

TOWN OF NORTH ANDOVER

LICENSING COMMISSION

**ALCOHOLIC BEVERAGES
REGULATIONS**



ADOPTED NOVEMBER 19, 2007

TOWN OF NORTH ANDOVER

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Section A. GENERAL – APPLIES TO ALL LICENSES

1. Legislative Authority

These regulations are adopted, and may be amended from time to time, by the North Andover Board of Selectmen, pursuant to the provisions of Massachusetts General Laws, Chapter 138 and 140. Any and all alcoholic beverages and common victualler licenses issued by the Board shall be governed by these regulations, MGL Chapters 138 and 140, and the rules and regulations of the Alcoholic Beverages Control Commission, as the same may be amended from time to time.

2. Filing of Applications

All license applications must be "complete" to be processed by the Board of Selectmen (hereinafter the "Board"). An application shall be considered "complete", and therefore accepted for processing, when it has been filed in accord with the Town's procedural instructions and all forms required have been fully completed and executed. Filing fees must be paid at the time of filing of the application. All filing fees and license fees shall be paid by check or money order. License fees shall not be prorated and are not refundable.

A record of all liquor licenses issued by the Licensing Commissioners, both as to premises and owner, shall be maintained in the office of the Town Clerk. Said file shall contain all applications, correspondence, decisions regarding the licensed premises, and other written information. The file of each owner and premises shall be reviewed annually at the time of license renewal.

3. Reapplications

Once denied, applications may not be resubmitted for twelve (12) months unless a Board member, who previously voted against the license application, moves to allow the resubmission and such motion prevails.

4. Compliance With All Laws and Regulations

Licensees shall maintain their premises and operations in compliance with all applicable state and local building and sanitary codes, laws and regulations. All taxes and charges owed the Town must be paid on a current basis. Failure to comply with any of these laws and regulations shall be sufficient cause for revocation, suspension, or modification of license.

5. Corporate and Trade Names

No licensee shall assume obligations for licensed premises under any corporate or trade name other than that under which he/she is licensed. Any change in corporate name or status or any change in trade name (DBA) shall require the prior approval of the Board.

6. Cessation of Operations

Any licensee intending to close a place of business, whether on a temporary or permanent basis, must notify the Board in writing before such closing stating the reason and length of such closing. Failure to provide such notice may result in the revocation of the license.

7. Bankruptcy and Court Proceedings

The licensee shall immediately notify the Board, in writing, of any proceedings brought by or against the licensee under the bankruptcy laws or of any other court proceedings, which may affect the status of the license.

8. Corporate Transactions

The licensee shall not change managers, change corporate officers, sell or transfer corporate stock, pledge corporate stock or liquor license as security, or accept a loan or credit from another licensee, without first obtaining the approval of the Board. No person may have a direct or indirect beneficial interest in a license without first obtaining the approval of the Board.

9. Foreclosure on Loans

Assignment of stock in incorporated licensed places for the purpose of safeguarding the assignee on loans, etc., gives no right to such assignee to conduct the business of the licensee; therefore, licensees must notify the Board immediately when the assignee forecloses under such assignment of stock.

10. Manager and Alternate Managers

No corporation shall be approved for a license unless the corporation, by vote of its Board of Directors, has appointed a Manager who is a United States citizen and who has been vested with full authority and control of the premises and the business to be licensed. A corporation may appoint up to two Alternate Managers to be in charge in the absence of the Manager, however, the Manager must be on the premises at least fifty (50) percent of the time the premises are open. At no time shall the premises be open without a duly appointed and approved Manager or Alternate Manager in charge. The Manager shall have total responsibility for the proper operation of the licensed premises, whether present or not. No appointment of a Manager or Alternate Manager shall be effective unless and until approved by the Board.

11. Manager's Responsibilities

The Manager 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 in ensuring safe and orderly facilities. There shall be no disorder, indecency, prostitution, lewdness or illegal gambling on the licensed premises.

