



**TOWN OF BRAintree
BOARD OF LICENSE COMMISSIONERS**

One JFK Memorial Dr., Braintree, MA 02184
Tel: 781-794-8151 Fax: 781-794-8305

Joseph C. Sullivan, Mayor

REQUIREMENTS for CHANGE OF MANAGER

1. **ABCC Liquor License Application** can be found on the ABCC Website (www.mass.gov/abcc/locallicensing.htm) Under Licensing Division, select retail licenses, select either on premise or off premise, then select new license applicants or existing licensees, download forms & applications for change of manager. Submit ABCC forms with the requested supporting documents. (please note that there will be a checklist with the ABCC application - **everything required on that ABCC checklist must be submitted.**)
2. Letter of Introduction Addressed to the Board of License Commissioners (e.g. background on applicant, operate similar business in other cities/towns, ect)
3. Town of Braintree CORI Form for the proposed manager of record (attach copy of government issued identification – driver’s license or passport)
4. Provide copy of alcohol server training certification for the proposed manager of record (Town of Braintree requires certification every 3 yrs)
5. Submit the following checks:
\$200 payable to the ABCC
\$ 75 payable to the Town of Braintree

NOTE: **APPLICATION MUST BE COMPLETE UPON SUBMISSION TO THE LICENSING OFFICE
BEFORE A HEARING DATE IS SCHEDULED****

The Licensing Commission meets on the 2nd & 4th Tuesday of the month. Applicants **MUST** attend the meeting. Please allow at least 2 weeks to process the application.

**Please read the → Town’s Policy & Regulations Governing Liquor Licenses
(copy attached)**



Joseph C. Sullivan, Mayor

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LICENSING BOARD

James M. Casey, Town Clerk, Chairman
Mary E. McGrath, Dir. Municipal Lic. Clerk
Russell W. Jenkins, Police Chief
James F. O'Brien, Fire Chief
Russell Forsberg, Inspector of Buildings
Licensing/Legal Assistant
Annette M. McLaughlin

**Criminal Offender Record Information (CORI)
Acknowledgement Form**

To be used by organizations conducting CORI checks for employment, volunteer, subcontractor, licensing, and housing purposes.

TOWN of BRAintree is registered under the
(Organization)
provisions of M.G.L. c.6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to the Town of Braintree
(Organization)
to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing the Town of Braintree
(Organization)
with written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY:

The Town of Braintree may conduct
(Organization)
subsequent CORI checks within one year of the date this Form was signed by me, provided, however, that the Town of Braintree, must first provide me
(Organization)
with written notice of this check.

By signing below, I provide my consent to a CORI check and affirm that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

Signature of CORI Subject

Date



**THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Criminal Justice Information Services**
200 Arlington Street, Suite 2200, Chelsea, MA 02150
TEL: 617-660-4640 | TTY: 617-660-4606 | FAX: 617-660-5973
MASS.GOV/CJIS



SUBJECT INFORMATION

Please complete this section using the information of the person whose CORI you are requesting.
The fields marked with an asterisk (*) are required fields.

* First Name: _____ Middle Initial: _____

* Last Name: _____ Suffix (Jr., Sr., etc.): _____

Former Last Name 1: _____

Former Last Name 2: _____

Former Last Name 3: _____

Former Last Name 4: _____

* Date of Birth (MM/DD/YYYY): _____ Place of Birth: _____

* Last SIX digits of Social Security Number: _____ -- _____ No Social Security Number

Sex: _____ Height: _____ ft. _____ in. Eye Color: _____ Race: _____

Driver's License or ID Number: _____ State of Issue: _____

Father's Full Name: _____

Mother's Full Name: _____

Current Address

* Street Address: _____

Apt. # or Suite: _____ *City: _____ *State: _____ *Zip: _____

SUBJECT VERIFICATION

DO NOT FILL IN THE INFORMATION BELOW*

The above information was verified by reviewing the following form(s) of government-issued identification:

Verified by:

Print Name of Verifying Employee

Signature of Verifying Employee

Date

Town of Braintree
BOARD OF LICENSE COMMISSIONERS
Policies and Regulations Governing Liquor Licenses



Adopted: February 13, 2008
Amended: December 23, 2008
June 28, 2011

All Licenses issued under MGL, Ch. 138 after this date shall be subject to the following regulations and policies and all licensees are requested to comply with same.

