

HOUSE No. 4092

By Mr. Donato of Medford, petition of Paul J. Donato and others (with the approval of the mayor and city council) that the city of Medford be authorized to increase the number of licenses for the sale of wines and malt beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

PETITION OF:

Paul J. Donato
J. James Marzilli, Jr.

Carl M. Sciortino, Jr.
Patricia D. Jehlen

In the Year Two Thousand and Seven.

AN ACT INCREASING THE NUMBER OF LICENSES FOR THE SALE OF WINES AND MALT BEVERAGES IN THE CITY OF MEDFORD FROM FIFTEEN TO TWENTY-FIVE.

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 Sections 11 and 17 of Chapter 138
2 of the General Laws, any vote cast in the city of Medford pursuant
3 to Chapter 595 of the acts of 1977, the provisions of Chapter 75 of
4 the Acts of 2001 or any other general or special law or any rule or
5 regulation of the city of Medford to the contrary, the licensing
6 authority of the city of Medford may, subject to the approval of the
7 alcoholic beverages control commission issue from time to time to a
8 duly licensed owner of a restaurant, a license for the sale of wines
9 and malt beverages to be drunk on the premises. The number of
10 licenses issued shall not exceed 25. The local licensing authority
11 may issue special licenses for the sale of wines and malt beverages
12 pursuant to Section 14 of said Chapter 138. A license granted under
13 this section shall be exercised only in the dining room of the restau-
14 rant and in other public rooms or areas as certified by the licensing
15 authority and as the authority may deem reasonable and proper and
16 approved in writing. There shall be a minimum seating capacity of

17 19 seats in a restaurant in which malt beverages and wine are served
18 pursuant to a license granted under this section. The licensing
19 authority shall not require, as a condition to the issuing of a license
20 under this section, that parking be provided for the licensed estab-
21 lishment other than the parking that is required by applicable zoning
22 requirements. Licenses granted under this section shall be subject to
23 all of said Chapter 138 except said Sections 11 and 17. The licensing
24 authority shall not approve the transfer of the 25 licenses to any
25 other person, organization, corporation or location after the initial
26 issuance. The local licensing authority in the city of Medford shall
27 submit a written report to the chairpersons of the joint committee on
28 government regulations annually, by July 31, on the status, location
29 and use of the 25 liquor licenses.

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