

Licensing Procedures

The first step in the licensing process is the granting of an application by the Board of Selectmen, the Local Licensing Authority (the “LLA”).

The second step is approval by the Alcoholic Beverages Control Commission (the “ABCC”). If the ABCC approves the license, the LLA issues the license. *An applicant for an alcoholic beverages license may not operate a licensed premise until the LLA issues a license.*

Pursuant to M.G.L. c. 138, §15A and 16B, LLA's and the ABCC are required to follow the procedures outlined below each time an application for the sale of alcoholic beverages is filed.

1. The LLA must note the date and hour an application for an alcoholic beverages license is filed.
2. The LLA must publish an advertisement, within 10 days of the application being filed.
3. A hearing on the application shall not be held sooner than ten (10) days after advertising the hearing.
4. The LLA must act on an application within thirty (30) days after it is filed.
5. If the LLA grants the license, the application shall be forwarded to the ABCC no later than three (3) days following such approval.
6. When the ABCC receives an application that has been approved by the LLA, an investigator will be assigned. The investigator will investigate the proposed licensed premises, as well as the proposed applicant and the source(s) of financing for the transaction. Parties to an application must respond promptly to investigators' inquiries. **Failure to do so will result in a delay of the approval and may result in a denial of the application.**
7. When the ABCC receives the application it is immediately forwarded to the Department of Revenue (“DOR”) and the Division of Unemployment Assistance (“DUA”). Both agencies will research the issue of any outstanding tax obligations of both the buyer and the seller for all types of taxes, including sales, meals, withholding, corporate excise, room occupancy, personal income taxes, unemployment insurance, and employer fair share contributions. **The ABCC will not approve a license transfer until DOR and DUA attest that the parties have no outstanding tax liabilities to the Commonwealth. The parties are responsible for resolving all tax questions.**
8. Once the LLA receives the ABCC's approval of an application, it must issue the license within seven (7) days.

