

Offered by Councilor Frank Baker

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CITY OF BOSTON



IN THE YEAR TWO THOUSAND TWENTY

HOME RULE PETITION

WHEREAS, Because of the cap on liquor licenses in the City of Boston, many of the City's neighborhood restaurants have difficulty or are unable to obtain a liquor license; thereby, making it difficult for smaller neighborhood restaurants to open and be successful; and,

WHEREAS, It is important that neighborhoods have access to liquor licenses in order to have economic equity; and,

WHEREAS, Having licenses designated for the City's neighborhoods will address disparities with the current system and will keep pace with the population growth.

THEREFORE BE IT

ORDERED, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, provided, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition:

**PETITION FOR A SPECIAL LAW RE:
AN ACT AUTHORIZING ADDITIONAL LICENSES FOR THE SALE OF
ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES IN BOSTON.**

Section 1. Section 17 of chapter 138 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following new sections:

Notwithstanding any other law, rule, regulation, or provision to the contrary, and in addition to any other license authorized by this act, the licensing board for the city of Boston may grant up to 150 non-transferable liquor licenses over a three year period for the sale of alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138. A license granted pursuant to this paragraph shall be nontransferable to any other person, corporation or organization and shall be clearly marked "nontransferable." For purposes of this paragraph, "nontransferable" means

that licenses shall revert back to the City between owners and cannot be sold on the open market. A license issued under this section, if cancelled, revoked or no longer in use at the location of original issuance, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing board which may then grant that license to a new applicant under the same conditions as specified in this section if the applicant files with the licensing board. No license shall be issued under this paragraph to any person, corporation or organization that sold or otherwise transferred any other license issued pursuant to section 12 of chapter 138 in the twelve months preceding the submission of an application for a license under his paragraph. Any license issued under this paragraph shall be invalid and immediately revoked if the licensee sells or otherwise transfers any other license issued pursuant to section 12 of chapter 138 in the twelve months following the issuance of a license under this paragraph.

The licenses authorized under the preceding paragraph shall be distributed as set forth in this paragraph. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of Dorchester over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of Roxbury over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of Mattapan over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of Hyde Park over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning districts of Allston/Brighton over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of Roslindale over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of South Boston over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of West Roxbury over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of Charlestown over a three year period beginning in 2021. The licensing board may grant up to 15 all-alcohol licenses in the neighborhood zoning district of East Boston over a three year period beginning in 2021.

Section 2. The provisions of this act shall be effective upon passage.

Filed in Council: January 29, 2020