

## **Policy 2.2, Policy on Issuing One-Day Liquor Licenses**

[HISTORY: Adopted 11/07/2011]

**I.** **Authority:** *M.G.L. c. 138, §14* authorizes local licensing authorities to issue special licenses for the sale of wines and/or malt beverages to a responsible manager of any indoor or outdoor activity or enterprise (for profit or non-profit). Special licenses for the sale of all alcoholic beverages may be issued to non-profit organizations only. No person may be granted special licenses for more than a total of 30 days per calendar year and no special license will be granted to any person while his application for an annual license under Section 12 is pending before the licensing authorities. A one-day license must be obtained if alcohol is being served in ANY public Town owned building whether it is being sold or given away.

No more than one license can be issued for premises at one time. Therefore, a Section 14 special license cannot be issued for use in licensed premises. Regulations for Section 14 are found in 204 CMR 7.00.

Persons holding a special license must purchase alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer brewery or special permit holder. A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. You may obtain a copy of this list from the Selectmen's office.

**II.** **Purpose:** It is the goal of the Board of Selectmen, as the liquor licensing authority for the Town of Littleton, to provide for a reasonable opportunity for individuals and managers of corporations to obtain a One-Day Liquor License for the sale of alcoholic beverages, and to regulate the use of such licenses to ensure they are used responsibly and do not detract from the quality of life in neighborhoods or in the Town as a whole. The policies, rules and regulations contained herein have been promulgated to achieve the above stated goals and objectives.

**III.** **General Rules and Regulations:** Subject to further limitations fixed, modified, or amended by the Board of Selectmen acting as the duly constituted licensing Board of the Town of Littleton with respect to alcohol beverage licenses, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverage Control Commission, the following rules and regulations will be in full force and effect for One-Day Liquor Licenses:

A. Any One-Day Liquor License issued by the Littleton Board of Selectmen under the above authority shall be processed in accord with the procedures and shall be subject to the rules and regulations for such licenses listed herein. The Board of Selectmen may adopt further rules and regulations and all such changes shall apply to existing license holders from the date of the

adoption. The Board of Selectmen may attach such additional conditions and restrictions to each such license as it deems to be in the public interest.

**B.** Property occupied by the licensee, whether owned or leased by the licensee, shall conform to all Town bylaws and codes. No licensee shall discriminate in the service of alcoholic beverages on the basis of race, color, creed, place of national origin, or sex.

**C.** The Board of Selectmen is authorized to issue a One-Day Liquor License to an organization for the purpose of serving only on the day of an event. The License will be issued at least one week prior to the event to allow the applicant to obtain their liquor at an authorized wholesale vendor. No organization may be granted a special license for more than a total of 10 days per calendar year. No more than one license can be issued for a premises at one time.

**D.** The licensee is subject to the requirement that all alcohol sales are subject to compliance with Littleton Board of Selectmen Policy 2.1 "Policy on Server Training Requirements for Liquor License Holders."

**IV. Filing of an Application:** Applications must be filled out completely and filed 30 days prior to event in order for an application to be considered by the Board of Selectmen at a Selectmen's Meeting. Applicant must attend the meeting in order for the Board of Selectmen to consider the application. Failure by the applicant to attend the meeting may result in the application being denied. An application shall be considered "complete" and therefore accepted by the Town when it has been filed in accord with these procedural instructions and all forms required have been fully completed and executed under such conditions and rules as determined by the Board of Selectmen. The application filing fee must be paid at the time that the application is filed. An application form is attached at the end of this Policy.

**V. Fees**

**A.** \$50.00 for a One-Day Liquor License (wine and beer only).

(Checks are payable to the Town of Littleton.)

**B.** \$50.00 for a One-Day Liquor License.

(Checks are payable to the Town of Littleton.)

**VI. Duration of License:** Liquor Licenses once issued are valid only on the dates and timeframe indicated.

**VII. Hours:** The hours during which alcoholic beverages may be served under a One-Day Liquor License shall be from 11:00 A.M. to 11:00 P.M. Monday through Saturday and from 12:00 noon to 11:00 P.M. on Sundays, Christmas Day (or the day following when Christmas Day is on a Sunday), or Memorial Day. No One-Day Liquor License shall be issued for more than five (5) hours per each day issued.

All beverage/glasses/bottles or other containers must be removed from tables and service bar area one-half hour after closing time or 11:00 P.M., whichever first occurs. Patrons must be off premises one-half hour after closing time. Licensed operators and employees must be off premises one hour after closing.

**VIII. Insurance:** All One-Day licensees shall be required to provide to the Town a Certificate of Liability Insurance of insurance providing coverage for fire, premises liability, and liquor liability with reasonable limits of coverage, except that liquor liability shall have minimum coverage of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, whereas the policy shall carry an endorsement that the Town of Littleton shall be notified by the insurer no less than ten days prior to the cancellation of said coverage. The Town of Littleton shall be named as the additional insured.

**IX. Miscellaneous:**

**A.** It shall be the responsibility of the licensee, their employees, agents, volunteers, and others serving alcohol on their behalf, to ensure that no alcoholic beverages are sold to any individual under the age of 21.

**B.** Applicant shall confer with owner of property where a One-Day Liquor License is to be issued. The Applicant shall also consult with the Littleton Police Department (978-540-2300). After said consultation, the Littleton Police Department shall sign the Application. If the Littleton Police Department determines that the One-Day event requires a police detail, it shall so indicate at the end of the Application and the provision of such a police detail may be made a condition of the license.

**C.** Applicants seeking an all-alcoholic One-Day Liquor License shall provide to the Board of Selectmen satisfactory proof of non-profit status.

**D.** The actual One-Day Liquor License issued by the Town of Littleton must be posted conspicuously by the serving area.

**X. Supervision:** The applicant named on the One-Day application shall, at all times during which alcoholic beverages are being sold shall be available to the licensing authorities during all such times unless some other person similarly qualified, authorized and satisfactory to the licensing authorities and whose authority to act in place of such applicant shall first have been certified to the licensing authorities in the manner aforesaid, is present in the premises and is acting in the place of such applicant. The full name, residential address, business and home telephone numbers of said applicant must appear on the One-Day application, as well as proof that they are certified to hold such a license. Failure to have such information on file and current shall alone be sufficient cause for revocation or suspension of such license, as well as future licenses.

Licensees are responsible for ensuring that minors are not served alcoholic beverages and are not drinking alcoholic beverages on the licensed premises, whether served to them by an employee or handed to them by any other patron. All servers must be at least 18 years of age to serve.

**XI. Order and Decorum:** The manager or representative shall at all times maintain order and decorum in the premises and in the immediately surrounding area of the premises and shall cooperate in all ways with Town officials including but not limited to representatives from the Board of Health and Fire and Police Departments in ensuring safe and orderly facilities. Premises must be kept clean, neat and sanitary at all times. Outside areas of the premises will likewise be kept in orderly and neat condition.

**XII. Purchase and Consumption on Premises:** No patron will be permitted to bring into the One-Day licensed establishment any alcoholic beverage for consumption on the premises. All alcoholic beverages held for sale shall be consumed on the premises.

**XIII. Violation of Rules and Regulations:** Any organization that violates the rules and regulations may be subjected to suspension or revocation of rights to a One-Day Liquor License by the Board of Selectmen. Suspension or revocation shall be initiated by the Board by written notification of such intent to suspend or revoke, sent to the license holder. The Board shall hold a Public Hearing upon such suspension or revocation. The hearing shall be commenced within two weeks of the notice of intent to suspend or revoke said privileges.