

SENATE No. 2861

The Commonwealth of Massachusetts

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

SENATE, July 11, 2024.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petitions (accompanied by bill, Senate, No. 2510) of Susan L. Moran and Steven George Xiarhos (by vote of the town) for legislation to authorize the town of Sandwich 5 additional liquor licenses, report the accompanying bill (Senate, No. 2861).

For the committee,
John J. Cronin

SENATE No. 2861

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**In the One Hundred and Ninety-Third General Court
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An Act authorizing the town of Sandwich to grant additional licenses for the sale of 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 Sandwich may grant up to 4 additional licenses for the sale of
3 all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 as
4 follows: (i) 1 license to the Ice Cream Sandwich II, LTD., located at 66 state highway route 6A
5 in the town of Sandwich; (ii) 1 license to Heritage Theaters, located at 280 state highway route
6 130 in the Forestdale village of the town of Sandwich; (iii) 1 license for use in the Former Town
7 Hall Annex, located at 145 Main street in the town of Sandwich; provided, however, that the
8 license granted under this clause shall be marked on its face “Former Town Hall Annex”; and
9 (iv) 1 license to the Dunbar Restaurant and Tea Room Inc, located at 1 Water street in the town
10 of Sandwich. Licenses granted under this subsection shall be subject to all of said chapter 138
11 except said section 17.

12 (b) Notwithstanding said section 17 of said chapter 138, the licensing authority of the
13 town of Sandwich may grant 1 additional license for the sale of wine and malt beverages to be

14 drunk on the premises pursuant to said section 12 of said chapter 138 to The Edge Thick Square
15 Pizza LLC, located at 66 state highway route 6A in the town of Sandwich. A license granted
16 under this subsection shall be subject to all of said chapter 138 except said section 17.

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

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

25 (e) If a licensee terminates or fails to renew a license granted under this act or any such
26 license is cancelled, revoked or no longer in use, the license shall be returned physically, with all
27 of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which
28 may, within 3 years after such return, then grant the license to a new applicant at the same
29 location under the same conditions as specified in this section, otherwise such license shall
30 dissolve.

31 (f) A license granted under this act shall be issued within 3 years after the effective date
32 of this act; provided, however, that if the license is originally granted within that time period, it
33 may be granted to a new applicant under subsections (d) and (e) thereafter.

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