12. Employee Consumption Prohibited

No Manager, Alternate Manager or employee shall consume any alcoholic beverages while on duty or after the official closing hour.

13. Service Prohibited To Certain Individuals

No alcoholic beverages shall be sold to anyone less than twenty-one (21) years of age.

14. Identification Cards

Only an original motor vehicle driver's license with photograph, a Massachusetts Liquor Purchase Identification Card a valid passport issued by the United States government, or by the

government, recognized by the United States government, of a foreign country, or a valid United States issued active duty Military Identification Card, shall be accepted as proof of age.

15. Discrimination Prohibited

No licensee shall make any distinction, discrimination or restriction on account of race, color, creed, sex, sexual orientation, or ancestry relative to the admission or treatment of any person.

16. Employee List To Be Maintained

An up-to-date list of all employees shall be available on the premises at all times for review by authorized agents of the Board.

17. Employee Training

A. Any licensee holding an All Alcohol, including seasonal, or Beer and Wine license shall participate in a program designed to train employees, who engage in either package sales or pouring, in methods of observation and detection to avoid selling or serving to intoxicated persons and/or minors that is appropriate to the type of license issued.

B. No program shall be deemed to meet the requirements of this policy unless it is recognized by the Liquor Joint Underwriters Association or approved by the Licensing Commissioners.

C. All licensee personnel shall be required to participate in a training program based upon the type of license issued, as determined by the Licensing Commissioners. New employees of any licensee will have 45 days from the date of employment to become certified. All new licensees shall either provide proof of certified training prior to the issuance of the alcoholic license or within 90 days of issuance of the alcoholic license. All employees are required to be recertified every three years through an approved program.

D. A written description of such program, along with a written policy outlining the employees' responsibilities and the disciplinary measures which will be taken against any employee for violating said policy, shall be filed with the Board and be maintained on the premises at all times. A signed certification of each employee, indicating that the employee has received the described training and has reviewed and understands the written policy describing his or her responsibilities and the disciplinary action which will be taken for violations, shall be maintained on the premises at all times. Copies of all such documents and certifications shall be available to the licensing authority, or any authorized agent thereof, upon demand.

18. Suspension, Revocation, or Modification of Licenses

All licenses are subject to suspension, revocation or modification for breach of any conditions, regulations or laws of the Town of North Andover or the Commonwealth of Massachusetts. The Board of Selectmen reserves the right to change or add to any license conditions or any regulations after notice to the licensee and a hearing thereon.

19. Display of Licenses and Permits

All licenses and permits issued by the Town shall be displayed on the premises in a conspicuous place where the public has access and may read.

20. Hours of Operation

The hours of operation shall be restricted to that set by the Board. No patrons shall be on the premises before the official opening hours or after the official closing hours.

21. Employees On Premises After Closing Hours

Owners and employees must be off the premises no later than sixty (60) minutes after the "Official Closing Hour", provided however, that such owners and employees may be on the premises at any time for the purpose of cleaning, making emergency repairs, providing security for such premises, or preparing food for the next day's business or opening or closing the business in an orderly manner. If it is necessary to have workmen other than employees on the premises after hours, or if it is necessary for the owners or employees to be on the premises beyond sixty minutes after closing hour, the Manager or Alternate Manager must contact the North Andover Police Department and state the reason and names of the people on the premises as well as the hours they will be on the premises. Failure to provide such notice shall be cause for action against the license.

22. Access To Premises By Police and Agents

It shall be the responsibility of the licensee to ensure that procedures are in place, be it by posting a doorman or otherwise, to allow Police and authorized agents of the Board, immediate entrance into the premises at any time employees are on the premises. Any delay in providing such access shall be cause for action against the license.

23. Inspection of Premises

The licensed premises shall be subject to inspection by the Police, the Board and duly authorized agents of the Board. Any hindrance or delay of such inspection caused by an employee of the licensee shall be cause for action against the license.

