

HOUSE No. 4831

By Mr. Linsky of Natick, petition of David Paul Linsky and others (by vote of the town) that the town of Natick be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises of such licensees. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

PETITION OF:

David Paul Linsky	Scott P. Brown
Alice Hanlon Peisch	Karen E. Spilka

In the Year Two Thousand and Eight.

AN ACT AUTHORIZING THE TOWN OF NATICK TO GRANT EIGHT 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 Sections 12 and 17 of Chapter
2 138 of the General Laws, or any other general or special law to the
3 contrary, the local licensing authority of the town of Natick may
4 grant eight (8) additional licenses for the sale of alcoholic beverages
5 to be drunk on the premises within a category of license that the
6 local licensing authority has independent authority to grant, subject
7 to the conditions set forth in this section.
- 8 (b) The local licensing authority shall restrict the issuance of
9 licenses pursuant to this act to the area within the Downtown Mixed
10 Use (DM) Use District or the Housing Overlay Option Plan – 1
11 (HOOP – 1) Use District in the town of Natick for the purpose of
12 downtown development and to promote economic vitality.
- 13 (c) Notwithstanding any general or special law or rule or regula-
14 tion to the contrary, the local licensing authority shall not approve
15 the transfer of a license issued pursuant to this act to any location
16 outside of the said Downtown Mixed Use (DM) Use District or the
17 said Housing Overlay Option Plan – 1 (HOOP – 1) Use District in

18 the town of Natick. Said license may be reissued by the local
19 licensing authority at the same location if the applicant files with the
20 local licensing authority a statement in writing from the Massachu-
21 setts Department of Revenue that the license is in good standing
22 with that Department and that all applicable taxes have been paid.

23 (d) Notwithstanding said Section 12 of Chapter 138 of the
24 General Laws, the additional licenses authorized in this act may be
25 subject to an original license fee of two thousand five hundred dol-
26 lars (\$2,500) in addition to the annual fee for existing all alcoholic
27 beverages licenses or wines and malt beverages licenses, as applic-
28 able, in the town of Natick. If the town imposes the aforementioned
29 fee, such fee shall be due and payable upon the original issuance of
30 the license and also upon the reissuance of the license pursuant to
31 this act, and the additional fee shall be deposited in an economic
32 development account of the town of Natick and expended by and
33 under the direction of the Natick Board of Selectmen, consistent
34 with the purpose of such account.

35 (e) If a license issued under this act is cancelled, revoked or no
36 longer in use, such license shall be returned physically, with all of
37 the legal rights, privileges and restrictions pertaining thereto, to the
38 local licensing authority. The local licensing authority may then
39 reissue that license to a new applicant who meets the criteria set
40 forth in this act and whose business is located within the area
41 described in subsection (b) above. Such reissuance may be subject to
42 the payment of a reissuance fee of two thousand five hundreds dol-
43 lars (\$2,500) under the same conditions as specified in this act and
44 shall be deposited in an economic development account of the town
45 of Natick and expended by and under the direction of the Natick
46 Board of Selectmen, consistent with the purpose of such account.

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