

HOUSE No. 5126

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, November 27, 2024.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petition (accompanied by bill, House, No. 4663) of Michelle L. Ciccolo, Cindy F. Friedman and Michael J. Barrett (by vote of the town) that the town of Lexington be authorized to grant ten additional licenses for the sale of wine and malt beverages to be drunk on the premises in said town, reports recommending that the accompanying bill (House, No. 5126) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.

HOUSE No. 5126

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

An Act authorizing the town of Lexington to grant ten additional licenses for the sale of wine and malt 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 Lexington may grant 10 additional licenses for the sale of wine
3 and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138 as
4 follows: (i) 1 license to Pinot's Palette, located at 7A Meriam Street in Lexington; (ii) 1 license to
5 Galaray House Art Gallery, located at 1720 Massachusetts Avenue in Lexington; (iii) 1 license
6 to Lexington Venue Theater, located at 1794 Massachusetts Avenue in Lexington; and (iv) 7
7 licenses to establishments located within the three economic development zones described in
8 subsection (b). A license granted under said subsection (b) shall be clearly marked on its face
9 either "Village Overlay District", "Multifamily Overlay District", or "Village High-Rise Overlay
10 District" as applicable. Licenses granted under this act shall be subject to all of said chapter 138
11 except said section 17.

12 (b) The licensing authority shall restrict the 7 licenses granted under clause (iv) of
13 subsection (a) to establishments located within either the "Village Overlay District",

14 “Multifamily Overlay District”, or “Village High-Rise Overlay District” as those areas are
15 defined on a map entitled “Article 34 Overlay Districts Map” dated March 24, 2023, a copy of
16 which is on file in the office of the town clerk.

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

20 (d)(1) The licensing authority shall not approve of the transfer of a license granted
21 pursuant to clauses (i), (ii), or (iii) of subsection (a) to any other location, but it may grant a
22 license to a new applicant at the same location if the applicant files with the licensing authority a
23 letter from the department of revenue and a letter from the department of unemployment
24 assistance indicating the license is in good standing with those departments and that all
25 applicable taxes, fees, and contributions have been paid.

26 (2) The licensing authority shall not approve of the transfer of a license granted pursuant
27 to clause (iv) of subsection (a) to a location outside of the initial zoned area as described in
28 subsection (b), but it may grant a license to a new applicant within such initial 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 the license is in good standing with
31 those departments and that all applicable taxes, fees, and contributions have been paid.

32 (e)(1) If a licensee fails to renew a license granted under clauses (i), (ii), or (iii) of
33 subsection (a) or any such license granted under those clauses is cancelled, revoked, or no longer
34 in use, it shall be returned physically, with all the legal rights, privileges, and restrictions
35 pertaining thereto, to the licensing authority and the licensing authority may, within 3 years of

36 such return, then grant the license to a new applicant under the same conditions as specified in
37 this act, otherwise such license shall dissolve.

38 (2) If a licensee fails to renew a license granted under clause (iv) of subsection (a) or any
39 such license granted is cancelled, revoked, or no longer in use, it shall be returned physically,
40 with all the legal rights, privileges, and restrictions pertaining thereto, to the licensing authority
41 and the licensing authority may then grant the license to a new applicant under the same
42 conditions as specified in this act.

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

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