



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**W.L.S. RESTAURANT CONCEPTS, INC. D/B/A THE ARIZONA PIZZA CO.
395 PITTSFIELD ROAD
LENOX, MA 01240
LICENSE#: 00054-RS-06-2
VIOLATION DATE: 8/29/2019
HEARD: 2/04/2020**

W.L.S. Restaurant Concepts, Inc. d/b/a The Arizona Pizza Co. (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, February 4, 2020, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.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 facts alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Investigator Kujawski's Compliance Check Field Report;
 2. Licensee Stipulation of Fact;
 3. Copy of License Transfer Approval, 3/3/2001;
 4. ABCC Decision, 4/24/2008.
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- A. Licensee's Alcoholic Beverage Server Awareness Form;
 - B. Photograph of "We ID Clock" at the Licensed Premises;
 - C. Berkshire Mixology Certification, 12/7/2019;
 - D. Sign-In Message Reminder for Employees to Check Identifications.

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

FACTS

1. On Thursday, August 29, 2019, Investigators Gould and Kujawski ("Investigators") conducted an investigation of the business operation W.L.S. Restaurant Concepts, Inc. d/b/a The Arizona Pizza Co.

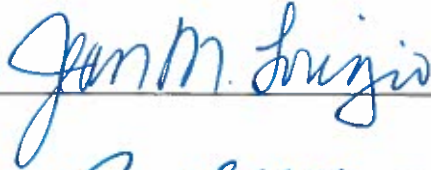
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer, for five dollars and thirty-four cents (\$5.34). The underage operative was not asked for identification.
3. William Stevens, the Licensee appeared at the Commission hearing. Mr. Stevens testified regarding the policy and procedure at the licensed premises and the steps taken to prevent future violations.
4. Mr. Stevens testified that all employees have been certified by Berkshire Mixology in Alcohol Seller Server Training. He has added a second "We ID clock" in the premises allowing employees to easily review dates of birth.
5. The Licensee has held a license under M.G.L. c. 138, § 12 since 2001 with one prior compliance check violation which occurred more than 10 years ago.

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. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: February 6, 2020

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
Jan Kujawski, Investigator
Brian Gould, Investigator
Administration, File