HOUSE . . . . . No. 4468

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act further regulating the sale of alcoholic beverages in the city of Somerville..

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. Chapter 258 of the acts of 1980, as most recently amended by chapter 449 of the acts of 2008, is hereby further amended by striking out the text in its entirety and and inserting in place thereof the following text: -

Section 1. The licensing commission of the city of Somerville may grant licenses for the sale of all alcoholic beverages and licenses for the sale of wines and malt beverages authorized to be granted under section 12 of chapter 138 of the General Laws, and such licenses shall be calculated pursuant to section 17 of said chapter 138. Said commission may grant not more than 20 licenses for the sale of all alcoholic beverages not to be drunk on the premises as provided in section 15 of said chapter 138. The number of licenses for the sale of wines and malt beverages under said section 15 shall not exceed 9. The transfer of existing licenses or the transfer of stock in a corporation which holds a license shall be subject to a public hearing and notice of such hearing shall be advertised as provided in said chapter 138 and held at an appropriate time to afford interested citizens an opportunity to be present.

(a) No other license granted pursuant to this act shall be sold or transferred by the licensee. If any such licensee terminates or fails to renew its license, the license shall revert to the licensing commission which may then reissue it according to the regulations of the licensing commission; provided further, that any restrictions on the transferability of licenses pursuant to this section shall only apply to licenses granted on or after the enactment of Chapter 449 of the Acts of 2008.

Section 2. Notwithstanding said section 17 of said chapter 138 of the General Laws, the licensing commission of the city of Somerville may grant not more than 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises or for the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter 138, within the area commonly referred to as the Assembly Square district, bounded by the Mystic River, the

25 Fellsway/Route 28, Interstate 93, and the city of Somerville – city of Boston boundary line. Said
26 licenses shall be subject to all of said chapter 138, except said section 17. The licenses assigned
27 to the Assembly Square district shall not be sold or transferred by the licensee. If a licensee
28 terminates or fails to renew its license, the license shall revert to the licensing commission of the
29 city of Somerville, and shall be returned physically, with all of the legal rights, privileges and
30 restrictions pertaining thereto, and may only be granted to a new, qualified applicant doing
31 business within the Assembly Square district; provided, however, that such new applicant files
32 with the commission a letter from the department of revenue indicating that the license is in good
33 standing with the department and that all applicable taxes have been paid.

34 The administrative fee charged by the city of Somerville for such licenses shall be the
35 same amount as the administrative fee charged by the city for existing licenses granted for the
36 respective category for such licenses. The licenses granted under this section shall be subject to
37 all applicable ordinances of the city.

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