

Town of Chelmsford

Special and One Day Liquor License Regulations



Chelmsford Board of Selectmen Licensing Authority

**SPECIAL & ONE DAY LIQUOR LICENSE REGULATIONS
CHELMSFORD BOARD OF SELECTMEN**

INTRODUCTION

In issuing regulations, the Board of Selectmen, as the liquor Licensing Authority of the Town of Chelmsford, is setting forth the expectations of the citizens of Chelmsford as to the conduct of the Town's special and one day liquor license holders. MGL c.138, §14 grants the Licensing Authority the authority to issue or refuse special liquor licenses for the sale of beer and/or wine to managers of events; the statute also grants the Licensing Authority the authority to issue or refuse special liquor licenses for the sale of beer and/or wine or all alcoholic beverages to managers of nonprofit organizations who conduct events. Applicant should also refer to the Alcoholic Beverage Control Commission Regulations – Special License § 1.1

SECTION 1: GENERAL

- 1.01. A special or one day license for the sale of alcoholic beverages or beer and wine may be granted by the Licensing Authority to “the responsible manager of any organization, conducting any indoor or outdoor activity or entertainment.”
- 1.02. Applicants for special or one day licenses must first make arrangements for permission to use proposed license location, prior to the completion of the license application at the office of the Licensing Authority.
- 1.03. The applicant must pay the appropriate fee as currently approved by the Licensing Authority at the time of filing the application and must be present at the Selectmen's meeting to respond to any questions.

SECTION 2: REQUIREMENTS

- 2.01. Prior to the submission of the license application to the Licensing Authority, the licensee shall contact the Chelmsford Police Department in writing to determine the requirements for police coverage.
- 2.02. A police officer or officers shall be hired by the licensee if in the opinion of the Board of Selectmen or the Chief of Police such officer is necessary to maintain order within, and to direct or control vehicular and foot traffic in the areas of the activity or entertainment and to enforce all applicable statutes, local by-laws and regulations.
- 2.03. Objectionable noise from amplifying systems of any kind and/or disorderly conduct is not permitted. Lack of cooperation will be grounds for Police Department termination of activities at any time and will have a bearing on any future permits.

- 2.04. The Police Department, Licensing Authority or its agents shall have the right to check the license at every one day function in order to make certain that its provisions are being adequately enforced.
- 2.05. A copy of the license shall be prominently posted and available for inspection during the hours and at the location for which it is issued. All licensees shall cooperate fully with the Licensing Authority and their agents when they are on the premises investigating complaints or making routine inspections.
- 2.06. The last drink must be served before the closing hour as stated on the approved license. All glasses and bottles must be cleared from the licensed area by fifteen (15) minutes after the closing hour. All patrons must have left the premises by thirty (30) minutes after the closing hour. Any licensee and his/her employees and/or volunteers may NOT drink after the closing hour.
- 2.07. The licensee shall have successfully completed an alcoholic beverage server training program such as Training for Intervention Procedures by Servers (TIPS) for restaurants and lounges. Licensee must become re-certified every three years and provide the Town with an updated certificate. All other persons or employees of the licensed establishment who sell or serve alcoholic beverages shall receive, at minimum, in-house training similar to that received under TIPS prior to selling or serving alcoholic beverages. The training program shall include proper procedures for verifying that patrons are at least 21 years of age and not intoxicated.
- 2.08. No licensee or person responsible for selling or serving alcoholic beverages at an event shall consume any alcoholic beverages on the day(s) for which a one day liquor license is granted.
- 2.09. No alcoholic beverages shall be sold or given to anyone under twenty-one (21) years of age, under the influence of drugs or to an intoxicated person.
- 2.10. Failure to comply with any of the above regulations may result in termination of license privileges and will have a bearing on future one day liquor license applications.

204 CMR: ALCOHOLIC BEVERAGES CONTROL COMMISSION

204 CMR 7.00: SPECIAL LICENSES

Section

7.01: Notice by Local Authority

7.02: Licensee

7.03: Hours of Sale

7.04: Duration

7.05 : Authorized Suppliers

7.06 : Local Supervision

7.07 : Commission Supervision

7.08 : Severability

7.01 : Notice by Local Authority

Not more than ten days after approving a license pursuant to the provisions of M.G.L. c .138, § 14 (Special License), the local licensing authority shall notify the Commission of such approval in writing. Such notice shall include the name of the city or town, the name and address of the licensee, date of the local authority's approval, the date or dates for which the license is effective, the hours during which sales are authorized, a description of the licensed premises, whether the license is for all alcoholic beverages, wines and malt beverages only, or either of them, whether the licensed activity or enterprise is for profit or nonprofit, whether the license is for a dining hall maintained by an incorporated educational institution authorized to grant degrees, and any restrictions attached to the license by the local authority. The Commission may require use of a form approved by the Commission for this purpose.