- 1) The opening and closing time of sales for alcoholic beverages as set forth by the Alcoholic Beverages Control Commission will be strictly adhered to.
- 2) The so-called "last call" will be made twenty minutes before the closing time of the bar.
- 3) All glasses and bottles shall be removed from the bar and tables no later than fifteen minutes after the bar closes.
- 4) No person shall be permitted on premises licensed under MGL c.138, §12, between one hour after closing time and one hour before opening time authorized under said Section 12, except that the licensee or his manager shall not be prohibited from being on the licensed premises at any time, and further, the employees, contractors or sub-contractors shall not be prohibited from being on such licensed premises at any time for the purpose of cleaning, making renovations, making emergency repairs to or providing security for such premises, or preparing for the day's business, or opening or closing the business in an orderly manner.
- 5) There shall be no gambling allowed in any portion of the licensed premises, and implements of gambling shall not be kept or used on the premises; provided, however that this regulation shall not prohibit lotteries or other games of chance, including card games, provided that said lotteries or games of chance are conducted in accordance with a properly issued permit pursuant to MGL c. 271, §7A, and provided further that this regulation shall not apply to automatic amusement devices that are governed by the provisions of MGL c.140, §177A.
- 6) There will be no selling of alcoholic beverages and drinks at half-price.

- 7) There will be no dispensing of two or more alcoholic beverages or drinks to patrons when the patron pays for less than the number dispensed to him or her (i.e. no "Two for One" special is permitted).
- 8) There will be no selling of alcoholic beverages or drinks at a price which is less than the maximum price charged by that licensee for that same beverage or drink at other times during the week.
- 9) The dispensing of alcoholic beverages or drinks to patrons free of charge will not be allowed.
- 10) No contests shall be held which involve the practice commonly known as "chug-a-lugging" or other similar methods for consumption of alcoholic beverages and drinks.
- 11) The sale of beer or alcoholic beverages by the pitcher will not be allowed.
- 12) All Club Licenses will be governed by the same rules and regulations as common victuallers licensed for the sale of alcoholic beverages.
- 13) A. All licensees holding an all alcohol license, including seasonal or beer or wine license, shall participate in a program designed to train employees who engage in either package sales or pouring, in methods of observation and detection to avoid selling or serving alcohol to intoxicated patrons and/or minors. This program will be based on the type of license issued.

B. Listed below are recommended programs that are currently available which meet the requirements of this policy:

1. Techniques of Alcohol Management (T.A.M.) sponsored by the Massachusetts Package Store Association.
2. Training for Intervention Procedures by Servers of Alcohol (TIPS) offered by Health Communications, or
3. Any Insurance Industry approved and qualified program offered by a certified trainer, and approved by the Board of License Commissioners.

C. All licensed establishments shall be required to participate in a training program approved by the Board of License Commissioners. The licensed manager and at least one employee who is trained and certified in one of the above-referenced programs is required to be on duty during all licensed operating hours. Any employees that dispense or deliver alcoholic beverages within a licensed establishment must be trained in an approved alcohol awareness program. Establishments will have six (6) months from the date of the adoption of this regulation to comply with this requirement. Licensees must deliver to the Licensing Coordinator copies of the certificates issued to trained personnel.

D. All establishments must maintain, during operating hours, in an accessible place, a roster or certificate of trained personnel. An updated roster shall be submitted to the Licensing Coordinator with the annual application for renewal of the license and any amendments to the roster shall be submitted to the Licensing Coordinator during the year. The roster shall include:

1. Employee name.
2. (Employee date of birth)
3. Type of training (license).
4. Date valid.
5. Date of expiration.

E. All personnel shall be required to be recertified once every three (3) years by an approved program, noted above.

F. Failure to comply with this regulation may result in suspension, modification or revocation of this license.

14) POLICY FOR LIQUOR LICENSE VIOLATIONS

The following shall constitute the policy of the Board of License Commissioners for all licensed establishments for violations of MGL c. 138, or any regulations or policies promulgated thereunder, with regard to the sale of wine, malt beverages, and all alcoholic beverages in the Town of Braintree.

Nothing contained herein, however, is meant to restrict the authority of the Local Licensing Authority, pursuant to MGL c. 138, § 64, from imposing different penalties in a specific case, where, in the opinion of the Licensing Authority, the circumstances so warrant.

Section 1. – Penalties:

If a licensed establishment shall be found in violation of the General Laws, as it relates to the licensing, control and sale of alcoholic beverages, the following penalties may be imposed, at the discretion of the Board of License Commissioners as the Local Licensing Authority:

First Offense: from a warning up to a 1 - 3 day suspension to be served on consecutive days.

