

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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

BOULEVARD CAFE CORP. DBA SAMMY'S PATIO
63 REVERE BEACH BOULEVARD
REVERE, MA 02151
LICENSE#: 102200005
VIOLATION DATE: 10/17/2014
HEARD: 01/20/2015

Boulevard Cafe Corp. dba Sammy's Patio (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, January 20, 2015, regarding an alleged violation of 204 CMR 2.05 (2) - Permitting an Illegality on the Licensed Premises, to wit: 527 CMR 10.13 (2) (e) - Failure to complete the Fire & Building Safety Checklist as prescribed by the Marshall, on each day of operation prior to opening the facility to patrons. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Teehan's Investigative Report dated October 17, 2014.

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

FACTS

1. On Friday, October 17, 2014, at approximately 10:45 p.m., Investigators Kenny and Teehan conducted an investigation of the business operation of Boulevard Cafe Corp. dba Sammy's Patio to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and identified themselves to the owner, Sammy.
3. Investigators asked Sammy what the capacity was for the establishment. Sammy stated that it was over 300 persons.
4. Investigators asked Sammy if he or his staff had completed the Fire and Building Safety Checklist.
5. Sammy stated that there were three designated crowd managers, including himself, on duty that night, and that none of them filled out a checklist.
6. Investigators informed Sammy of the violation and that a report would be filed with the Chief Investigator for further action.

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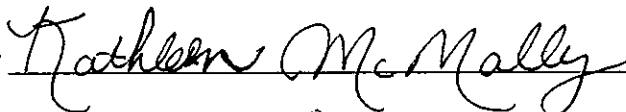
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CONCLUSION

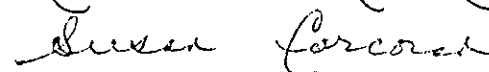
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) - Permitting an Illegality on the Licensed Premises, to wit: 527 CMR 10.13 (2) (c) - Failure to complete the Fire & Building Safety Checklist as prescribed by the Marshall, on each day of operation prior to opening the facility to patrons. As the licensee has been in business for more than thirty (30) years and has had no previous violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Susan Corcoran, Commissioner



Dated: January 20, 2015

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Mark Kenny, Investigator
James J. Cipoletta, Esq. via facsimile 781-289-9468
Administration
File