24. Premises' Description

No licensee shall keep for sale, store, or sell alcoholic beverages in any part of the premises not specified on the license, such as a patio or sidewalk. No physical changes to the premises shall be made without the prior approval of the Board and approved by the ABCC.

25. Prohibited Activities

No employee and/or entertainer shall solicit, induce or request a patron to purchase any alcoholic or non-alcoholic beverage for them or any other person. There shall be no disorder, indecency, prostitution, lewdness, drug offenses, illegal gambling, or other illegalities permitted in the licensed premises or any premises connected therewith by an interim corridor, hallway, or other access or egress.

26. Posting of Suspension Notice

Whenever the Board suspends the license or licenses of any licensee, the Board shall provide the licensee with a sign containing the words "Closed by order of Licensing Board for the Town of North Andover," which sign shall be attached on the inside but visible from the outside of the licensed premises in a conspicuous place during the entire period of such suspension.

27. Refuse Removal

No licensee shall allow refuse generated at the premises to be collected by any contractor between the hours of 11:00 P.M. and 7:00 A.M. On Sundays and legal holidays no such collection shall be allowed prior to 10:00 A.M. nor after 10:00 P.M. Refuse shall be removed a minimum of twice each week, and more often if necessary, to prevent any nuisance conditions. All refuse shall be stored in a dumpster or in such other manner as approved by the North Andover Health Department, and shall be maintained in accordance with the regulations and conditions of the North Andover Health Department.

28. One-Day Liquor Licenses

1. All activities at which liquor is dispensed and which are held at locations not possessing a liquor license will require a police officer in attendance except weddings and church functions during the daytime.
2. All activities at which liquor is dispensed and have a one-day gambling license and/or raffle and bazaar permit (Las Vegas Night, etc.) will require a police officer in attendance.

29. Sunday and Holiday Package Store Openings

1. Sunday and Holiday Package Store Openings shall be allowed, subject to the following conditions:
2. Conditions.
 - a. No sales of liquor shall take place prior to 12:00 noon.
 - b. Stores may not open on Memorial Day, Thanksgiving Day or on Christmas Day.
 - c. Stores must close not later than 11:00 p.m. (11:30 p.m. if the following day is a Monday Holiday). The local authority may require an earlier closing.
 - d. Establishments that employ more than 7 persons shall pay all employees at a rate of not less than one and one half times the employee's regular rate.
 - e. No employee shall be required to work on a Sunday, and refusal to work on a Sunday shall not be grounds for discrimination, dismissal, discharge, deduction of hours, or any other penalty.

30. Application Process; Fees

1. Applicant must file a completed application with the Licensing Commissioners at the Selectmen's Office (Town Clerk's Office), 120 Main Street, Town Hall. North Andover. The application shall consist of the following:
 - a. Five (5) page application form.
 - b. Form 983 or 983A - if transfer of license
 - c. \$200.00 check or money order or money order made payable to Alcoholic Beverage Control Commission (Filing Fee), and \$100 filing fee made payable to the Town of North Andover.
 - d. Articles of Organization (if a Corporation) as filed with the Massachusetts Office of the Secretary of the Commonwealth (must contain the seal of the Secretary of the Commonwealth).
 - e. If the applicant is a partnership, a copy of the partnership must be included.
 - f. If a corporation, vote of the Board of Directors of the Corporation appointing a Manager. All Managers must be United States Citizens and must be at least 21 years of age.

