



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

Jean M. Lorizio, Esq.
Chair

DECISION

**DADDY'S VENTURES INC. D/B/A DADDY'S DRY DOCK
280 NANTASKET AVENUE
HULL, MA 02045
LICENSE#: 00022-RS-0554
VIOLATION DATE: 8/01/2019
HEARD: 11/26/2019**

Daddy's Ventures Inc. d/b/a Daddy's Dry Dock (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 M.G.L. Ch. 138 § 69 Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 count). 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, 1/13/2010.

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

FINDINGS OF FACT

1. On Thursday, August 1, 2019, at approximately 10:30 p.m., Investigators Velez and Temple ("Investigators") conducted an investigation of the business operation of Daddy's Ventures Inc. d/b/a Daddy's Dry Dock to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises where their attention was drawn to a male patron, Steve (last name unknown).
3. At approximately 10:37 p.m., Investigators observed Steve sitting on the left side of the bar. Investigators observed that Steve's eyes were glassy, and his face was red. Steve had very slow head movements. When standing next to Steve, Investigators heard that his speech was slurred as Steve spoke to an unidentified male seated next to him.

4. Investigators observed Steve leave the premises by the back door. They observed Steve take an awkward step when he appeared to lose his balance on the stairs.
5. Steve returned to the bar and stood behind his seat. Investigators observed Steve holding onto the back of his chair for support and swaying from side to side. It appeared that Steve had difficulty keeping his eyes open, and his eyes were half-shut.
6. At 10:40 p.m., Investigators observed the bartender on duty, Jen McCarthy, serve Steve a bottle of Bud Light beer. Investigators observed Steve take possession of the beer and consume it.
7. Investigators approached the bartender and identified themselves. Jen stated that she knew Steve, as he worked up the street. Jen also stated that she knew Steve had too much [to drink] and that "he usually drives so I made sure I told him that we were going to call him a cab earlier, we already had that conversation." Investigators informed Jen that you still cannot serve patrons who are visibly intoxicated.
8. Investigators then informed both bartenders on duty, Jen and Nancy, that they need to shut off patrons who are intoxicated.
9. Investigators informed the bartenders of the violation and that a report would be filed with the Chief Investigator for review. Nancy stated that she would assure that Steve had safe transport home.
10. At the Commission hearing, the manager testified that all staff were required to re-take the TIPS training.
11. The Licensee has held a license under M.G.L. c. 138, § 12 since 2010 with no previous violations.

CONCLUSION

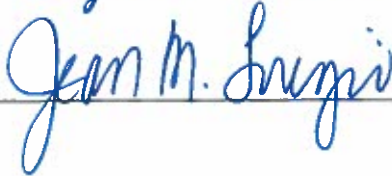
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 69 Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 count). Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner



Jean M. Lorizio, Chairman



Dated: December 9, 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.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Christopher Temple, Investigator
Nicholas Velez, Investigator
Administration, File