Second Offense: from a warning up to a 4 - 7 day suspension to be served on consecutive days.

Third Offense: 30-day suspension to be served on 30 consecutive days.

Fourth Offense: Show Cause hearing to revoke license.

This Policy shall take effect on February 13, 2008. All liquor establishments will start with no violations for the purpose of establishing this new policy. A violation will be removed from an establishment's record following a vote of approval by the Board of License Commissioners only after forty-eight (48) months have expired from the date of the violation.

Section 2. – Appeals:

In the event of an appeal of the Licensing Board's decision to the State Alcoholic Beverages Control Commission, the penalty imposed by the Local Licensing Authority shall be automatically stayed pending a formal decision by the Alcoholic Beverages Control Commission.

15) Maintenance of Liquor Licenses

For the purposes of this section, all liquor license holders shall be defined as those holding any type of license issued pursuant to MGL c. 138, §12 and 15.

- A. Liquor licenses must be held by an establishment located within the Town of Braintree, which is opened for business and in good standing with all state and local regulatory agencies.
- B. Any licensed establishment that ceases to do business at the licensed location shall immediately notify the Board of License Commissioners in writing and shall inform the Board of License Commissioners of any proposed future use of the liquor license. Failure to notify the Board of License Commissioners within twenty (20) days of the licensed establishment ceasing to conduct business at the licensed premises shall cause the Board of License Commissioners to schedule a hearing to determine whether the license shall be suspended, modified or revoked.
- C. Liquor licenses issued for establishments, or licenses held by an individual, corporation, financial institution or the like, which cease to do business at the licensed location for a period of at least six (6) months shall be deemed to be forfeited by the holder, and shall be immediately returned to the Board of License Commissioners. If the license is not returned to the Board of License Commissioners, the Board of License Commissioners will schedule a hearing to determine whether the license should be suspended, modified or revoked.

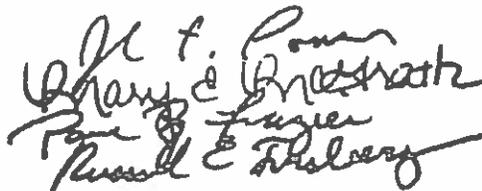
Exception: Any licensed establishment closed due to damage to the building in which the establishment is located as a result of fire, flood, wind, earthquake or other natural disaster extensive shall be allowed up to eighteen (18) months from the date of such incident to re-open the establishment for which the liquor license was originally issued. For extensive renovations not due to a natural disaster, the license holder shall be allowed up to twelve (12) months from the date that the licensed premises ceased to do business to re-open the establishment. A condition

of this time exception is that the establishment demonstrates a good faith effort to re-establish itself during this time. Notification of the date of the incident along with periodic updates as to the establishment's status and date of intended re-opening shall be provided to the Licensing Commissioners in writing.

- D. All liquor licenses expire annually on December 31st at 11:59 p.m.
- E. All renewal applications for a liquor license must be submitted to the Licensing Coordinator for the Board of License Commissioners each year by November 30th.

16) Farmer Winery Licenses

- A. Pursuant to MGL c.138 §15F, a license must be obtained before selling wine at an agricultural event.
- B. An applicant for a license under this section shall file with the Board of License Commissioners along with its application proof of certification from the department of agricultural resources that the event is an agricultural event. For any agricultural event to take place within the Town of Braintree, the applicant must obtain written permission from the agent or agency responsible for the care, custody or control of said property where the event is scheduled to occur. A special license under this section shall designate the specific premises, and dates and times covered. A special license may be granted for an indoor or outdoor agricultural event which takes place on multiple dates and/or times during a single calendar year but no special license shall be granted for an agricultural event that will not take place within one (1) calendar year. The special license shall be displayed conspicuously by the licensee at the licensed premises. A special license granted under this section shall be nontransferable to any other person, corporation, or organization.
- C. A Farmer Winery License granted by the Board of License Commissioners for an agricultural event scheduled to occur within the Town of Braintree shall exclude the distribution of samples at said event.
- D. The Board of License Commissioners shall not issue more than two (2) Special Farmer Winery licenses to be exercised for the purpose of display and sale at any single indoor or outdoor agricultural event.



M. F. Power
Chairman of Braintree
Town of Braintree
Russell E. Delaney

Town of Braintree
BRAINTREE LICENSE COMMISSION
Local Licensing Authority