

HOUSE No. 04468

The Commonwealth of Massachusetts

HOUSE, October 05, 2012

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 3851, a Bill relative to the sale of alcoholic beverages in the city of Somerville (House, No. 4468) [Local Approval Received].

For the committee,

THEODORE C. SPELIOTIS.

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The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to the sale of alcoholic beverages in the City of Somerville.

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. Chapter 258 of the acts of 1980, as most recently amended by chapter 449 of the
2 acts of 2008, is hereby further amended by striking out the text in its entirety and and inserting in
3 place thereof the following text: -

4 Section 1. The licensing commission of the city of Somerville may grant licenses for the sale of
5 all alcoholic beverages and licenses for the sale of wines and malt beverages authorized to be
6 granted under section 12 of chapter 138 of the General Laws, and such licenses shall be
7 calculated pursuant to section 17 of said chapter 138. Said commission may grant not more than
8 20 licenses for the sale of all alcoholic beverages not to be drunk on the premises as provided in
9 section 15 of said chapter 138. The number of licenses for the sale of wines and malt beverages
10 under said section 15 shall not exceed 9. The transfer of existing licenses or the transfer of stock
11 in a corporation which holds a license shall be subject to a public hearing and notice of such
12 hearing shall be advertised as provided in said chapter 138 and held at an appropriate time to
13 afford interested citizens an opportunity to be present.

14 (a) No other license granted pursuant to this act shall be sold or transferred by the licensee. If
15 any such licensee terminates or fails to renew its license, the license shall revert to the licensing

16 commission which may then reissue it according to the regulations of the licensing commission;
17 provided further, that any restrictions on the transferability of licenses pursuant to this section
18 shall only apply to licenses granted on or after the enactment of Chapter 449 of the Acts of 2008.

19 Section 2. Notwithstanding said section 17 of said chapter 138 of the General Laws, the licensing
20 commission of the city of Somerville may grant not more than 12 additional licenses for the sale
21 of all alcoholic beverages to be drunk on the premises or for the sale of wines and malt beverages
22 to be drunk on the premises under section 12 of said chapter 138, within the area commonly
23 referred to as the Assembly Square district, bounded by the Mystic River, the Fellsway/Route 28,
24 Interstate 93, and the city of Somerville – city of Boston boundary line. Said licenses shall be
25 subject to all of said chapter 138, except said section 17. The licenses assigned to the Assembly
26 Square district shall not be sold or transferred by the licensee. If a licensee terminates or fails to
27 renew its license, the license shall revert to the licensing commission of the city of Somerville,
28 and shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
29 thereto, and may only be granted to a new, qualified applicant doing business within the
30 Assembly Square district; provided, however, that such new applicant files with the commission
31 a letter from the department of revenue indicating that the license is in good standing with the
32 department and that all applicable taxes have been paid.

33 The administrative fee charged by the city of Somerville for such licenses shall be the same
34 amount as the administrative fee charged by the city for existing licenses granted for the
35 respective category for such licenses. The licenses granted under this section shall be subject to
36 all applicable ordinances of the city.

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