

12C Caterer Licenses & One Day Licenses

Alcoholic Beverages
Control Commission



§12C Caterer's License

- ➔ The Caterer's License is an on-premises, state issued alcoholic beverage license, which allows a caterer to sell alcoholic beverages at ***private*** events (never at the caterer's principal place of business) for no more than five hours in a city or town that permits on-premises licensees under M.G.L. c. 138, §12 (i.e. "wet" towns).
- ➔ In addition, the licensed caterer must: Purchase its inventory of alcoholic beverages from authorized sources.
- ➔ Maintain liquor liability insurance in a minimum amount of \$250,000.00/\$500,000.00.
- ➔ Only permit individuals who have been certified by a nationally recognized alcoholic beverages server training program to serve alcoholic beverages.
- ➔ At least 48 hours before any private event:
 - (a) notify the police chief and the local licensing authority that the licensed caterer will be serving alcoholic beverages in the city/town;
 - (b) provide a copy of the caterer's license to the police chief and the local licensing authority;
 - (c) provide proof of insurance to the police chief and the local licensing authority; and
 - (d) provide an emergency contact number for the license manager to the police chief and the local licensing authority.

12C Catering FAQ's

- A “private event that is not open to the public” for purposes of a caterer’s 12C license is a private event which:
 - a) has a host.
 - b) has restricted access to invited guests only.
 - c) was not publicly advertised, to include social media.

- The 12C caterer’s licenses do NOT affect the quota for licenses available under section 12 in any city/town. The 12C caterer’s license is issued without regard to the population-based quota for §12 licenses.
- To be eligible for a Caterer license in Massachusetts, the company must store alcohol in Massachusetts.
- Caterers can not deliver or sell alcoholic beverages at a location already licensed to serve alcohol.
- (<https://www.mass.gov/doc/caterer-faqs/download>) 10/23/2012 ABCC Advisory

One Day Special Permit MGL 138 Section 14

- The Local Licensing Authorities may issue special licenses for the sale of wines and/or malt beverages to any enterprise however, special licenses for the sale of all alcoholic beverages may be issued to non-profit organizations only. The license is to be utilized for a single day.
- The Local Licensing Authorities cannot grant special licenses to:
 - a. any person or entity for more than a total of 30 days per calendar year,
 - b. to any person that has an on-premises license application pending before it,
 - c. any premises that has an alcoholic beverages license.
- **Special licensees CANNOT purchase alcoholic beverages from a package store.**
- Here is a link to the statute,
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter138/Section14>
- Commission Regulation <https://www.mass.gov/doc/204-cmr-7-special-licenses/download>
- (<https://www.mass.gov/info-details/apply-for-a-special-license-or-permit-abcc>)

One Day FAQ's



A "Special License" to pour liquor at an indoor or outdoor activity or enterprise may be issued to the responsible manager of the indoor or outdoor activity or enterprise. Such a license is issued by the LLA in the city or town in which the activity or enterprise will be conducted. This type of license may be issued only to a natural person, although this natural person may be a person acting on behalf of a corporation, partnership, or other entity.

<https://www.mass.gov/info-details/apply-for-a-special-license-or-permit-abcc>.



A one-day special permit is required for any event in which alcohol will be sold, offered or consumed by the public. (Including Tastings at non-licensed premises)



An on-premises and off-premises licensee may do tastings on their premises and are not required to obtain one day special permit for a tasting per MGL 138 Section 12 and Section 15.



All product for a one-day special permit must be purchased from an authorized source, authorized sources are MA Wholesalers, MA Farmer Brewers, MA Farmer Distillers, MA Farmer Wineries, MA Manufacturers.

<https://www.mass.gov/media/1998476/download>

Local Board

- Local Boards have broad discretion on one day special permits and what conditions the board wishes to require. (Liquor Liability, Premise Description, Police Detail)
- Boards may establish policies and procedures around receiving and processing applications for one day special licenses.
- Work with your municipality's legal department on questions of For-Profit vs Non-Profit. (Weddings, Baptisms, Funeral Collations, are typically treated as Non-Profit)
- Please send the ABCC one Day approvals for our file. The ABCC does not act on these however we do receive inquiries. You can submit them in eLicensing System.

Other Section 14 References



Special licenses for the dispensing of wines and malt beverages in **dining halls maintained by incorporated educational institutions authorized to grant degrees** may be granted by the local licensing authorities in such a city or town to such institutions; provided, that such beverages shall be served only to persons over twenty-one years of age. The fees for licenses granted under this section shall be fixed from time to time by the local licensing authorities and need not be uniform.



A nonprofit charitable corporation organized pursuant to chapter 180 and registered with the division of public charities in the department of the attorney general and licensed pursuant to this section may accept free alcoholic beverages donated to the nonprofit charitable corporation by an individual, by a person licensed to manufacture alcoholic beverages or by a person licensed to sell alcoholic beverages at wholesale or retail pursuant to this chapter for the purpose of serving such donated alcoholic beverages at fundraising events for the benefit of the nonprofit charitable corporation.



Generally, the regulation at 204 C.M.R. 7.04 effective July 8, 2011, a Special License for a Municipal Golf Course may permit sales on an aggregate of not more than 245 days in any calendar year, in or from any **municipally owned building that is operated in conjunction with an 18-hole regulation golf course.**

