

SENATE No. 2376

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 authorizing the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises.

PETITION OF:

NAME:

Joan B. Lovely

DISTRICT/ADDRESS:

Second Essex

SENATE No. 2376

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 2377) of Joan B. Lovely (with the approval of the mayor and city council) for legislation to authorize the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act authorizing the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not 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. Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the city of Salem may grant 1 additional license for the sale of wine and
3 malt beverages not to be drunk on the premises under section 15 of said chapter 138 to OTSG,
4 LLC d/b/a The Cheese Shop of Salem, located at 45 Lafayette Street in the city of Salem. The
5 license shall be subject to all of said chapter 138 except section 17.

6 Notwithstanding any general or special law, or any rule or regulation to the contrary, the
7 alcohol licensing authority of the city of Salem shall not approve the transfer of the license to
8 any other location. The license may be granted by the alcohol licensing authority of the city of
9 Salem at the same location if an applicant for the license files with the authority a letter in
10 writing from the department of revenue indicating the license is in good standing with the
11 department and that any and all applicable taxes have been paid.

12 If the license granted under this section is cancelled, revoked or no longer in use, it shall
13 be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto,
14 to the alcohol licensing authority of the city of Salem.

15 Notwithstanding section 17 or chapter 138 of the General Laws or any other general or
16 special law to the contrary, the alcohol licensing authority of the city of Salem may then grant
17 the license to a new applicant at the same location and under the same conditions as specified in
18 the preceding paragraph.

19 SECTION 2.(a) The fee charged by the city of Salem for the issuance of a new license
20 issued pursuant to this act shall be paid by the licensee to the city in full at the time of issuance,
21 unless the licensing authority agrees to enter into an arrangement with the recipient of a license
22 which would enable the fee to be divided into multiple payments or prorated over multiple
23 periods of time.

24 (b) If the city of Salem charges a fee for the new license pursuant to this act which is
25 greater than the amount of the fee charged for an annual renewal of a similar license issued by
26 the city, then the city shall deposit the fee into its special economic development account
27 established for the deposit of revenue from additional alcoholic beverage licenses issued
28 pursuant to special acts and the fee charged shall be expended by the city in a manner consistent
29 with the purposes of the account.

30 SECTION 3. This act shall take effect upon its passage