



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chair

DECISION

**KINGS BOWL OF SEAPORT LLC D/B/A KING'S
60 SEAPORT BLVD., SUITE 225
BOSTON, MA 02210
LICENSE#: 03702-RS-0116
VIOLATION DATE: 8/10/2019
HEARD: 11/26/2019**

Kings Bowl of Seaport LLC d/b/a King's (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, November 26, 2019, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: 527 CMR 1.05 § 20.1.5.6.4 (1) Failure to complete the Fire & Building Safety Checklist, as prescribed by the State Fire Marshal, on each day of operation prior to opening the facility to patrons. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
 2. Licensee Stipulation of Fact;
 3. Copy of License Transfer Approval, 10/27/2017.
-
- A. Statement of L. Fuentes, 11/25/2019;
 - B. Statement of G. Tatis-Zapata, 11/25/2019;
 - C. Fire Safety Checklist, September 2019 to date;
 - D. Fire Safety Checklist, July and August 2019.

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

FINDINGS OF FACT

1. On Saturday, August 10, 2019, at approximately 12:00 a.m., Investigators Quinn and Temple ("Investigators") along with Chief Investigator Mahony, conducted an investigation of the business operation of Kings Bowl of Seaport LLC d/b/a King's to determine the manner in which its business was being conducted.

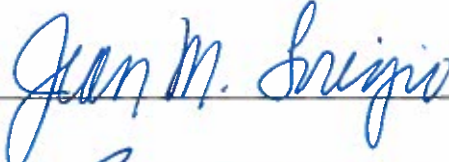
2. Investigators identified themselves to the bartender on duty and asked to speak to the manager. Michael Patjane identified himself as the assistant general manager. Investigators asked Patjane for the Fire and Building Safety Checklist.
3. Patjane provided Investigators with a clipboard which appeared to contain checklists from May to August.
4. Investigators observed that only one day in June had a completed checklist and there were no checklists for any days in July or August. The clipboard contained other internal forms which were not required by the Fire Marshall.
5. Patjane stated the missing documents may be in the office so Investigators followed him to the office. Patjane found the checklists for March and April but couldn't find the checklists for June, July and August. Patjane thought the checklists could possibly have been sent to the Licensee's corporate office.
6. Investigators returned to the podium where they found a binder with checklists from December 2018 and earlier.
7. Investigators spoke to Patjane, informed him of the violation and that a report would be filed with the Chief Investigator for review.
8. At the Commission hearing the Licensee submitted copies of the Fire and Building Safety Checklists for July and August of 2019 but did not produce any evidence of the Fire and Building Safety Checklist having been completed for dates of operation in June of 2019. (Exhibits C and D).
9. The Licensee has held a license under M.G.L. c. 138, § 12 since 2017 with no previous violations.

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: 527 CMR 1.05 § 20.1.5.6.4 (1) Failure to complete the Fire & Building Safety Checklist, as prescribed by the State Fire Marshal, on each day of operation prior to opening the facility to patrons. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: December 13, 2019

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.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Christopher Temple, Investigator
Katelyn Quinn, Investigator
Dennis A. Quilty, Esq.
Administration, File