HOUSE . . . . . No. 4648

By Mr. Donato of Medford, petition of Paul J. Donato and others (with the approval of the mayor and city council) for legislation to authorize the city of Medford 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
Patricia D. Jehlen
Sean Garballey
Carl M. Sciortino, Jr.

In the Year Two Thousand and Eight.

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:

SECTION 1. Notwithstanding Sections 11 and 17 of Chapter 138 of the General Laws, any vote cast in the city of Medford pursuant to Chapter 595 of the acts of 1977, the provisions of Chapter 75 of the Acts of 2001 or any other general or special law or any rule or regulation of the city of Medford to the contrary, the licensing authority of the city of Medford may, subject to the approval of the alcoholic beverages control commission issue from time to time to a duly licensed owner of a restaurant, a license for the sale of wines and malt beverages to be drunk on the premises.

The number of licenses granted issued shall not exceed twenty five (25) which shall include the fifteen (15) licenses which were authorized by Chapter 75 of the Acts of 2001 and an additional ten (10) licenses which may be granted in the following economic development areas, the boundaries are defined as follows in accordance with the 2000 U.S. census:—

West Medford Area: Census Tracts 3393 and 3392;

Medford Square Area: Census Tract 3391;
Hillside Area: Census Tracts 3394, 3395, 3399 and 3400;
South Medford Area: Census Tracts 3396 and 3397;
Wellington Area: Census Tract 3398.

The local licensing authority may issue special licenses for the sale of wines and malt beverages pursuant to Section 14 of said Chapter 138. A license granted under this section shall be exercised only in the dining room of the restaurant and in other public rooms or areas as certified by the licensing authority and as the authority may deem reasonable and proper and approved in writing. There shall be a minimum seating capacity of 19 seats in a restaurant in which malt beverages and wine are served pursuant to a license granted under this section. The licensing authority shall not require, as a condition to the issuing of a license under this section, that parking be provided for the licensed establishment other than the parking that is required by applicable zoning requirements. Licenses granted under this section shall be subject to all of said Chapter 138 except said Sections 11 and 17. The licensing authority shall not approve the transfer of the 25 licenses to any other person, organization, corporation or location after the initial issuance. The local licensing authority in the city of Medford shall submit a written report to the chairpersons of the joint committee on government regulations annually, by July 31, on the status, location and use of the 25 liquor licenses.

SECTION 2. The Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

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

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