



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
April 29, 2015

DAVID LIGHTBODY DBA THE BOULEVARD BAR & GRILLE
320 REVERE BEACH BLVD
REVERE, MA 02151
LICENSE#: 102200109
VIOLATION DATE: 10/10/2014
HEARD: 04/28/2015

After a hearing on April 28, 2015, the Commission finds David Lightbody dba The Boulevard Bar & Grille violated 204 CMR 2.05 (2) - Permitting an Illegality on the Licensed Premises, To Wit: M.G.L. c. 148, §34A – Person Having Control of An Assembly House Permitting A “Dangerous Condition”, To Wit: Any Blocked or Impeded Egress.

The Commission **suspends the licensee’s license for a total of five (5) days to be served. The suspension shall commence on Wednesday, June 17, 2015, and terminate on Sunday, June 21, 2015.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, June 17, 2015 at 9:00 A.M. It will be returned to the licensee Monday, June 22, 2015.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by 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

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Caroline Guarino-Wilichoski, Investigator
Dennis Keefe, Investigator
Administration
File

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DECISION

DAVID LIGHTBODY DBA THE BOULEVARD BAR & GRILLE
320 REVERE BEACH BLVD
REVERE, MA 02151
LICENSE#: 102200109
VIOLATION DATE: 10/10/2014
HEARD: 04/28/2015

David Lightbody dba The Boulevard Bar & Grille (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, April 28, 2015, regarding an alleged violation of 204 CMR 2.05 (2) - Permitting an Illegality on the Licensed Premises, To Wit: M.G.L. c. 148, §34A – Person Having Control of An Assembly House Permitting A "Dangerous Condition", To Wit: Any Blocked or Impeded Egress. Prior to the commencement of the hearing, the Licensee stipulated to the violations alleged in Investigator Wilichoski's Report.

The following documents are in evidence:

1. Investigator Wilichoski's Investigative Report dated October 14, 2014;
2. Licensee's Stipulation of Facts; and
3. Three Photographs of Locked Screen Door.

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

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

FACTS

1. On Friday, October 10, 2014, at approximately 10:45 p.m., Investigators Keefe and Guarino-Wilichoski along with Chief Investigator Mahony (the "Investigators") investigated the business operation of David Lightbody dba The Boulevard Bar & Grille to determine the manner in which the business was being conducted.
2. Investigators entered the licensed premises and observed approximately 30 patrons inside.
3. Beneath an illuminated exit sign, Investigators observed a locked exit door. This exit door was a screen door which had a locking mechanism in the locked position. The screen door opened inwards.
4. Beyond the screen door, Investigators observed an outside door which had a panic bar.
5. Investigators informed the manager on duty, Rich Covino, of the violation and that a report would be submitted for review.
6. Investigators also informed the City of Revere Fire Inspector's Office of this issue.

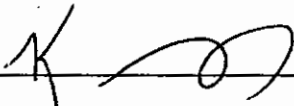
CONCLUSION

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. c. 148, §34A – Person Having Control of An Assembly House Permitting A “Dangerous Condition”, To Wit: Any Blocked or Impeded Egress. Therefore the Commission suspends the license for a period of seven (7) days with four (4) days to be served, and three (3) days to be held in abeyance for a period of two (2) years, provided no further violations of Chapter 138 or Commission Regulations occur.

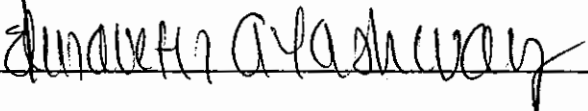
By decision dated January 23, 2014, the Commission had previously ordered a one (1) day license suspension to be held in abeyance for a period of one (1) year provided no further violations occurred. Based on the violation found above, the Licensee violated the conditions of that one (1) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the four (4) day suspension. The Licensee will serve a total five (5) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



Elizabeth A. Lashway, Commissioner



Dated: April 29, 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
Caroline Guarino-Wilichoski, Investigator
Dennis Keefe, Investigator
Administration
File