

**HOUSE . . . . . No. 4418**

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act authorizing the town of Westborough to grant 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 Westborough may grant 8 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 Highway Business (BA), Downtown Business (BB),  
5 Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD),  
6 Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID)  
7 zoning districts, as those districts are defined by the town's zoning map, as it existed as of  
8 October 21, 2014, upon approval of and under conditions set by the licensing authority of the  
9 town of Westborough. The licenses shall be subject to all of said chapter 138 except said section  
10 17.

11           (b) The licensing authority shall not approve the transfer of a license granted pursuant to  
12 this act to a location outside of the town's Highway Business (BA), Downtown Business (BB),  
13 Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD),

14 Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID)  
15 zoning districts as set forth in subsection (a), but it may grant a license to a new applicant within  
16 the town’s Highway Business (BA), Downtown Business (BB), Gateway 2 (G2), Mixed Use  
17 District (MUD), Downtown Planning Overlay District (DPOD), Industrial A (IA), Industrial B  
18 (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID) zoning districts if the applicant  
19 files with the licensing authority a letter from the department of revenue and a letter from the  
20 department of unemployment assistance indicating that the license is in good standing with those  
21 departments and that all applicable taxes, fees and contributions have been paid. A license  
22 granted under this act shall be clearly marked on its face “Highway Business (BA), Downtown  
23 Business (BB), Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay  
24 District (DPOD), Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D  
25 Overlay (ID) Zoning Districts Only”.

26 (c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, it  
27 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining  
28 thereto, to the licensing authority and the licensing authority may then grant the license to a new  
29 applicant at a location within the Highway Business (BA), Downtown Business (BB), Gateway 2  
30 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD), Industrial A  
31 (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID) zoning districts  
32 under the same conditions as specified in this act.

33 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the  
34 licensing authority of the town of Westborough may grant 8 additional licenses for the sale of all  
35 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to  
36 establishments located within the town's Highway Business (BA), Downtown Business (BB),

37 Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD),  
38 Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID)  
39 zoning districts, as those districts are defined by the town's zoning map, as it existed as of  
40 October 21, 2014, upon approval of and under conditions set by the licensing authority of the  
41 town of Westborough. The licenses shall be subject to all of said chapter 138 except said section  
42 17.

43 (b) The licensing authority shall not approve the transfer of a license granted pursuant to  
44 this act to a location outside of the town's Highway Business (BA), Downtown Business (BB),  
45 Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD),  
46 Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID)  
47 zoning districts as set forth in subsection (a), but it may grant a license to a new applicant within  
48 the town's Highway Business (BA), Downtown Business (BB), Gateway 2 (G2), Mixed Use  
49 District (MUD), Downtown Planning Overlay District (DPOD), Industrial A (IA), Industrial B  
50 (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID) zoning districts if the applicant  
51 files with the licensing authority a letter from the department of revenue and a letter from the  
52 department of unemployment assistance indicating that the license is in good standing with those  
53 departments and that all applicable taxes, fees and contributions have been paid. A license  
54 granted under this act shall be clearly marked on its face "Highway Business (BA), Downtown  
55 Business (BB), Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay  
56 District (DPOD), Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D  
57 Overlay (ID) Zoning Districts Only".

58 (c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, it  
59 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining

60 thereto, to the licensing authority and the licensing authority may then grant the license to a new  
61 applicant at a location within the Highway Business (BA), Downtown Business (BB), Gateway 2  
62 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD), Industrial A  
63 (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID) zoning districts  
64 under the same conditions as specified in this act.

65 SECTION 3. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the  
66 licensing authority of the town of Westborough may grant 6 additional licenses for the sale of all  
67 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to  
68 establishments located within the town's Highway Business (BA), Downtown Business (BB),  
69 Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD),  
70 Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID)  
71 zoning districts, as those districts are defined by the town's zoning map, as it existed as of  
72 October 21, 2014, upon approval of and under conditions set by the licensing authority of the  
73 town of Westborough. The licenses shall be subject to all of said chapter 138 except said section  
74 17.

75 (b) The licensing authority shall not approve the transfer of a license granted pursuant to  
76 this act to a location outside of the town's Highway Business (BA), Downtown Business (BB),  
77 Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD),  
78 Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID)  
79 zoning districts as set forth in subsection (a), but it may grant a license to a new applicant within  
80 the town's Highway Business (BA), Downtown Business (BB), Gateway 2 (G2), Mixed Use  
81 District (MUD), Downtown Planning Overlay District (DPOD), Industrial A (IA), Industrial B  
82 (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID) zoning districts if the applicant

83 files with the licensing authority a letter from the department of revenue and a letter from the  
84 department of unemployment assistance indicating that the license is in good standing with those  
85 departments and that all applicable taxes, fees and contributions have been paid. A license  
86 granted under this act shall be clearly marked on its face “Highway Business (BA), Downtown  
87 Business (BB), Gateway 2 (G2), Mixed Use District (MUD), Downtown Planning Overlay  
88 District (DPOD), Industrial A (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D  
89 Overlay (ID) Zoning Districts Only”.

90 (c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, it  
91 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining  
92 thereto, to the licensing authority and the licensing authority may then grant the license to a new  
93 applicant at a location within the Highway Business (BA), Downtown Business (BB), Gateway 2  
94 (G2), Mixed Use District (MUD), Downtown Planning Overlay District (DPOD), Industrial A  
95 (IA), Industrial B (IB), Mixed Use Industrial (IC) and Industrial D Overlay (ID) zoning districts  
96 under the same conditions as specified in this act.

97 SECTION 4. Section 1 shall take effect upon passage.

98 SECTION 5. Section 2 shall take effect on January 1, 2018 or upon the issuance of all  
99 licenses as allocated under section 1 of this act.

100 SECTION 6. Section 3 shall take effect on January 1, 2019 or upon the issuance of all  
101 licenses as allocated under section 2 of this act.