

ALCOHOLIC BEVERAGE LICENSING

C-1 RULES AND REGULATIONS ADOPTED.

The following rules and regulations have been adopted by the licensing board of the town and apply to all licensees licensed by this board and are in addition to all applicable laws of the Commonwealth of Massachusetts.

C-2 HOURS.

C-2.1 *RESTAURANTS, HOTELS, CLUBS AND TAVERNS.* The hours for the sale, serving and dispensing of alcoholic beverages, except as otherwise provided shall be:

- a. Weekdays, 8:00 a.m. to 12:45 a.m.
- b. Sunday, except taverns, 10:00 a.m. to 12:45 a.m.
- c. Memorial Day and Christmas, 11:00 a.m. to 12:45 a.m.
- d. All other holidays, 8:00 a.m. to 12:45 a.m.

C-2.2 *PACKAGE STORES.* The hours for the sale of alcoholic beverages except as otherwise provided shall be:

- a. Weekdays only, 8:00 a.m. to 11:00 p.m.
- b. Memorial Day, Thanksgiving Day and Christmas Day, closed.
- c. All other holidays, 12 noon to 11:00 p.m.
- d. Day preceding holiday, except Sunday, 8:00 a.m. to 11:00 p.m.
- e. Sundays, 12 noon to 11:00 p.m.
- f. Optional early opening on Sunday: **An establishment must notify the Licensing Board and the ABCC if it elects to be open from 10:00 a.m. to 11:00 p.m. and may not commence operation at these hours unless and until the ABCC provides the establishment and the Licensing Board with an approved Form 43.**

C-2.3 *CLOSING.* Restaurants, clubs, taverns and the bars and dining facilities of hotels shall be closed and all customers shall be off the premises and the premises locked and all principal lights extinguished within 15 minutes after the hours designated above for the ending of sale, serving and dispensing of alcoholic beverages, and shall remain so closed until 5:00 a.m. or later, but no alcoholic beverage shall be sold, served or dispensed until the next authorized hour.

Package stores shall remain closed with principal lights extinguished during the hours not authorized for the sale of alcoholic beverages.

C-3 REGULATIONS.

C-3.1 *LICENSED PREMISES.* Alcoholic beverage licensees shall abide by the following regulations:

- a. Alcoholic beverage licensees or managers who may be incapacitated by illness or who may desire to be absent from the usual places of business for a period exceeding five days shall provide a suitable

- replacement who must be approved by the licensing board.
- b. No licensee shall permit any disorder, disturbance or illegality of any kind in the licensed premises.
 - c. Card playing shall be prohibited in any room where alcoholic beverages are sold or served.
 - d. No booth, stalls or enclosures of any description shall be permitted which prevent the persons therein from being plainly observed by other persons on the premises.
 - e. Premises shall at all times be kept clean, neat and sanitary.
 - f. All licenses issued by the board shall be conspicuously posted on the premises so as to be easily seen and read.
 - g. Applicants for automatic amusement devices shall furnish proof of approval by the State Division of Public Safety with applications for each device.
 - h. Card playing may be allowed under the following conditions as determined by the Essex Licensing Board, upon written application by an establishment giving all pertinent information, dates, and times. Approval or disapproval will be at the discretion of the Board.
 - 1. Issuance to be limited to 1 permit per application period per establishment. No more than 3 permits per year per establishment shall be allowed.
 - 2. The duration of the event shall be established when making application.
 - 3. Only 1 day/night per week of card playing per license holding establishment.
 - 4. The hours which the event shall take place must be established when making application.
 - 5. Other conditions may be imposed by the Licensing Board.

C-3.2 *UNLICENSED PREMISES.* Restaurants and hotels or any other establishment not licensed to sell alcoholic beverages are forbidden to furnish so-called "set-ups" to customers or to encourage customers to supply their own alcoholic beverages to be consumed on the premises.

C-4 INSPECTIONS.

All premises licensed by the board shall be subject at all times to inspection by the members of the licensing board and its authorized agents, to ascertain the manner in which the licensee conducts his business. The licensing board shall authorize the chief of police, his patrolmen, any member of the board or its authorizing agent, to enter the premises licensed by the board to ascertain the manner in which the licensee conducts his business.

All authorized federal, state or town officials shall be permitted to enter the premises licensed by the board to perform any function within the scope of their authority.

C-5 SUSPENSION OF LICENSES.

An alcoholic beverage license is subject to suspension or revocation for breach of its conditions or any law or regulation.

C-6 TRAINING

Effective with the re-licensure cycle that begins in November of 2012, each licensee shall provide in its application package, as a condition of re-licensure, a certificate of training certifying that the manager of record has successfully completed either the ServeSafe® Alcohol Server Training course or the Training for Intervention ProcedureS (otherwise known as TIPS Training) course within the past twelve months. This training was required to be completed in-person (as opposed to on-line) for the 2011 license application re-licensure cycle. In-person training shall also be required for any new manager (i.e. a manager not listed on the preceding annual license renewal application) during his or her first year. For all continuing managers, training may be taken on-line each year for the next four years. In-person training is therefore required every fifth year for all continuing managers or at every change in manager, whichever occurs first. Training must have a minimum duration of four hours.

Revised 11/15/10 - Training Requirements Instituted

Revised 12/19/11 - Training Requirements, 5-year cycle

*Revised 11/03/14 - Election by Package Stores for early
Sunday Hours*

*Revised 01/26/15 - Opening Sunday Hours for restaurants
changed from 11:00 a.m. to 10:00 a.m.*

Revised 12/07/15 - Training Requirements, broadened