- g. ABCC Form A. If a corporation, the manager must complete the form. If a partnership, each partner must complete the form. If an individual, the individual must complete the form.
- h. Plan Requirements: Eight (8) copies of a floor plan, drawn to scale showing proposed kitchen equipment, tables, seating, and location of storage for alcohol, if applicable. Eight (8) copies of site plan with layout of parking. Package stores must show the general layout of the store and location of cash registers.
- i. License Fee (check or money order payable to the Town of North Andover except that cash or personal check may pay one-day license fees:
 - \$3,000- Restaurant - All Alcoholic Beverages
 - \$2,000 - Restaurant - Wine & Malt
 - \$2,200 - Inn holder - All Alcoholic Beverages
 - \$2,000 - Club - All Alcoholic Beverages
 - \$2,000 - Package Stores - All Alcoholic Beverages
 - \$1,500 - Package Stores - Wine & Malt
 - \$100 – One Day All Alcoholic
 - \$75 – One Day Wine and Malt
- j. Renewal applications shall include a Certificate of Occupancy from the building inspector for all license holders and a Certificate of Inspection from the Fire Chief for all on-premises license holders with entertainment licenses.
- k. Applications for a new license shall include a report of Technical Review Committee including a list of all required approvals
- l. License renewals are subject to review by the Board annually in the month of November.

2. A public hearing shall be scheduled before the North Andover Licensing Commissioners and must be advertised in the local newspaper. Within ten (10) days of the receipt of the application, the Board will place a notice in the local newspaper, The North Andover Citizen or the Eagle Tribune. The bill for this ad is the responsibility of the applicant. The Citizen is a weekly newspaper, which is published on Friday. The Eagle Tribune is a daily paper. The bill for this ad must be paid to the Citizen or the Eagle Tribune prior to advertising the legal notice. It is also the applicant's responsibility to mail a certified copy to all abutters within three (3) days of the ad appearing. An abutter's list may be obtained through the Assessor's Office. An attested copy of the ad and certified receipts shall be filed with the Licensing Commissioners. The public hearing shall be held not sooner than ten (10) days after publication according to Massachusetts General Laws, Chapter 138, Section 15A.

- a. For purposes of liquor license applications, an abutter is a person whose property directly touches the proposed premises - not someone across the street.
- b. Churches, synagogues, hospitals and public or private elementary or secondary Schools located within 500 feet of the premises of a liquor serving establishment must be notified by registered or certified mail.

3. The applicant shall contact the Board of Health, Building Inspector, Fire Chief, Police Chief and the Commission on Disability Issues for their respective departments' requirements. A recommendation from these departments is required for issuance of a license. The Applicant

shall also meet with the Technical Review Committee (TRC) prior to submission of an application and shall include the report of the TRC with the application.

4. The applicant must be present or have representation present at the public hearing.
5. If approved, the application shall be forwarded to the Alcoholic Beverages Control Commission for approval prior to the issuance of the license.
6. Approval of an application by the Local Board is only the first step in the approval process. The second step is approval by the Commonwealth of Massachusetts ABCC. If the ABCC approves, the final step is issuance of the license by the Local Board.

Until and unless a license is issued the new owner may not take part in the operation of the premises and the old owner, if any, is still liable for the operation of the premises.

After the initial local approval the application goes to the ABCC. The ABCC sends it to the Department of Revenue (DOR). If DOR determines one or more parties owe taxes they will notify the ABCC and the seller. The ABCC will also notify the buyer. The ABCC will not approve the license until DOR signs off. It is up to the parties, not the ABCC, to resolve tax questions.

The ABCC will also have an investigator visit or telephone the applicant to ask certain information about the people involved and the financing. It is important that the parties respond promptly to investigators' inquiries.

Therefore, applicants should know that there is a possibility that a license may not be issued. Operation without a license can be considered evidence of that applicant's unfitness for a license. It can also lead to revocation of the existing license and possible civil and criminal liability for both buyer and seller.

31. Scheduling of Public Hearings

The Police Chief shall notify in writing the Town Manager of possible violations of these regulations or applicable state laws including, but not limited to:

- a. Operating Under the Influence of Liquor Arrests when an investigation indicates that the alcohol was consumed at a licensed establishment.
- b. Minors being served or sold alcoholic beverages.
- c. Disturbances or disorderly conduct reports on the licensed premises or adjacent properties and/or parking lots.
- d. Protective custody incidents taking place in or adjacent the premises. The investigation of these types of incidents shall address situations where the licensed establishment management acted properly by stopping a potentially hazardous driver from leaving the property.
- e. Non-adherence to the requirements of Section 17 of these regulations; "Employee Training."

