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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

DECISION

EDDIE MAC'S LOUNGE INC. DBA ATLANTIC LOUNGE
377 REVERE BEACH BLVD
REVERE, MA 02151
LICENSE#: 102200040
VIOLATION DATE: 10/10/2014
HEARD: 12/17/2014

Eddie Mac's Lounge Inc. dba Atlantic Lounge (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 Wednesday, December 17, 2014, regarding an alleged violation of:

1) 204 CMR 2.05 (2) - Permitting an Illegality on the Licensed Premises, to wit: 527 CMR 10.13 (2) (d) - Failure of the owner or operator of nightclub, dance hall, discotheque, or bar, with an occupant load of 100 persons or more shall designate one Crowd Manager for every 250 occupants, or portion thereof based upon the Certificate of Inspection under 780 CMR; and

2) 204 CMR 2.05 (2), 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 Velez's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Velez's Investigative Report dated October 10, 2014; and
3. Fire and Building Safety Checklist.

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

FACTS

1. On Friday, October 10, 2014, at approximately 10:40 p.m., Investigators Kujawski, Keefe and Velez conducted an investigation of the business operation of Eddie Mac's Lounge Inc. dba Atlantic Lounge to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and identified themselves to the manager on duty, Juan Vera.
3. Investigators asked Mr. Vera what the capacity was for the establishment. Mr. Vera stated that it was 160 persons.

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4. Investigators asked Mr. Vera if he or his staff had completed the Fire and Building Safety Checklist. Mr. Vera provided investigators with a checklist dated July 11, 2014.
5. Investigators then asked Mr. Vera for the Crowd Manager certificate for the designated crowd manager.
6. Mr. Vera stated that there was only one designated crowd manager, and that he was not currently working tonight.
7. Investigators informed Mr. Vera of the violation and that a report would be filed with the Chief Investigator for further action.
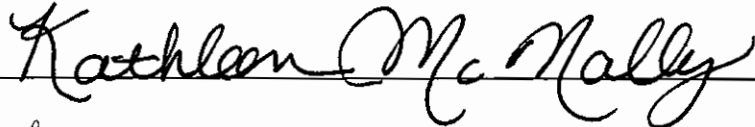
CONCLUSION

Based on the evidence, the Commission finds the licensee violated:
1) 204 CMR 2.05 (2) - Permitting an Illegality on the Licensed Premises, to wit: 527 CMR 10.13 (2) (d) - Failure of the owner or operator of nightclub, dance hall, discotheque, or bar, with an occupant load of 100 persons or more shall designate one Crowd Manager for every 250 occupants, or portion thereof based upon the Certificate of Inspection under 780 CMR; and
2) 204 CMR 2.05 (2), 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.
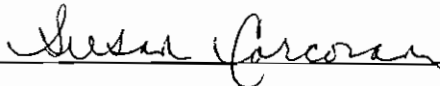
Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner _____

Susan Corcoran, Commissioner _____

Dated: December 18, 2014

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
        Nicholas Velez, Investigator
        Dennis Keefe, Investigator
        Administration
        File