

By Mr. Tobin, a petition (accompanied by bill, Senate, No. 978) of Arthur H. Tobin for legislation to establish a limited common victualler license. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Four.

AN ACT ESTABLISHING A LIMITED COMMON VICTUALLER LICENSE.

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 1. The first sentence of the first paragraph of sec-
 2 tion 12 of chapter 138 of the General Laws is hereby amended
 3 by inserting after the word "victualler" the words: — or
 4 limited common victualler.

1 SECTION 2. Said first paragraph of said section 12 of said
 2 chapter 138 is hereby further amended by striking out the
 3 fifth sentence and inserting in place thereof the following sen-
 4 tence: — During such time as the sale of such alcoholic bever-
 5 ages is authorized in any city or town under this chapter, the
 6 authority to grant innholders', limited common victuallers' and
 7 common victuallers' licenses therein under chapter one hundred
 8 and forty shall be vested in the local licensing authorities; pro-
 9 vided, that if a person applies for the renewal of either a
 10 limited common victualler's license, a common victualler's
 11 license or an innholder's license under said chapter one hun-
 12 dred and forty and a hotel or restaurant license, as the case
 13 may be, under this section and the local licensing authorities
 14 refuse to grant said limited common victualler's, common
 15 victualler's or innholder's license or fail to act on the appli-
 16 cations therefor within a period of thirty days, such appli-
 17 cant may appeal therefrom to the commission in the same
 18 manner as provided in section sixty-seven and all the pro-
 19 visions of said section relative to licenses authorized to be
 20 issued by local licensing authorities under this chapter shall
 21 apply in the case of such common victualler's, limited common
 22 victualler's or innholder's license.

1 SECTION 3. The second paragraph of said section 12 of said
2 chapter 138 is hereby amended by striking out the first
3 sentence: — If a license granted under this section to a person
4 holding a license as an innholder, limited common victualler
5 or common victualler is suspended or revoked for any par-
6 ticular cause, no action shall be taken on account thereof by
7 such authorities with respect to such innholder's, common
8 victualler's or limited common victualler's license prior to the
9 expiration of the period provided for an appeal under section
10 sixty-seven in case no such appeal is taken, or prior to the
11 disposition of any such appeal so taken, nor thereafter, except
12 for further cause, in case such disposition is in favor of the
13 appellant.

1 SECTION 4. The first sentence of section 2 of chapter 140 of
2 the General Laws, as appearing in the Tercentenary Edition,
3 is hereby amended by inserting after the word "innholders",
4 in line 2, the words: — , limited common victuallers.

1 SECTION 5. The first sentence of section 4 of said chapter
2 140, as so appearing, is hereby amended by inserting after the
3 word "innholder", in line 1, the words: — limited common
4 victualler.

1 SECTION 6. Section 5 of said chapter 140 is hereby amended
2 by adding the following sentence: — Every limited common
3 victualler need not be provided with suitable food for
4 strangers and travelers, but shall be regulated by the terms
5 and conditions for such license set by the licensing authorities.

1 SECTION 7. The first sentence of section 9 of said chapter
2 140, as appearing in the Tercentenary Edition, is hereby
3 amended by inserting after the word "innholder", in line 2,
4 the words: — limited common victualler.