

HOUSE No. 4338

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 30, 2020.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petition (accompanied by bill, House, No. 4220) of Richard M. Haggerty, Michelle L. Ciccolo and Cindy F. Friedman (with the approval of the mayor and city council) that the city of Woburn be authorized to grant seven additional licenses for the sale of all alcoholic beverages to be drunk on the premises and four additional licenses for the sale of wines and malt beverages to be drunk on the premises in said city, reports recommending the accompanying order (House, No. 4338) ought to be adopted [Local Approval Received].

For the committee,

TACKEY CHAN.

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the licensing authority of the city of Woburn to grant additional alcoholic beverage licenses.

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. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the city of Woburn may grant up to 7 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises, and up to 4 additional licenses for the sale of
4 wine and malt beverages to be drunk on the premises under section 12 of said chapter 138 to
5 establishments located within the Woburn mall smart growth overlay district of section 30.2.1 of
6 the Woburn zoning ordinance, as amended, as it existed as of September, 2019. A license
7 granted under this subsection (a) shall be clearly marked on its face “Smart Growth Overlay
8 District – Woburn Mall” and located at 300 Mishawum Road in the city of Woburn. The
9 licenses shall be subject to all of said chapter 138 except said section 17.

10 (b) Notwithstanding said section 17 of said chapter 138, the licensing authority of the city
11 of Woburn may grant an additional license for the sale of all alcoholic beverages to be drunk on
12 the premises under said section 12 of said chapter 138 to Conte-Servino LLC d/b/a Fortuanto’s

13 Restaurant located at 428 Main Street in the city of Woburn. The license shall be subject to all
14 of said chapter 138 except said section 17.

15 (c) A license granted under this act shall only be exercised in the dining room of a
16 Common Victualler and in such other public rooms or areas as may be deemed reasonable and
17 appropriate by the licensing authority as certified in writing.

18 (d) The licensing authority shall not approve the transfer of a license granted under this
19 act to any other location outside of the Smart Growth Overlay District – Woburn Mall or 428
20 Main Street, as applicable, but it may grant the license to a new applicant at the same initial
21 location if the applicant files with the licensing authority a letter from the department of revenue
22 and a letter from the department of unemployment assistance indicating that the licensee is in
23 good standing with those departments and that all applicable taxes, fees and contributions have
24 been paid.

25 (e) If a licensee terminates or fails to renew a license granted under this section or any
26 such license granted under this section is cancelled, revoked or no longer in use, the license shall
27 be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto,
28 to the licensing authority, and the licensing authority may then grant the license to a new
29 applicant to be used at an establishment located within the Smart Growth Overlay District –
30 Woburn Mall or at 428 Main street, as applicable, under the same conditions as specified in this
31 section.

32 (f) All licenses granted under this act shall be issued within 3 years after the effective
33 date of this act; provided, however, that a license originally granted within that time period
34 maybe granted to a new applicant under subsections (d) or (e) thereafter.

SECTION 2. This act shall take effect upon its passage.