



Jean M. Lorizio, Esq.
Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
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NOTICE OF SUSPENSION

December 7, 2017

**PAGE-MOORE CAFÉ, INC. D/B/A BILLIARDS CAFÉ
39 MAIN STREET, SUITE 201
AYER, MA 01432
LICENSE#: 0060-00021
VIOLATION DATE: 8/10/2017
HEARD: 12/05/2017**

After a hearing on December 5, 2017, the Commission finds Page-Moore Café, Inc. d/b/a Billiards Café violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age.

The Commission suspends the license for three (3) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

By decision dated 3/4/2016, the Commission has previously ordered a three (3) day license suspension with one (1) day to be served, and two (2) days held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation found above, the Licensee violated the conditions of that two (2) day suspension being held in abeyance. The Commission hereby orders that suspension to be served. The Licensee will serve a total of two (2) days.

The suspension shall commence on Wednesday, January 24, 2018 and terminate on Thursday, January 25, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 24, 2018 at 9:00 A.M. It will be returned to the Licensee on January 26, 2018.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

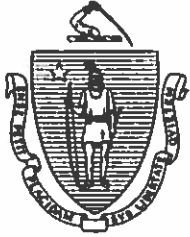
ALCOHOLIC BEVERAGES CONTROL COMMISSION



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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Rose Bailey, Investigator
Brad Doyle, Investigator
Administration, File



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DECISION

PAGE-MOORE CAFÉ, INC. D/B/A BILLIARDS CAFÉ
39 MAIN STREET, SUITE 201
AYER, MA 01432
LICENSE#: 0060-00021
VIOLATION DATE: 8/10/2017
HEARD: 12/05/2017

Page-Moore Café, Inc. d/b/a Billiards Café (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 5, 2017, regarding an alleged violation of violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Doyle's Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

The Commission took Administrative Notice of the Licensee's record.

FACTS

1. On Thursday, August 10, 2017, at approximately 6:44 p.m., Investigators Doyle and Bailey ("Investigators") investigated the business Page-Moore Café, Inc. d/b/a Billiards Café.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer, for three dollars and fifty cents (\$3.50). The underage operative was not asked for identification.

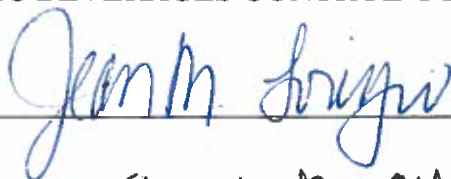
CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

By decision dated 3/4/2016, the Commission has previously ordered a three (3) day license suspension with one (1) day to be served, and two (2) days held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation found above, the Licensee violated the conditions of that two (2) day suspension being held in abeyance. The Commission hereby orders that suspension to be served. The Licensee will serve a total of two (2) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: December 7, 2017

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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