HOUSE . . . . . No. 3952

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 29, 2023.

The committee on Consumer Protection and Professional Licensure, to whom was referred the joint petition (accompanied by bill, House, No. 3715) of Lindsay N. Sabadosa and Joanne M. Comerford (with the approval of the mayor and city council) that the city of Northampton be authorized to grant seven licenses for the sale of all alcoholic beverages to be drunk on the premises in said town. reports recommending that the accompanying bill (House, No. 3952) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN

FILED ON: 6/26/2023

HOUSE . . . . . No. 3952

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act authorizing the city of Northampton to grant seven 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:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Northampton may grant 7 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, under section 12 of said chapter 138, as follows: (i) 1 license to Moore Hospitality Inc. d/b/a The Dirty Truth, located at 29 Main Street; (ii) 1 license to Tea Pot Restaurant, Inc., located at 116 Main Street; (iii) 1 license to Washut & Ware, Inc., d/b/a Jake's Restaurant, located at 17 King Street; (iv) 1 license to Home2 Suites located at 115 Conz Street; and (v) 3 licenses to establishments located within the 2 development zones described in subsection (b) upon approval of and under conditions set by the licensing authority of the city of Northampton; provided, however, such license issued pursuant to clause (v) shall be clearly marked on its face either "Florence Business District" or "Northampton Business District", as applicable. All licenses granted under this section shall be subject to all of said chapter 138, except said section 17.

(b) The licensing authority shall restrict the licenses authorized under clause (v) of subsection (a) to: (i) establishments located within the town's "Florence Business District" district shown on a map entitled "Florence Business District" as adopted on April 20, 2023, a copy of which is on file in the office of the town clerk of the city of Northampton; or (ii) establishments located within the city's "Northampton Business District" district shown on a map entitled "Northampton Business District" as adopted on April 20, 2023, a copy of which is on file with the town clerk of the city of Northampton.

(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 initial addresses as described in subsection (a) or zoned areas as described in clauses (i) or (ii) of subsection (b); but it may grant a license to a new applicant within such initial zoned area or address 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 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 clauses (i) through (iv), inclusive, of subsection (a) or any such license is canceled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may, within 3 years after such return, then grant the

license to a new applicant at the same location and under the same conditions as specified in this section, otherwise such license shall dissolve.

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

(g) 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), (e), and (f) thereafter.

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