



City of Gloucester Licensing Board

City Hall Annex, 3 Pond Road

lboard@gloucester-ma.gov

978-325-5281

Special and One Day Liquor License Regulations

INTRODUCTION

In issuing these regulations the Local Licensing Authority (LLA) for the City of Gloucester is setting forth the expectations of the citizens of Gloucester as to the conduct of the City's Special One Day Liquor Licensee holders. MGL c. 138 s. 14 and 204 CMR 7.00 authorize the LLA to issue or refuse to issue special liquor licenses for the sale of beer and/or wine to managers of events: the statute also grants the Licensing Board the authority to issue or refuse to issue special liquor licenses for the sale of beer and/or wine or all alcoholic beverages to the manager of nonprofit organizations who conduct such events.

It is recommended that the applicant refer to the ABCC website at <http://www.mass.gov/abcc/pdf/abccadvisoryspecial1day.pdf> for the ABCC advisory on Special One Day Licenses under MGL chapter 138 section 14.

Section 1: GENERAL

1.01 A Special One-Day License is necessary whether there is a specific sale of drinks or as an included charge in the price of tickets. A general guideline is that when tickets are sold to an event and alcoholic beverages are consumed or sold, a Special One-Day License is required.

1.02 Non -profit Organizations

Non-profit organizations may apply for either a Special One Day All Alcoholic Beverage License or a Special One Day Wine and Malt Beverage License.

1.03 Profit Making Organizations

Profit making organizations may apply for a Special One Day Wine and Malt Beverage License only.

1.04 Authorized Manager Licensee

A Special One day license for the sale of alcoholic beverages or beer and wine may be issued by the LLA **only to a natural person**, although the licensee may be a responsible manager acting on behalf of a corporation, partnership, or other entity. The Applicant is an individual person, not the non-profit organization. MGL c. 138 s. 14 states: Special licenses may be issued to the responsible **manager** of any indoor or outdoor activity or enterprise or to the responsible manager of any non-profit organization conducting any indoor or outdoor activity or enterprise.

1.05 Application

The Applicant must file a fully complete application with all required supplemental information including **site plan, sign offs by all appropriate city departments, and fee**. In addition, the applicant **must attend the Licensing Board Meeting** at which the application will be heard to respond to any questions.

1.06 A copy of the completed application must be forwarded to the Building Inspector, the Electrical Inspector, the Chief of Police, the Department of Health and the Fire Department at least ten (10) business days prior to the Board meeting for their respective reviews. The purpose of such review and sign off is to determine if the municipal department has any question or concern with the proposed one-day event.

Section 2. Requirements

2.01 The Gloucester Police Department and the LLA or its agents shall have the right to review the Special One Day License at the event to ensure that its provisions are adequately completed. The Licensee shall cooperate fully at such inspection.

2.02 Alcohol, malt and wine must be **purchased from a licensed wholesaler** (MGL c. 138 s. 18 and 204 CMR 7.05.) A list of licensed wholesale distributors is available from the License Clerk and on the ABCC website (www.mass.gov/abcc). Within five business days after the event, a paid receipt from the ABCC authorized liquor distributor must be provided to the License Clerk.

2.03 A copy of the license shall be prominently posted adjacent to where the alcoholic beverages are sold and shall be available for inspection during the hours and at the location for which it is being issued.

2.04 The last drink must be served thirty minutes before the closing hours as stated on the approved license. All glass and bottles must be cleared from the licensed area within fifteen minutes after the closing hour. All patrons must leave the premises within fifteen minutes after the closing hour. Additional hours are available for New Year's Eve for any organization holding a one day license.

2.04 All servers shall have successfully completed an approved alcoholic beverage server-training program and shall provide evidence of same with the application.

2.05 Any licensee and his/her employees, agents, and/or volunteers may NOT drink any alcoholic beverage during the event or after the closing hour at the licensed premise.

2.06 No alcoholic beverage shall be sold or given to anyone under twenty-one years of age, under the influence of drugs or to an intoxicated person.

2.07 Pursuant to ABCC regulations, no licensee or employee or agent of a licensee shall deliver more than two drinks to one person at one time [204 CMR 4.3(1)(b)].

Section 3 Licensed Premises

3.01 The Applicant for the Special One Day License **must obtain permission to use the proposed license location prior to filing the application.**

3.02 The area for the service and consumption of alcohol must be delineated according to the approved site plan and monitored periodically through the event by the one day license organization.

