

HOUSE No. 3752

By Mr. Scibak of South Hadley, petition of John W. Scibak and Vincent A. Pedone that the town of South Hadley be authorized to issue two additional licenses for the sale of all alcoholic beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO GRANT AN ADDITIONAL ALCOHOLIC BEVERAGE LICENSE.

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 Sections 12 and 17 of Chapter
2 138 of the General Laws or any other general or special law to the
3 contrary, the Town of South Hadley Selectboard may grant one (1)
4 additional license for the sale of all alcoholic beverages to be drunk
5 on the premises subject to the conditions set forth in this Act.

6 (b) The Selectboard shall reserve one (1) all-alcoholic beverage
7 license for Food 101, for a location at the Town Commons subject to
8 all other applicable requirements for an all alcoholic beverages
9 license and on condition that the current license for the sale of wine
10 and malt beverages currently held by said Food 101 be returned
11 physically, with all the legal rights pertaining thereto, to the Select-
12 board upon approval and receipt of said new alcoholic beverage
13 license.

14 (c) Notwithstanding said Section 12 of said Chapter 138, the addi-
15 tional license authorized by this Act shall be subject to an original
16 application fee of \$1,000.00 more than the annual fee for existing
17 all-alcoholic beverage licenses or wine and malt beverage license as
18 applicable, in the Town of South Hadley. Said additional \$1,000.00
19 fee shall be deposited into an economic development account of the
20 Town of South Hadley and expended consistently with the purposes
21 of such account.

22 (d) Notwithstanding said Section 12 and 77 of said Chapter 138,
23 the Selectboard may restrict the all-alcoholic beverages license to
24 holders of common victualler licenses.

25 (e) The Selectboard shall determine reasonably whether an appli-
26 cant or licensee meets the criteria set forth in this Act.

27 (f) Any license under this section shall not be transferred to any
28 other location once a license is issued; provided, however, that no
29 such license shall be re-issued to the same location within 6 months
30 from the date said license terminated unless the applicant files a
31 letter in writing from the department of Revenue with the local
32 licensing authority indicating the prior licensee's good standing with
33 said Department.

1 SECTION 2. This Act shall take effect upon its passage.