Upon receipt of a report of possible violation from the Police Chief, the Town Manager shall convene a meeting of the Chair of the Licensing Board, the Chair of the Board of Selectmen and the Town Manager at which time a determination will be made to schedule a public hearing on the alleged violation. The Licensing Commission shall not await the outcome of any separate court proceedings to schedule a hearing. Hearings shall be held in accordance with the provisions of applicable law. If at any hearing a licensee is charged with serving or selling alcoholic

beverages to a person under twenty-one years of age, written notice of said allegation shall be sent to the parents or guardians of such person pursuant to MGL, Chapter 138, Section 64.

32. Violations

Penalties for violations of these regulations shall be imposed in accordance with the following guidelines, to be imposed after notice to the Licensee and hearing before the Board.

- | | |
|------------------------------|--|
| First Offense: | Written warning or 1 to 5 day suspension, at the discretion of the Board. |
| Second Offense: | (Within 60 months of first offense) 5 to 15 day suspension; revocation or modifications may also be imposed. |
| Third & Subsequent Offenses: | (Within 60 months of second offense) 15 to 30 day suspension; revocation or modifications may also be imposed. |

The Licensee shall serve suspensions on consecutive business days beginning on the third Thursday following the imposition of penalties by the Board or such dates to be determined by the Board.

The following criteria may be considered by the Board in determining the penalty to be imposed:

- a. number of prior offenses, including ABCC adjudicated violations
- b. degree of inspection, etc. exhibited by Licensee
- c. severity and type of offense
- d. efforts to identify purchaser, if any, provided that acceptance of a non-permissible form of identification shall not be a mitigating factor
- e. appearance of purchaser in cases of illegal sales
- f. quality of evidence
- g. general reputation of Licensee
- h. the percentage of total revenue the licensee receives from the sale of alcoholic beverages.

Section B. APPLIES TO COMMON VICTUALLER AND INNHOLDER LICENSES

1. Food Service Required

Licenses under M.G.L. Chapter 138, Section 12, otherwise known as restaurant liquor licenses, may be issued only to duly licensed common victuallers and innholders who have adequate and sanitary kitchen and dining room equipment and capacity for preparing, cooking and serving suitable food for strangers, travelers and other patrons, as required by Chapter 140 and for the hours of sale specified in Section B. 5. below. The regulations in this Section shall also apply to clubs, to the extent that they may be applicable.

2. Clear View of Premises' Interior

No advertising matter, screen, curtain, or other obstruction which, in the opinion of the Board, prevents a clear view of the interior of the premises shall be maintained in or on any window or door thereof after the Board has ordered the removal of such obstruction. No booths, stalls or enclosures of any description are permitted which prevent the persons therein from being plainly observed by other persons on the premises.

3. Interior Lighting

The interior of the premises shall be well lighted at all times with such lighting not to be less than one (1) foot candle (measured 30 inches from the floor) except those portions of the room under furniture.

4. Hours of Operation

The hours during which such licensees may sell alcoholic beverages shall be those set forth in the license, and if not set forth in the license, the hours shall be those generally fixed by vote of the Board, subject to the General Laws of the Commonwealth. Last call shall be at least one-half hour prior to the licensee's closing hour and all patrons must be off the premises by the closing hour. All tables and bars must be cleared of all glasses, bottles, and containers of alcoholic beverages within one-half hour after the closing hour. No alcoholic beverages shall be sold or served prior to 8:00 A.M. on Monday through Saturday and 12:00 P.M. on Sundays.

5. Hours of Sales Restricted

The hours for the sale and service of alcoholic beverages shall be further restricted to the hours during which food service is available. No alcoholic beverages shall be sold unless food service is available, except during the last hour before the official closing time.

