



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

Jean M. Lorizio, Esq.
Chairman

**MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION**

**FRITZ RESTAURANT GROUP LLC D/B/A BRACK'S GRILLE & TAP
1280 BELMONT STREET, UNIT 5
BROCKTON, MA 02301
LICENSE#: 04739-RS-0144**

Fritz Restaurant Group LLC d/b/a Brack's Grille & Tap (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on Wednesday, September 30, 2020 regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05(2)- Permitting an illegality on the licensed premises, to wit: Massachusetts Executive COVID- 19 Order No. 53 (Nov. 2, 2020)- Failure to have patrons exit licensed premises before 10:00 PM.;
- 4) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Massachusetts Executive COVID-19 Order No. 54 (Nov. 2, 2020);
- 5) 204 CMR 2.05(2)- Permitting an illegality on the licensed premises, to wit: Massachusetts Executive COVID- 19 Order No. 55 (Nov. 2, 2020) – Patron or employee failing to wear a mask or cloth face covering over their mouth and nose when in a public location.

By decision dated January 19, 2021 the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

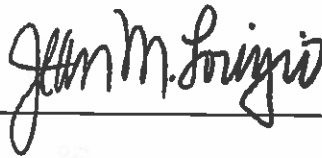
On January 20, 2021, the Licensee submitted a written request to reconsider the indefinite suspension. On January 22, 2021, the Commission received the notice of approval from Massachusetts Department of Labor Standards ("DLS").

CONCLUSION

Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Fritz Restaurant Group LLC d/b/a Brack's Grille & Tap effective forthwith.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: January 27, 2021

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Christopher Temple, Investigator
Nicole Smith, Investigator
Michael Flanagan, Dept. of Labor Standards
Matthew S. Porter, Esq.
Administration, File