 general or special law to the contrary, the licensing authority of the town of Boxford may grant
55 special licenses for the sale of alcoholic beverages pursuant to section 14 of said chapter 138 to
56 responsible managers of any indoor or outdoor activity or enterprise for a gathering of less than

57 500 persons. The licenses shall be subject to any other requirements that the board of selectmen
58 deem appropriate.

59 SECTION 7. This act shall take effect upon its passage.