

HOUSE No. 5365

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the home rule charter of the town of Falmouth to create the Falmouth Licensing Commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>4/8/2026</i>
<i>Dylan A. Fernandes</i>	<i>Plymouth and Barnstable</i>	<i>4/9/2026</i>
<i>Thomas W. Moakley</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>4/9/2026</i>

HOUSE No. 5365

By Representative Vieira of Falmouth, a petition (accompanied by bill, House, No. 5365) of David T. Vieira, Dylan A. Fernandes and Thomas W. Moakley (by vote of the town) that the town of Falmouth be authorized to amend its charter to establish the Falmouth licensing commission. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act amending the home rule charter of the town of Falmouth to create the Falmouth Licensing Commission.

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. Article 3 of the Charter of the Town of Falmouth, which is on file in the
2 office of the archivist of the Commonwealth as provided in section 12 of chapter 43B of the
3 General Laws, is hereby amended by striking out section C3-7(B) and renumbering section C3-7
4 accordingly.

5 SECTION 2. Article 7 of said charter is hereby further amended by inserting the
6 following as section C7-9:

7 § C7-9: Licensing Commission

8 A. There shall be a Licensing Commission which shall consist of five members appointed
9 for three-year terms.

10 B. The Licensing Commission shall act as the licensing authority and shall have the

11 following powers and responsibilities:

12 (1) The power to issue licenses for innholders or common victuallers; and

13 (2) The powers of a licensing board appointed under Section 4 of Chapter 138 of the
14 Massachusetts General Laws, to serve as the licensing authority for purposes of said
15 Chapter 138, and to grant all licenses related to alcoholic beverages under said Chapter.

16 (3) The power to issue licenses for entertainment including theatrical exhibitions, public
17 shows, and public amusements of any kind pursuant to M.G.L. c. 136 § 4, M.G.L.
18 c.140 §§181 and 183A.

19 C. The Licensing Commission shall make all necessary rules and regulations regarding
20 such licenses and shall be empowered to attach conditions and impose such restrictions thereto as
21 it considers to be in the public interest.

22 D. The Licensing Commission shall have the authority to enforce, or cause to be
23 enforced, the laws, rules and regulations relating to licensing as to all businesses, entities and
24 individuals for or to which it issues licenses.

25 E. The Select Board shall have the authority to assign any additional licensing powers
26 conferred upon it by statute to the Licensing Commission through the enactment of a general
27 bylaw. The assignment of such authority shall include the power to grant the license, make all
28 necessary rules and regulations, impose conditions and restrictions and enforce or cause to be
29 enforced the laws, rules and regulations relating to the licensing, as above.

30 SECTION 3. Within 30 days of the passage of this act, the Select Board of the Town of
31 Falmouth shall appoint five (5) individuals to the Licensing Commission in accordance with
32 section C7-16 of the charter of the Town of Falmouth; provided, however, that one (1) member
33 shall serve an initial term of one (1) year, two (2) members shall serve an initial term of two (2)
34 years and two (2) members shall serve an initial term of three (3) years.

35 SECTION 4. This act shall take effect on January 1 ,2027.