TO THE LICENSE COMMISSION:

The undersigned respectfully makes application for the following type of license:

Special one day license to sell/dispense All Alcoholic Beverages

[Applicant shall be a responsible manager for a non-profit organization, per MGL c. 138, s. 14]

Name

_____
(signature on line above)

Business Address

Business Tel.

Date Filed

Date(s) of Event:

Hours for sale/service:

Event:

Event location:

License Fee: ***$125.00***
[For event 2 hours or less: $75.00]

License Commission
Law Office, room 64
3rd fl., City Hall
375 Merrimack St.
Lowell, MA 01852
t. 978-674-4156
fax 978-453-1510
email rwynn@lowellma.gov

Regulations of the Lowell License Commission for Special One-Day Liquor Licenses

7.01 SPECIAL ONE-DAY LICENSE

Applications for special one-day license to sell all alcoholic beverages or malt beverages and wines, only, or any of them, may be granted by the Lowell License Commission to the responsible manager of an indoor or outdoor activity, and also to the responsible manager acting on behalf of a nonprofit organization for the same type of activity (Chapter 138, section 14, M.G.L.). The responsible manager, who must be a United States citizen and at least twenty-one (21) years of age, shall be the licensee of record. The responsible manager shall be liable for any violation of the Liquor Control Act, i.e. Chapter 138 of the General Laws of Massachusetts, the Commonwealth of Massachusetts Regulations of the Alcoholic Beverages Control Commission, and the rules and regulations of the Lowell License Commission

The responsible manager shall take the necessary precautions to insure that no person who is not of legal drinking age, twenty-one (21) years of age or older, is sold, served or allowed to consume alcoholic beverages. Furthermore, the responsible manager shall also take the necessary precautions to insure that no person shall be served alcoholic beverages who is under the influence of alcohol or acts in a manner that may be interpreted as being under the influence of alcohol.

The responsible manager must purchase alcoholic beverages to be sold and served at the scheduled activity from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. Alcoholic beverages cannot be purchased from a package store for sale and service at the scheduled activity.

Special License for All Alcoholic Beverages may be issued by the License Commission only to a person acting on behalf of a nonprofit organization. No other person may be issued a special license to sell all alcoholic beverages.

Special License for Wine or Malt Beverages, or Both may be issued to a person who is conducting an activity or enterprise for profit.

No person may be granted special licenses for more than a total of 30 days per calendar year.

No special license under section 14 of Chapter 138, M.G.L., shall be granted to any person while his or her application for an annual license under section 12 of said chapter is pending before the License Commission.

7.02 SPECIAL REQUIREMENTS FOR CERTIFIED ART GALLERIES/MUSEUMS

The License Commission may grant a special license to serve, without sale or profit, wine and/or champagne to the responsible manager of an art gallery and/or museum for purposes of providing light refreshment during an indoor art presentation, display, or other such special event involving the exhibition of artwork for commercial or non-profit purposes on behalf of a profit or non-profit organization dedicated to the promulgation of artistic activity. To qualify, the art gallery must be certified through the Office of Cultural Affairs & Special Events (CASE). The certified entity may then apply for the special one-day license at a reduced rate designated by the License Commission.

The responsible manager is prohibited from charging, offering, selling for profit, or soliciting donations for alcohol under color of a special one-day license. Any such act will be deemed a violation of the special license and subject the establishment to all applicable penalties under the law.

Any such special license issued under 7.02 remains subject to the Liquor Control Act, i.e. Chapter 138 of the General Laws of Massachusetts, the Commonwealth of Massachusetts Regulations of the Alcoholic Beverages Control Commission, and rules and regulations of the Lowell License Commission.

204 CMR 4.00

Prohibition of Certain Practices

204-4.03: Certain Practices Prohibited

(1) No licensee or employee or agent of a licensee shall:

(a) offer or deliver any free drinks to any person or group of persons;

(b) deliver more than two drinks to one person at one time;

(c) sell, offer to sell or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public;

(d) sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public;

(e) sell, offer to sell or deliver drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public;

(f) sell, offer to sell or deliver malt beverages or mixed drinks by the pitcher except to two or more persons at any one time;

(g) increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;

(h) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.

(2) No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under 204 CMR4.03.

Conditions per License Commission:

Alcoholic beverages are not to be removed from the designated area by a patron or guest; the designated area if outdoors shall be enclosed.

A temporary barrier (e.g. snow fence) shall be erected when there is no permanent enclosure in place.

Sale, service, and consumption of alcoholic beverages shall cease at the hour the license expires, provided that the use of a street for said purpose shall be limited to the time a street is closed.

I hereby attest to receiving a true copy of the above statement on the _____ day of _____,
and I agree to abide by all of the above conditions.

signed: _____

Print Name: