
By Mr. DiCarlo (by request), a petition of Harry E. Prince for legislation to provide for licenses to hold theatrical exhibitions, public shows, public amusements and exhibitions. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT PROVIDING FOR LICENSES TO HOLD THEATRICAL EXHIBITIONS, PUBLIC SHOWS, PUBLIC AMUSEMENTS AND EXHIBITIONS.

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

1 Chapter 140 of the General Laws is hereby amended by
2 striking out section 181, as appearing in the Tercentenary
3 Edition, and inserting in place thereof the following section:—
4 *Section 181.* Application for a license to hold theatrical
5 exhibitions, public shows, public amusements and exhibitions
6 of every description to be held upon weekdays only, to which
7 admission is obtained upon payment of money or upon the
8 delivery of any valuable thing, or by a ticket or voucher ob-
9 tained for money or any valuable thing, or in which, after free
10 admission, amusement is furnished upon a deposit of money in
11 a coin-controlled apparatus may be made by any person to the
12 mayor, selectmen or license commission of such city or town
13 in which said theatrical exhibition, public show, public amuse-
14 ment and exhibitions of any description, is to be held; such
15 license shall be issued provided that such theatrical exhibition,
16 public show, or public amusement and exhibition meets all the
17 requirements of law, and provided the area is zoned for the-
18 atrical exhibition, public shows, public amusements and exhi-
19 bitions of every description. The mayor, selectmen or license
20 commission shall, within ten days after submission of such
21 application, issue said license or, in refusing to issue said
22 license, assign the reason therefor in writing. An applicant
23 aggrieved by a decision of the mayor, selectmen or license

24 commission in refusing to grant, or reinstate, or in revoking
25 or suspending a license, under this section may file a petition
26 for review in the superior court in the county in which said
27 theatrical exhibition, public show, public amusement or ex-
28 hibition was to have been held. The petition shall be filed in
29 the court within fifteen days after receipt of notice of said de-
30 cision, or within twenty-five days after an application has been
31 duly filed, provided the mayor, selectmen or license commis-
32 sion has failed to act on said application. A copy of the peti-
33 tion shall, within the same period, be served personally or by
34 registered mail upon the mayor, selectmen or license com-
35 mission.

36 The petition shall be addressed to the court and shall include
37 a concise statement of the facts showing that petitioner is
38 aggrieved, a copy of the decision of the mayor, selectmen or
39 license commission or a statement that no decision was ren-
40 dered and a demand of the relief to which petitioner believes
41 he is entitled.

42 The review shall be conducted by the court without a jury.
43 The Court may affirm the decision of the mayor, selectmen or
44 license commission or the court may by decree set aside or
45 modify the decision, or compel any action unlawfully withheld
46 or unreasonably delayed if it determines that the substantial
47 rights of any party may have been prejudiced.

48 No provision of this section shall restrict the right of licens-
49 ing authorities to act in the best interests of the public or to
50 refuse such license for just, reasonable or good cause.