

SENATE No. 02031

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven.

AN ACT AUTHORIZING THE CITY OF SALEM TO ISSUE ADDITIONAL
LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES

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

SECTION 1. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of all alcoholic beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to DineMed Restaurant Group, Inc., located at 62 Wharf street, to an annual license for the sale of all alcoholic beverages to be drunk on the premises under said section 12 of said chapter 138 to DineMed Restaurant Group, Inc., located at 62 Wharf street. A license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of the license converted under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant for the license files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If a license converted or granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of all alcoholic beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to Thai Hut Inc., located at 2 East India square, to an annual license for the sale of all alcoholic beverages to be drunk on the premises under said section 12 of said chapter 138 to Thai Hut Inc., located at 2 East India square. A license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of the license converted under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant for the license files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If a license converted or granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 3. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of all alcoholic beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to Wicked Howl Enterprises, Inc., located at 25 Front street, to an annual license for the sale of all alcoholic beverages to be drunk on the premises under said section 12 of said chapter 138 to Wicked Howl Enterprises, Inc., located at 25 Front street. A license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of the license converted under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant for the license files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license converted or granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 4. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to Coven, LLC, located at 281 Essex street, to an annual license for the sale of wines and malt beverages to be drunk on the premises under said section 12 of said chapter 138 to Coven LLC, located at 281 Essex street. An annual license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of the license converted under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant for the license files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license converted or granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 5. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to Derby Partners, LLC, located at 215 Derby street, to an annual license for the sale of wines and malt beverages to be drunk on the premises under said section 12 of said chapter 138 to Derby Partners, LLC, located at 215 Derby street. An annual license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of the license converted under this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license converted or granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 6. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to Howling Wolf Taqueria, LLC, located at 76 Lafayette street, No. 102, to an annual license for the sale of wines and malt beverages to be drunk on the premises under said section 12 of said chapter 138 to Howling Wolf Taqueria LLC, located at 76 Lafayette street. An annual license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of said license to any other location. Said license may be granted by the local alcohol licensing authority at the same location if an applicant for said license files with said authority a letter from the department of revenue indicating that said license is in good standing with said department and that any and all applicable taxes have been paid.

If the license converted or granted under this section is cancelled, revoked or no longer in use, such license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority which may then grant the license to a new applicant at the same location and under the same conditions as specified in this section.

SECTION 7. Notwithstanding sections 17 and 17A of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert 1 seasonal license for the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter 138, currently issued to Polonia Restaurant Group, Inc., located at 118 Washington street, Unit C, to an annual license for the sale of wines and malt beverages to be drunk on the premises under said section 12 of said chapter 138 to Polonia Restaurant Group, Inc., located at 118 Washington street. An annual license converted under this section shall be subject to all of said chapter 138, except said sections 17 and 17A.

The licensing authority shall not approve the transfer of the license converted under this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license converted or granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 8. (a) The city of Salem shall charge a fee for the conversion to an annual license for the sale of all alcoholic beverages or wines and malt beverages pursuant to this act which shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from a licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

(b) Any fees collected by the city of Salem for a license converted or granted under this act which is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city, shall be deposited into an economic development account which shall be established by the city to be expended by the city in a manner consistent with the purposes of the account.

SECTION 9. This act shall take effect upon its passage.