

HOUSE No. 03459

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch and

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the granting of club and special licenses for the sale of alcoholic beverages in the town of Weston.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Alice Hanlon Peisch

14th Norfolk

Susan C. Fargo

Third Middlesex

HOUSE No. 03459

By Representative Peisch of Wellesley and Senator Fargo, a joint petition (accompanied by bill, House, No. 3459) of Alice Hanlon Peisch and Susan C. Fargo (by vote of the town) that the town of Weston be authorized to grant three additional licenses for the sale of all alcoholic beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the granting of club and special licenses for the sale of alcoholic beverages in the town of Weston.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding the provisions of section 17 of said chapter 138 of the general
2 laws, or of any other general or special law to the contrary, the board of selectmen of the town of
3 Weston may grant to the Weston Golf Club a club license to sell all alcoholic beverages to be
4 drunk on the premises at 275 Meadowbrook Road in said town under section 12 of said chapter
5 138. The license shall be subject to all of said chapter 138 except for said section 17, and to any
6 regulations and guidelines adopted by the Massachusetts Alcoholic Beverages Control
7 Commission relative to the service of alcoholic beverages.

8 The board of selectmen shall not approve the transfer of the license to any other location but the
9 license may be granted by the board of selectmen at the same location if an applicant for the
10 license files with the board of selectmen a letter in writing from the department of revenue

11 indicating that the license is in good standing with the department and that all applicable taxes
12 have been paid. If the license granted under this section is cancelled, revoked or no longer in use,
13 such license shall be returned physically, with all of the legal rights, privileges and restrictions
14 pertaining thereto, to the board of selectmen and the board of selectmen may then grant the
15 license to a new applicant at the same location and under the same conditions as specified in this
16 section.

17 SECTION 2. Notwithstanding the provisions of section 17 of said chapter 138 of the general
18 laws, or of any other general or special law to the contrary, the board of selectmen of the town of
19 Weston may grant to the Pine Brook Country Club a club license to sell all alcoholic beverages
20 to be drunk on the premises at 42 Newton Street in said town under section 12 of said chapter
21 138. The license shall be subject to all of said chapter 138 except for said section 17, and to any
22 regulations and guidelines adopted by the Massachusetts Alcoholic Beverages Control
23 Commission relative to the service of alcoholic beverages.

24 The board of selectmen shall not approve the transfer of the license to any other location but the
25 license may be granted by the board of selectmen at the same location if an applicant for the
26 license files with the board of selectmen a letter in writing from the department of revenue
27 indicating that the license is in good standing with the department and that all applicable taxes
28 have been paid. If the license granted under this section is cancelled, revoked or no longer in use,
29 such license shall be returned physically, with all of the legal rights, privileges and restrictions
30 pertaining thereto, to the board of selectmen and the board of selectmen may then grant the
31 license to a new applicant at the same location and under the same conditions as specified in this
32 section.

33 SECTION 3. Notwithstanding the provisions of section 17 of said chapter 138 of the general
34 laws, or of any other general or special law to the contrary, the board of selectmen of the town of
35 Weston may grant to the Hazel Hotchkiss Wightman Tennis Center a club license to sell all
36 alcoholic beverages to be drunk on the premises at 100 Brown Street in said town under section
37 12 of said chapter 138. The license shall be subject to all of said chapter 138 except for said
38 section 17, and to any regulations and guidelines adopted by the Massachusetts Alcoholic
39 Beverages Control Commission relative to the service of alcoholic beverages.

40 The board of selectmen shall not approve the transfer of the license to any other location but the
41 license may be granted by the board of selectmen at the same location if an applicant for the
42 license files with the board of selectmen a letter in writing from the department of revenue
43 indicating that the license is in good standing with the department and that all applicable taxes
44 have been paid. If the license granted under this section is cancelled, revoked or no longer in use,
45 such license shall be returned physically, with all of the legal rights, privileges and restrictions
46 pertaining thereto, to the board of selectmen and the board of selectmen may then grant the
47 license to a new applicant at the same location and under the same conditions as specified in this
48 section.

49 SECTION 4. Notwithstanding the provisions of any general or special law to the contrary, the
50 board of selectmen of the town of Weston may grant special licenses for the sale of alcoholic
51 beverages pursuant to section 14 of said chapter 138. Licenses granted under this act shall be
52 subject to all of said chapter 138, except said sections 11 and 11A. Once any such license is
53 issued by the board of selectmen, said board of selectmen shall not approve the transfer of the
54 license to any other person, organization, corporation, or location.

55 SECTION 5. Notwithstanding the provisions of sections 11 and 11A of chapter 138 of the
56 General Laws as to the time and manner of voting on the question of issuing the licenses set forth
57 set forth above, this act shall be submitted for its acceptance to the qualified voters of the town of
58 Weston at an annual or special town election following the effective date of this act in the form
59 of the following question:

60 “Shall an act passed by the General Court in the year 2011, entitled ‘An Act Relative to the
61 Granting of Club and Special Licenses for the Sale of Alcoholic Beverages in the Town of
62 Weston’ be accepted?”

63 Below the ballot question shall appear a fair and concise summary of the ballot question
64 prepared by town counsel and approved by the board of selectmen.

65 If a majority of the votes cast in answer to the question is in the affirmative, this act shall
66 immediately take effect in the town of Weston, but not otherwise.

67 SECTION 6. This act shall take effect upon passage.