3.03 The Premises shall be in compliance with the Fire Department's seating capacity limit.

3.04 The Licensee shall be responsible for any disorder, disturbance or illegality of any kind to take place in or on the licensed premise whether the Licensee is present or not.

3.05 The LLA may require a police detail for Special One Day License.

3.06 The Applicant shall comply with the Guidelines for Outside Licensed Premises. See attached.

Please contact the Licensing Board Clerk at 978-325-5281 or by email at lboard@gloucester-ma.gov with any questions.



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Special One Day Liquor License-Requirements for Outside Events

1. The application must describe the area in detail:
 - Dimensions number of tables and chairs, occupancy figures for inside area and outside area, bars, if any.
 - The premises must be enclosed by a durable means of boundary in excess of 3' high that could include but not be limited to fence, rope, stanchions, planters or other means to prevent patrons or members of the public from wandering in and out. Licensed establishments must provide drawings and sketches of proposed enclosures.
 - The Licensing Board may require a site visit prior to approval.
 - The Licensing Board may require additional security.
2. It is essential that the licensee have control of the area in order to preclude service to underage persons, to intoxicated persons, and other violations. The premises must be enclosed by a fence, rope or other means to prevent patrons or members of the public from wandering in and out.
3. The licensee should have a view of the outside premises at all times.
4. The outdoor area must have adequate exits in case of emergency.
5. The licensing authorities should consider the type of neighborhood and the potential for noise in the environment.
6. Preferred are outdoor areas where alcohol is served to patrons who are seated at tables and where food is also available.

9-1-2016

Massachusetts General Laws, Chapter 138, § 14 Rules for Special One Day Liquor License

Section 14

Special Events:

Local licensing authorities may 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.

No more than one license can be issued for premises at one time. Therefore, a Section 14 special license can not 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.

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.

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.

All applicants must be of good moral character to obtain a One Day Liquor License hereunder.



CITY OF GLOUCESTER LICENSING BOARD

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SPECIAL ONE-DAY LIQUOR LICENSE APPLICATION

MGL CHAPTER 138 SECTION 14

Fee \$100.00

1. Responsible party: (NOTE – The license must be issued to a named individual, not to the organization.)

a. Name: _____

b. Address: _____

c. Email address: _____

d. Telephone number where you may be contacted during the event:

2. Organization making this application:

a. Name _____

b. Address of Organization _____

c. Telephone number _____

3. Is the applicant a non-profit organization duly registered with the Massachusetts Office of the Secretary of the Commonwealth – check one YES _____ NO _____

4. Date of the event _____ Time of the event: _____

Date for delivery of alcohol _____ Date for pick-up of alcohol _____

5. Nature of Event (specify in detail. Attach additional sheet if necessary).

6. Location where event will be held (attach detailed site plan if event is to be outside):

7. License for the sale of (check one):

a. All alcoholic beverages _____ (Non-profit only)

b. Wine and malt beverages only _____

c. Wine only _____

d. Malt beverages only _____

8. Has the approval of the property owner been obtained?

Yes _____ No _____ (attach copy of written permission)

9. Name and address of the wholesaler from whom you will be receiving your beer and wine? _____

You must return a copy of your receipt by the first Thursday following the event.

10. Describe the secure area where inventory will be stored after delivery and until pick up after the event.

11. Servers must be certified from an approved alcohol server training program. Attach documentation if not previously filed with the LLA

12. Do you have a liquor liability insurance policy? Yes _____ No _____ Attach documentation if not previously filed. A copy of the policy does not need to be filed with each subsequent application if the policy remains in effect for other one day licenses during the same calendar year.

13. The following signatures are required prior to filing the application with the Licensing Board. Sign offs are not required for subsequent applications during the same calendar year if there is no change in the premises to be licensed.

Inspector of Buildings _____ date: _____

Electrical Inspector _____ date: _____

Police Department _____ date: _____

Fire Department _____ date: _____

Health Department _____ date: _____

Others as may be required by Inspectional Services:

_____ date: _____

I, the undersigned manager/responsible party understand and shall comply with all applicable statutes, regulations and rules relative to holding a Special/One Day Alcohol License. I agree to be present at all times during which alcoholic beverages are being sold unless some other person similarly qualified, authorized and satisfactory to the licensing authority and whose authority to act in place of such applicant shall first have been certified to the licensing authority, is present at the premises and is acting in the place of the applicant. The full name, residential address, and telephone number of such applicant during the event must appear on the One Day License Application.

I am aware that the licensee is 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 agent of the organization or handed to them by any other patron.

Signed by:

Authorized representative: _____

Printed name: _____

Title: _____ Date: _____