

HOUSE No. 5120

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey N. Roy

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 known as the town of Franklin to grant an additional wine and malt beverages not to be drunk on the premises alcoholic beverages license.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>10/19/2020</i>

HOUSE No. 5120

By Mr. Roy of Franklin, a petition (accompanied by bill, House, No. 5120) of Jeffrey N. Roy (with the approval of the town council) that the city known as the town of Franklin be authorized to grant an additional license for sale of wines and malt 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 Ninety-First General Court
(2019-2020)

An Act authorizing the city known as the town of Franklin to grant an additional wine and malt beverages not to be drunk on the premises alcoholic beverages license.

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 the quotas on the number of alcoholic beverages
2 licenses contained in G.L.Ch.138, § 17, the City known as the Town of Franklin acting through
3 the Franklin Town Council, as the local licensing authority, is hereby authorized to grant an
4 alcoholic beverages license pursuant to G.L. Chapter 138, Section 15 for the sale at retail of
5 wines and malt beverages not to be drunk on the premises to MADD Deli, Inc. d/b/a Dacey’s
6 Market located at 353 Lincoln Street, Franklin; the Franklin Town Council shall grant said
7 license only after compliance with the publication, notice and hearing requirements contained in
8 G.L. Chapter 138, Section 15A and its determination that the grant of said license satisfies the
9 public need.

10 (b) The licensing authority shall not approve the transfer of the license granted pursuant
11 to this section to any other location but it may grant the license to a new applicant at the same

12 location if the applicant files with the licensing authority a letter from the department of revenue
13 and a letter from the department of unemployment assistance indicating that the license is in
14 good standing with those departments and that all applicable taxes, fees and contributions have
15 been paid.

16 (c) If a licensee terminates or fails to renew a license granted under this section or any
17 such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of
18 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, and the
19 licensing authority may then grant the license to a new applicant at the same location under the
20 same conditions as specified in this section.

21 (d) All licenses granted pursuant to this act shall be issued within 1 year after the
22 effective date of this act; provided, however, that a license originally granted within that time
23 period may be granted to a new applicant pursuant to subsection (b) or (c) thereafter.

24 SECTION 2: This act shall take effect upon its passage.