6. Service Limited To Approved Areas

The service and consumption of alcoholic beverages shall be limited to those areas of the premises approved by the Board. No alcoholic beverages shall be served or consumed in any areas of the premises, which have been excluded from the approved description of the premises.

7. Service Limited To Food Service Areas

Food service shall be available in all areas and seats where alcoholic beverages are served except in an approved waiting area. In such areas alcoholic beverages may be served to individuals who have given their name to the maitre d' and are waiting to be seated for dining. The Manager shall take appropriate measures to ensure that no one is served in the waiting area whose intention it is not to dine. No more than two standard sized drinks shall be served to any person in a waiting area without the service of food.

8. Consumption On Premises

All alcoholic beverages shall be served in open containers and no such beverages shall be allowed to be removed from the premises except as may be permitted by M.G.L. Chapter 138, §12 or other applicable law. No patron shall be allowed to bring alcoholic beverages on the premises for the purpose of consumption on the premises.

9. Charge For Alcoholic Beverages

No alcoholic beverages shall be sold for a fee less than the actual cost of the beverage to the licensee. An admission charge shall not be credited towards the purchase price of any alcoholic beverage. The price charged for alcoholic beverages shall not be discounted for any particular hour(s) of the day or day(s) of the week. No minimum charge shall be made for alcoholic beverages.

10. Service of Alcoholic Beverages Limited

No patron shall be served a fourth alcoholic beverage drink without the prior approval of the Manager or an alternate Manager.

11. Changes To Premises Or Operation

Any proposed change in the physical description and appearance or character of the licensed premises, including renovation work, number and location of seats and tables or other such changes, requires prior approval of the Board and the ABCC.

12. Permits For Changes To Premises

The Building Commissioner shall, upon receipt of any permit application for work at licensed premises, immediately forward a copy of such application to the Town Manager. If the Town Manager determines that such work requires prior approval of the Board, he shall so notify the Building Commissioner and licensee within ten days of receipt of the copy of the application by the Town Manager and no permit shall be issued until the Board and the ABCC have approved the proposed work.

13. Entertainment

No forms of entertainment, including but not limited to radio, television, recorded or live music, or dancing, shall be allowed without first obtaining an entertainment license from the Board.

14. Annual Financial Report

Upon request of the Board, all licensees shall furnish an annual financial report from a certified public accountant indicating the gross sales for food and gross sales for alcoholic beverages for the preceding calendar year.

Section C. APPLIES TO RETAIL PACKAGE STORE LICENSES

1. Hours of Sales

No sale or delivery of alcoholic beverages shall be made except during the legal hours of sale.

2. Consumption On Premises Prohibited

No alcoholic beverages shall be sold to be drunk on the premises. However, this section shall not prohibit a licensee from offering tasting as permitted by law or by regulation of the ABCC.

3. Premises' Description

No licensee shall keep for sale, store, or sell alcoholic beverages in any part of the premises not specified in the license.

4. Convenience Stores

Any grocery and/or convenience store, which is the holder of a package goods store license and which is open on a Sunday, must during any time that the store is open when alcoholic beverage sales are not permitted, by means of a drop curtain, a wire mesh divider, or a gate at least five (5) feet in height, close off from the rest of the premises that section in which the alcoholic beverages are displayed. No patrons shall be permitted to enter that area of the premises containing such beverages.

5. Posting of Prices

All prices that can be seen by customers in the licensee's store, whether on shelves, in circular form or otherwise, must correspond with the current posted price list.

6. Deliveries Off Premises

A written record shall be maintained listing the name and address of every person to whom a delivery of alcoholic beverages is made outside of the premises. Such record shall include the amount of alcoholic beverages that were delivered, the date and time of delivery and the signature of the person receiving the delivery. Such records shall be maintained for a period of not less than one year and must be available for inspection by the Board and its agents at all times.

