



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Deborah B. Goldberg
Treasurer and Receiver General

NOTICE OF SUSPENSION

Kim S. Gainsboro, Esq.
Chairman

January 19, 2016

RUM RUNNERS INC. D/B/A RUMRUNNER'S BAR & GRILL
243 LOWER COUNTY RD.
DENNIS, MA 02639
LICENSE#: 027800017
VIOLATION DATE: 9/4/2015
HEARD: 12/8/2015

After a hearing on December 8, 2015, the Commission finds Rum Runners Inc. d/b/a Rumrunner's Bar & Grill violated M.G.L. c. 138, §69 Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 Count).

Therefore Commission **suspends the license for a period of twelve (12) days of which ten (10) days will be served, and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

The suspension shall commence on Wednesday, March 2, 2016 and terminate on Friday, March 11, 2016. The license will be delivered to the Local Licensing Board or its designee on Wednesday, March 2, 2016 at 9:00 A.M. It will be returned to the licensee on Saturday, March 12, 2016.

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

Kim S. Gainsboro
Chairman

1767 3985 1

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
Mark Kenny, Investigator
Administration
File



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Deborah B. Goldberg
Treasurer and Receiver General

DECISION

Kim J. Gainster, Esq.
Chairman

RUM RUNNERS INC. D/B/A RUMRUNNER'S BAR & GRILL
243 LOWER COUNTY RD.
DENNIS, MA 02639
LICENSE#: 027800017
VIOLATION DATE: 9/4/2015
HEARD: 12/8/2015

Rum Runners Inc. d/b/a Rumrunner's Bar & Grill (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 8, 2015, regarding an alleged violation of M.G.L. c. 138, §69 Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 Count) which occurred on December 8, 2015 according to Investigator Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Investigative Report dated December 8, 2015; and
2. Email dated September 5, 2015 to Chief Investigator Mahony.

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

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

FACTS

1. On Friday, September 4, 2015 at approximately 10:45 p.m., Investigator Kenny conducted an investigation of the business operation of Rum Runners Inc. d/b/a Rumrunner's Bar & Grill.
2. Investigator Kenny entered the licensed premises to make observations of how the business was being conducted.
3. Investigator Kenny's attention was drawn to a male individual who appeared to be intoxicated.
4. Investigator Kenny observed the male individual bump into several patrons as he staggered through the bar area and observed the male individual leaning against the bar with his head hanging down and eyes half closed.
5. Based on his training and experience, Investigator Kenny formulated the opinion that this male individual was intoxicated.

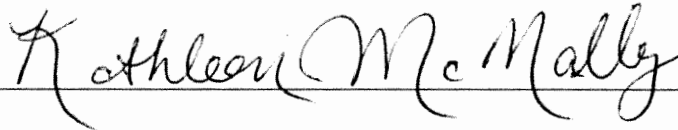
6. At approximately 11:30 p.m., Investigator Kenny observed the bartender on duty serve the male individual a Budweiser Light beer and a shot of whiskey.
7. Investigator Kenny observed the male individual fumble through his wallet trying to find money to pay.
8. Investigator Kenny observed the male individual proceed to the dance floor where he fell into the stage, knocking over band equipment.
9. At this time, employees from the establishment came and escorted the male individual outside.
10. Investigator Kenny identified himself to owner, Leslie Starace, and informed Mr. Starace of the violation and that a report would be filed with the Chief Investigator for further action.

CONCLUSION

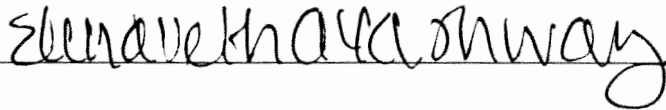
Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §69 Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 Count). Therefore the Commission **suspends the license for a period of twelve (12) days of which ten (10) days will be served, and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: January 19, 2016

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
Mark Kenny, Investigator
Administration, File