

SENATE No. 3141

Senate, November 17, 2022 -- Substituted as a new draft (Senator Pacheco) for the Senate Bill authorizing the town of Wareham to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2855).

The Commonwealth of Massachusetts

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

An Act authorizing the town of Wareham to grant 7 additional licenses for the sale of all 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:

1 SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Wareham may grant 7 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to
4 establishments located within the town’s Wareham Village 1 Zoning District, as that district is
5 defined in subsection (b), upon approval of and under conditions set by the licensing authority of
6 the town of Wareham; provided, however, that 1 license granted pursuant to this act shall be
7 granted to an establishment located at 176 Main street in the town of Wareham; and provided
8 further, that 1 license granted pursuant to this act shall be granted to an establishment located at
9 59 Main street in the town of Wareham. Licenses granted pursuant to this act shall be clearly
10 marked “Wareham Village 1 Zoning District” on their face and shall be subject to all of said
11 chapter 138 except said section 17.

(b) The licensing authority of the town of Wareham shall restrict the licenses granted pursuant to this act to the Wareham Village 1 Zoning District, which for purposes of this act shall comprise the area located on the: (i) easterly and southwesterly parcels directly abutting Main street from 59 Main street to 519 Main street; (ii) northerly and southerly parcels directly abutting Park street; (iii) northerly and southerly parcels along Elm street from Main street to Cranberry highway; and (iv) westerly parcels along Tihonet road from the southerly boundary of Cranberry highway to the northerly boundary of Elm street, as those areas are designated as the Wareham Village 1 Zoning District on the map. For the purposes of this subsection, “map” shall mean the parcel specific corridor designated as the “Wareham Village 1 Zoning District,” dated March 3, 2022, a copy of which is on file in the office of the town clerk of the town of Wareham.

(c) The licensing authority shall not approve the transfer of a license granted pursuant to this act to a location outside of the Wareham Village 1 Zoning District, but it may grant the license to a new applicant within the Wareham Village 1 Zoning District 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.

(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 the license granted pursuant to this act is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of 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 in the town’s Wareham Village 1 Zoning District under the same conditions as specified in this act.

35 (e) The licenses granted pursuant to this act shall be issued within 3 years of the effective
36 date of this act; provided, however, that if the license is originally granted within that time
37 period, the license may be granted to a new applicant pursuant to subsections (c) and (d)
38 thereafter.

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