Section D. APPLIES TO CLUB LICENSES

1. List of Officers and Members

Annually the licensee shall submit to the board within three months after January first, a listing of the names and addresses of all the club's directors or officers, members, and employees, as of January first. The salaries of all employees serving or handling alcoholic beverages shall be included. Such list shall be maintained current during the year and be available for inspection on the premises at all times.

2. Guest Register Book

A guest register book shall be maintained which indicates the name of the guest and the member accompanying the guest. No guest shall be allowed to enter the premises unless he/she is invited and accompanied by a member and signs the guest register. Such guest register shall be available for inspection at all times.

3. Only Members and Guests To Be Served

Only members and their properly registered guests shall be served alcoholic beverages.

4. Hours of Sales

The official closing hour, which shall be set by the Board, shall be no later than 2:00 a.m. on Friday and Saturday nights and 12:00 A.M. on all other nights. Last call shall be at least one-half

hour prior to the licensee's closing hour and all members and guests must be off the premises by the closing hour. All tables and bars must be cleared of all glasses, bottles, and containers of alcoholic beverages within one-half hour after the closing hour. No alcoholic beverages shall be sold or served prior to 8:00 a.m. on Monday through Saturday, 12:00 p.m. on Sundays, and 2:00 a.m. on New Year's Eve with Board approval. For special occasions or events, the board may, after application by the licensee, extend the official closing hour.

5. Service Limited To Approved Areas

The service and consumption of alcoholic beverages shall be limited to those areas of the premises approved by the Board. No alcoholic beverages shall be served or consumed in any areas of the premises, which have been excluded from the approved description of the premises.

6. Clear View of Premises' Interior

No advertising matter, screen, curtain or other obstruction, which, in the opinion of the Board, prevents a clear view of the interior of the premises, shall be maintained in or on any window or door thereof after the Board has ordered the removal of such obstruction. No booths, stalls or enclosures of any description are permitted which prevent the persons therein from being plainly observed by other persons on the premises.

7. Interior Lighting

The interior of the premises shall be well lighted at all times with such lighting not to be less than one (1) foot candle (measured 30 inches from the floor) except those portions of the room under furniture

8. Consumption on Premises

All alcoholic beverages shall be served in open containers and no such beverages shall be allowed to be removed from the premises. No patron shall be allowed to bring alcoholic beverages on the premises for the purpose of consumption on the premises.

9. Serving Containers

No alcoholic beverages, with the exception of wine, shall be served in any container or glass, the capacity of which is in excess of sixteen fluid ounces.

10. Service of Alcoholic Beverages Limited

No more than one alcoholic beverage drink shall be served to a member or guest at one time. No member or guest shall be served a fourth alcoholic beverage drink without the prior approval of the Manager.

11. Changes To Premises

Any proposed change in the physical description and appearance or character of the licensed premises, including renovation work, number and location of seats and tables or other such changes, requires prior approval of the Board and the ABCC.

12. Permits For Changes To Premises

The Building Commissioner shall, upon receipt of any permit application for work at licensed premises, immediately forward a copy of such application to the Town Manager. If the Town

Manager determines that such work requires prior approval of the Board he shall so notify the Building Inspector and licensee within ten days of receipt of the copy of the application by the Building Inspector and no permit shall be issued until the Board and ABCC has approved the proposed work.

13. Annual Financial Report

Upon request of the Board, all licensees shall furnish an annual financial report from a certified public accountant indicating the gross sales for food and gross sales for alcoholic beverages for the preceding calendar year.

Section E. APPLIES TO DRUGGIST LICENSES

1. Not For Beverages Purposes

No alcohol shall be sold for beverage purposes.

2. Recording Sales

All sales of alcohol shall be recorded in the same book and in the same manner required for the sale of alcoholic beverages with the signature and address of the purchaser, and the hours of sale shall be the same as the hours for the sale of alcoholic beverages not to be consumed on the premises. No sales shall be made on Sundays or legal holidays without a prescription.