

By Mr. McGee of Lynn, petition of Thomas W. McGee for further regulating the requirement relative to applications for licenses to sell alcoholic beverages. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT FURTHER REGULATING THE REQUIREMENTS RELATIVE TO APPLICATIONS FOR LICENSES TO SELL ALCOHOLIC BEVERAGES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 15A of chapter 138 of the General Laws is hereby
2 amended by striking out the first paragraph, as most recently
3 amended by chapter 400 of the acts of 1965, and inserting in
4 place thereof the following paragraph:—
5 Notation of the date and hour of filing shall be made on
6 every application for a license under section twelve, fifteen
7 or thirty A. Within ten days after the receipt of any such ap-
8 plication, the local licensing authorities shall cause a notice
9 thereof to be published at the expense of the applicant. Such
10 notice shall be published in a newspaper published in the city
11 or town in which the location where the license is intended to
12 be exercised are situated, or if no newspaper is published in
13 such city or town, then in some newspaper published in the
14 county. The notice shall set forth the name of the applicant
15 in full, the kind of license applied for, a description of the
16 location where the license is intended to be exercised, designat-
17 ing if practicable street and number. No application shall be
18 acted upon by the local licensing authorities until ten days
19 after the publication of such notice. An affidavit of the person
20 making such publication on behalf of such authorities, to-
21 gether with an attested copy of the notice published, shall be
22 filed in the office of such authorities, and a certified copy of
23 such affidavit shall be prima facie evidence that such notice
24 has been published in accordance with this section If any citi-

25 zen of the city or town within which any such license is issued
26 makes complaint in writing to the commission that such li-
27 cense was granted without such previous publication, and
28 after due hearing it appears that such publication was not
29 made as aforesaid, the commission shall cancel the license
30 and give notice of such cancellation to the authorities issu-
31 ing the license. Where there are no premises actually in exist-
32 ence at the time the application is made, the applicant may file
33 with the local licensing authorities a plan showing the actual
34 dimensions of premises which are to be constructed on which
35 the license is to be exercised. The local licensing authorities
36 may thereafter grant a license upon the condition that such
37 license shall issue upon completion of such premises according
38 to said plan, and the decision of the licensing authorities as to
39 whether or not said plan has been complied with shall be final.