HOUSE . . . . . No. 5437

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 22, 2022.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 473) of Susannah M. Whipps that the town of Athol be authorized to grant six additional liquor licenses for the sale of alcoholic beverages to be drunk on the premises, reports recommending that the accompanying bill (House, No. 5437) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.

FILED ON: 12/16/2022

HOUSE . . . . . No. 5437

The Commonwealth of Massachusetts

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

An Act authorizing the town of Athol to grant 6 additional licenses for the sale of alcoholic beverages 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 Athol may grant up to 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises to establishments located within the 3 development zones described in subsection (b), pursuant to section 12 of said chapter 138. A license granted pursuant to this act shall be marked on its face "Downtown Athol Target Area," "Western Gateway Target Area," or "Exit 77 and North Quabbin Commons 43D Development Zone" and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall restrict the 6 licenses authorized under this act as follows:

(1) At least one license authorized under this act shall be issued to establishments located within the town's "Downtown Athol Target Area" district shown on the Official Zoning Map as adopted June 13, 2022, also shown on the "Insert Detail Map" as adopted on the same date. This district shall be defined as the areas shaded for "Central Commercial" and "General

Commercial" on the Official Zoning Map that also fall within the area marked "Downtown Athol Target Area" on the Insert Detail Map. A copy of both maps is on file with the office of the town clerk of Athol;

(2) At least one license authorized under this act shall be issued to establishments located within the town's "Western Gateway Target Area" district shown on the Official Zoning Map as adopted June 13, 2022, also shown on the "Insert Detail Map" as adopted on the same date. This district shall be defined as the areas shaded for "General Commercial" and "Neighborhood Commercial" on the Official Zoning Map that also fall within the area marked "Western Gateway Target Area" on the Insert Detail Map. A copy of both maps is on file with the office of the town clerk of Athol; and

(3) At least one license authorized under this act shall be issued to establishments located within the town's "Exit 77 and North Quabbin Commons 43D Development Zone" district shown on the Official Zoning Map as adopted June 13, 2022, also shown on the "Insert Detail Map" as adopted on the same date. This district shall be defined as the area shaded for "Industrial Commercial" on the Official Zoning Map that also falls within the area marked "Exit 77 and North Quabbin Commons 43D Development Zone" on the Insert Detail Map. A copy of both maps is on file with the office of the town clerk of Athol.

(c) A license granted pursuant to this act shall only be exercised in the dining room of a common victualler and in such other public rooms or areas as may be deemed reasonable and appropriate by the licensing authority as certified in writing.

(d) The licensing authority shall not approve the transfer of a license granted pursuant to this act to a location outside of the zoned areas as described in paragraphs (1) (2) and (3) of

subsection (b), but it may grant a license to a new applicant within such zoned areas if the applicant files with the 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.

(e) If a licensee terminates or fails to renew a license granted under this act or any such license granted under this act is canceled revoked or no longer in use, the license shall be returned physically, with all the legal rights, privileges, and restrictions pertaining thereto to the licensing authority and the licensing authority may then grant the license to a new applicant under the same conditions specified in this act.

(f) All licenses granted under this act shall be issued within 3 years after the effective date of this act; provided, however, that a license originally granted within that time period may be granted to a new applicant under subsections (d) and (e) thereafter.

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