7.02 : Licensee

A special license, other than a special license for a dining hall maintained by an incorporated educational institution authorized to grant degrees, may be issued only to a natural person, although the licensee may be a responsible manager acting on behalf of a corporation, partnership, or other entity.

7.03 : Hours of Sale

The hours during which sales of alcoholic beverages may be made by a special licensee shall be fixed by the local authorities, but no special licensee may sell or deliver any alcoholic beverage between the hours of 2:00 A.M. and 8:00 A.M.

7.04 : Duration

No special license, other than a special license for a dining hall maintained by an incorporated educational institution authorized to grant degrees, shall permit sales on more than 30 days, nor may any person be granted special licenses permitting sales on an aggregate of more than 30 days in any calendar year, except as authorized by 204 CMR 7.04. A special license may permit sales on an aggregate of more than 30 days, but not more than 245 days, in any calendar year in or from any municipally owned building that is operated in conjunction with an 18-hole regulation golf course.

7.05 : Authorized Suppliers

No special licensee may sell any alcoholic beverage other than those purchased from a licensee under M.G.L. c. 138, §§ 18, 19, 19B, or 19C or from a holder of a special permit to sell issued under M.G.L. c. 138, § 22A.

204 CMR: ALCOHOLIC BEVERAGES CONTROL COMMISSION

7.06 : Local Supervision

Whenever, in the opinion of the local licensing authorities, any applicant for a special license fails to establish to their satisfaction his compliance with the requirements of M.G.L. c. 138, duly promulgated state or local regulations, or any reasonable requirements which the local authorities may from time to time make with respect to such licenses or to the conduct of business by such licensees, said authorities may refuse to issue or reissue to any such applicant such license. Whenever in their opinion any special license holder fails to maintain compliance with the requirements of M.G.L. c. 138, regulations, and requirements, they may, after hearing or opportunity therefor, modify, suspend, cancel or revoke such license. The licensing authorities shall mail a notice of such action to the applicant or licensee, stating the reasons such action and shall at the same time mail a copy of such notice to the Commission.

7.07 : Commission Supervision

The Commission may investigate the granting of any special license and the conduct of the business being done thereunder, and shall, after hearing, modify, suspend, or revoke or cancel such license if, in its opinion, circumstances warrant.

7.08 : Severability

The provisions of 204 CMR 7.00 are severable, and if any provision or the application thereof is held by a court of competent jurisdiction to be invalid, such invalidity shall not affect any other provision of 204 CMR 7.00.

REGULATORY AUTHORITY

204 CMR 7.00: M.G.L. c. 138, § 24; c. 30A, §§ 2 and 3.

TOWN OF CHELMSFORD
Special and One Day License – Application Form

(M.G.L. Ch. 138 § 14)

ABCC Regulations: Special License § 1.1

Please check one:

_____ Application by a manager for one day special license for the sale of **BEER & WINE** to be drunk on the premises. (for profit or non-profit)

_____ Application by the manager of an organization for one day special license for the sale of **ALL ALCOHOLIC BEVERAGES** to be drunk on the premises. (**nonprofit organizations only**) **Please attach appropriate documentation pertaining to nonprofit status.**

DATE OF EVENT BEING APPLIED FOR: _____

1. Full name, address and phone number(s) of the organization making this application.

2. Full name, address and phone number(s) of manager who shall be responsible for the license:

3. Is the applicant requesting the license TIPS Certified? If Yes, please attach appropriate documentation.
YES _____ NO _____

4. Nature of Event _____ Number of Attendees _____

5. Location where event shall be held: _____

6. Has the approval of the property owner been obtained? YES _____ NO _____

7. Time of event: FROM _____ o'clock AM/PM TO _____ o'clock _____ AM/PM

8. Exact times of the license: (*alcohol on premises*) FROM _____ o'clock AM/PM TO _____ o'clock _____ AM/PM

9. Has the applicant been issued similar licenses in Chelmsford in the past 12 calendar months?

YES _____ NO _____ If so, when? _____

10. Does the applicant have an application for license to sell alcoholic beverages pending before the licensing authority of the Town of Chelmsford? YES _____ NO _____

11. **Please attach a floor plan showing the layout of the room for your event as it pertains to seating.**

The applicant hereby states that the applicant has received a copy of the Licensing Authority's regulations pertaining to Special and One Day Liquor Licenses and is aware of and shall comply with all applicable statutes, by-laws and regulations.

_____ Authorized Representative and Title

_____ Date