HOUSE . . . . . No. 4747

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 12, 2022.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 4342) of William M. Straus (by vote of the town) that the town of Rochester be authorized to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises in said town, reports recommending that the accompanying bill (House, No. 4747) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.

FILED ON: 4/29/2022

HOUSE . . . . . No. 4747

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act authorizing the town of Rochester to grant an additional license for the sale of alcoholic beverages not 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:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Rochester may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to establishments located within the Cranberry Highway Smart Growth Overlay District, as defined in subsection (b), upon approval of and under conditions set by the licensing authority of the town of Rochester. The license shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority of the town of Rochester shall restrict the license granted pursuant to this act to establishments located within the Cranberry Highway Smart Growth Overlay District, which for purposes of this act shall comprise the area to include parcels immediately along: (i) route 28; (ii) route 58; and (iii) Country Lane, as those areas are designated as the Cranberry Highway Smart Growth Overlay District on the map. For the purposes of this subsection, “map” shall mean the map entitled “Cranberry Highway Smart

Growth Overlay District, Rochester, Massachusetts" dated April 20, 2019, a copy of which is on file in the office of the town clerk of the town of Rochester.

(c) The licensing authority of the town of Rochester shall not approve the transfer of the license granted pursuant to this act to a location outside of the town's Cranberry Highway Smart Growth Overlay District, but it may grant the license to a new applicant within the Cranberry Highway Smart Growth Overlay District if the applicant files with the local licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(d) The license granted pursuant to this act shall not be sold or transferred by the licensee. If a licensee terminates or fails to renew the license granted pursuant to this act or any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the local licensing authority, and the local licensing authority may then grant the license to a new applicant within the Cranberry Highway Smart Growth Overlay District under the same conditions as specified in this act.

(e) The license granted pursuant to this act shall be issued within 3 years after the effective date of this act; provided, however, that if the license is originally granted within that time period, it may be granted to a new applicant pursuant to subsection (c) or (d) thereafter.

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