

TOWN OF BRAINTREE

IN COUNCIL

ORDER NO: 11 031

DATE: June 30, 2011

ORDERED: Mayor

Petition for Special Legislation To Grant Additional Liquor Licenses

MAYOR JOSEPH C. SULLIVAN HAS SUBMITTED TO THE BRAINTREE TOWN COUNCIL THE FOLLOWING STATUE:

That the Town Council vote to authorize the Mayor to petition the General Court pursuant to Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts for an Act of Special Legislation authorizing the Town of Braintree to grant additional liquor licenses as set forth in the petition for special legislation filed with the Town Council in June 2011 and on file with the Office of the Town Clerk. Further, that the General Court be authorized to make clerical or editorial changes of form only to the bill before enactment by the General Court, and further, that the Mayor be authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO GRANT CERTAIN LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES

Section 1. Notwithstanding section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Braintree may grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of Chapter 138, to establishments that hold a common victuallers license and are located in the area known as Weymouth Landing in the Town of Braintree, as the same is more particularly *described as beginning at the intersection of Quincy Avenue and the F.L. Wright Connector road and running southerly along both sides of Quincy Avenue up to the Braintree/Weymouth town line* and hereinafter referred to as the "Weymouth Landing District". Notwithstanding any general or special law, rule or regulation to the contrary, the licensing authority shall not approve the transfer of any license granted by this act to any other location outside of the Weymouth Landing District. These licenses shall be subject to all of the provisions of Chapter 138 of the General laws, with the exception of section 17.

Section 2. If a license granted under Section 1 of this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority for the Town of Braintree. Notwithstanding section 17 of Chapter 138 of the General Laws or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant whose business is located within the Weymouth Landing District, under the same conditions as set forth in this act.

Section 3. Notwithstanding section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Braintree may grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of Chapter 138, to establishments that hold a common victuallers license and are located in the area known as Braintree Square in the Town of Braintree, as the same is more particularly described as *beginning at the intersection of Hollis Avenue and Washington Street and running northerly along both sides of Washington Street and ending at the intersection of West School Street and Washington Street; beginning at the intersection of Washington and River Streets and running easterly along both sides of River Street and ending at the intersection of River and Railroad Streets; beginning at the intersection of Washington and Elm Street, running easterly along both sides of Elm Street and ending at the intersection of Elm Street and Stedman Avenue;* and hereinafter referred to as "Braintree Square". Notwithstanding any general or special law, rule or regulation to the contrary, the licensing authority shall not approve the transfer of any license granted by this act to any other location outside of Braintree Square. These licenses shall be subject to all of the provisions of Chapter 138 of the General laws, with the exception of section 17.

Section 4. If a license granted under Section 3 of this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority for the Town of Braintree. Notwithstanding section 17 of Chapter 138 of the General Laws or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant whose business is located within Braintree Square, under the same conditions as set forth in this act.

Section 5. Notwithstanding section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Braintree may grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of Chapter 138, to establishments *that hold a common victuallers license* and are located in the area known as South Braintree Square in the Town of Braintree, as the same is more particularly *described as beginning at 820 Washington Street and running southerly along both sides of Washington Street up to the intersection of Washington, Hancock and Pearl Streets and continuing along both sides of Hancock Street and ending at the intersection of Washington, Hancock and Plain Street; beginning at 1010 Washington Street and running easterly along both sides of Washington Street through the intersection of Washington, Hancock and Pearl Streets and continuing easterly along both sides of Pearl Street and ending at the intersection of Pearl Street and Randall Avenue;* and hereinafter referred to as "South Braintree Square". Notwithstanding any general or special law, rule or regulation to the contrary, the licensing authority shall not approve the transfer of any license granted by this act to any other location outside of South Braintree Square. These licenses shall be subject to all of the provisions of Chapter 138 of the General laws, with the exception of section 17.

Section 6. If a license granted under Section 5 of this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority for the Town of Braintree. Notwithstanding section 17 of Chapter 138 of the General Laws or any other general or special law to the contrary, the licensing authority may then grant the license to a new applicant whose business is located within South Braintree Square, under the same conditions as set forth in this act.

Section 7. This act shall take effect upon its passage.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

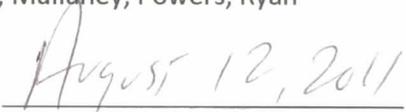
Passed in Council: August 10, 2011

Presented to Mayor: August 11, 2011

A True Copy, Attest:



Joseph F. Powers, Town Clerk



Date Approved



Joseph C. Sullivan, Mayor