SENATE . . . . . No. 2273

[Pin Slip]

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to the sale of alcoholic beverages in the town of Wenham.

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 381 of the acts of 2006 is hereby amended by striking out section 1, as amended by section 1 of chapter 365 of the acts of 2010, and inserting in place thereof the following 2 sections:-

Section 1. Notwithstanding sections 15 and 17 of chapter 138 of the General Laws, the licensing authority of the town of Wenham may grant 1 license for the sale at retail of wines and malt beverages not to be drunk on the premises under section 15 of said chapter 138. The retail premises on which the beverages are to be sold shall not exceed 200 square feet. The license shall be subject to said chapter 138.

Section 1A. Notwithstanding section 17 of chapter 138 of the General Laws relative to the number of licenses that may be granted in the town of Wenham, the licensing authority of the town of Wenham may grant 1 license for the sale of all alcoholic beverages to be drunk on the premises under section 12 of said chapter 138 to John Keohane d/b/a Wenham Tea House

13 located at 4 Monument street in said town; provided, however, that the restaurant shall have a
14 seating capacity of less than 100 seats; and provided further, that: (i) the sale and consumption of
15 alcoholic beverages shall be incidental to the serving of meals; (ii) the restaurant shall not
16 contain a lounge or bar; and (iii) the licensee shall comply with such other requirements and
17 conditions as the licensing authority shall deem appropriate. The license shall be subject to all of
18 said chapter 138, except said section 17 relative to the number of licenses that may be granted.
19 The license shall be nontransferable to any other location but it may be reissued to a new
20 applicant at the same location if the applicant files with the licensing authority a letter from the
21 department of revenue indicating that the license is in good standing with the department and
22 that all applicable taxes have been paid. The license shall be subject to all other provisions of
23 said chapter 138.

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

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