

# HOUSE . . . . . No. 5095

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, November 4, 2024.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petition (accompanied by bill, House, No. 4025) of Patrick Joseph Kearney and Josh S. Cutler (by vote of the town) that the town of Marshfield be authorized to grant three additional liquor licenses for the sale of all alcoholic beverages not to be drunk on the premises and three additional licenses for alcoholic beverages to be drunk on the premises in said town, reports recommending that the accompanying bill (House, No. 5095) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.

**HOUSE . . . . . No. 5095**

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**The Commonwealth of Massachusetts**

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

An Act authorizing the town of Marshfield to grant additional licenses for the sale of all alcoholic beverages.

*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 Marshfield may grant 6 additional licenses for the sale of all  
3   alcoholic beverages, as follows: (i) 1 license for the sale of all alcoholic beverages to be drunk on  
4   the premises pursuant to section 12 of said chapter 138 to Don Bravo Mexican Grill located at 57  
5   Snow Road #30, and 1 license for the sale of all alcoholic beverages to be drunk on the premises  
6   pursuant to said section 12 of said chapter 138 to The Corner Café located at 2000 Ocean Street;  
7   (ii) 1 license for the sale of all alcoholic beverages to be drunk on the premises pursuant to said  
8   section 12 of said chapter 138 to an establishment located within the Brant Rock Village Overlay  
9   District development zone described in subsection (b) upon approval of and under conditions set  
10   forth by the licensing authority of the town of Marshfield; and (iii) 1 license for the sale of all  
11   alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to  
12   Jackansons Package Store located at 1921 Ocean Street/Route 139, 1 license for the sale of all  
13   alcoholic beverages not to be drunk on the premises pursuant to said section 15 of said chapter

14 138 to Hubbards Cupboard located at 29 Main Street, and 1 license for the sale of all alcoholic  
15 beverages not to be drunk on the premises pursuant to said section 15 of said chapter 138 to  
16 Ocean Market & Liquor located at 915 Ocean Street. A license granted under this section shall  
17 be subject to all of chapter 138 except section 17.

18 (b) The licensing authority shall restrict the license authorized in clause (ii) of subsection  
19 (a) of this section to establishments located within the town's Brant Rock Village Overlay  
20 District (BRVO) shown on a map entitled ZONING MAP Town of Marshfield, Massachusetts as  
21 adopted on April 27, 2015, a copy of which is on file in the office of the town clerk. Such  
22 license shall be clearly marked on its face "Brant Rock Village Overlay District."

23 (c) A license granted under clause (i) or (ii) of subsection (a) of this section shall only be  
24 executed in the dining room of a common victualler and such other public rooms or areas as may  
25 be deemed reasonable and appropriate by the licensing authority as certified in writing.

26 (d) (1) The licensing authority shall not approve the transfer of a license granted pursuant  
27 to clause (ii) of subsection (a) of this section to a location outside of the zoned area as described  
28 in subsection (b), but it may grant a license to a new applicant within such zoned area if the  
29 applicant files with the licensing authority a letter from the department of revenue and a letter  
30 from the department of unemployment assistance indicating that the applicant is in good standing  
31 with those departments and that all applicable taxes, fees, and contributions have been paid.

32 (2) If a license terminates or fails to renew a license granted under clause (ii) of  
33 subsection (a) of this section or any such license is cancelled, revoked or no longer in use, the  
34 license shall be returned physically, with all of the legal rights, privileges and restrictions

35 pertaining thereto, to the licensing authority and the licensing authority may then grant the  
36 license to a new applicant under the same conditions as specified in this section.

37 (e)(1)The licensing authority shall not approve the transfer of a license granted pursuant  
38 to clause (i) or (iii) of subsection (a) of this section to any other location, but it may grant the  
39 license to a new applicant at the same initial location if the applicant files with the licensing  
40 authority a letter from the department of revenue and a letter from the department of  
41 unemployment assistance indicating that the license is in good standing with those departments  
42 and that all applicable taxes, fees and contributions have been paid.

43 (2) If a licensee terminates or fails to renew a license granted under clause (i) or (iii) of  
44 subsection (a) of this section, or any such license is cancelled, revoked, or no longer in use, it  
45 shall be returned physically, with all of the legal rights, privileges, and restrictions pertaining  
46 thereto, to the licensing authority which may, within 3 years after such return, then grant the  
47 license to the new applicant under the same conditions as specified in this section, otherwise  
48 such license shall dissolve.

49 (f) All licenses granted under this section shall be issued within 3 years after the effective  
50 date of this act; provided, however, that if the license is originally granted within that time  
51 period, it may be granted to a new applicant under subsections (d) or (e), as applicable,  
52 thereafter.

53 SECTION 2. Upon the issuance of a license authorized in clause (iii) of subsection (a) of  
54 section 1, the licensee shall return physically, with all of the legal rights, privileges and  
55 restrictions pertaining thereto, to the licensing authority, its license for the sale of wine and malt  
56 beverages not to be drunk on the premises under section 15 of chapter 138.

57           SECTION 3. Upon the issuance of a license authorized in clause (i) of subsection (a) of  
58 section 1, the licensee shall return physically, with all of the legal rights, privileges and  
59 restrictions pertaining thereto, to the licensing authority, its license for the sale of wine and malt  
60 beverages to be drunk on the premises under section 12 of chapter 138.

61           SECTION 4. This act shall take effect upon its passage.