

**City of Northampton
MASSACHUSETTS**

In City Council, February 2, 2023

Upon the recommendation of Mayor Gina-Louise Sciarra

**23.242 An Order for Special Legislation Relative to Requesting Seven (7) Licenses for the Sale of All
Alcoholic Beverages to be Drunk on the Premises**

Ordered, that

WHEREAS, the City of Northampton has a vibrant community with unmatched entertainment, restaurant, and retail offerings and wishes to continue the growth and stability of our economically healthy downtowns; and

WHEREAS, the City of Northampton is over its quota for section 12 all alcoholic beverages licenses established in section 17 of Chapter 138 of the Massachusetts General Laws; and

WHEREAS, the City of Northampton recognizes that the availability of over quota liquor licenses is synergistic with existing entertainment and restaurant venues and will help encourage additional development in downtown Northampton and Florence center; and

WHEREAS, the inability to serve all alcoholic beverages hinders the ability of existing restaurants with no all alcohol licenses from expanding its offerings and bringing additional patrons and revenue to Northampton; and

WHEREAS, the inability to offer a section 12 all alcoholic beverages license to potential entrepreneurs looking to locate in the City of Northampton has been detrimental to the city's economic development and growth; and

WHEREAS, special legislation is necessary to allow the City of Northampton to issue seven (7) over quota section 12 all alcoholic beverages licenses to strengthen and enhance the existing economic vitality of our community and to welcome new establishments to our downtowns.

NOW, THEREFORE, BE IT ORDERED

Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO GRANT SEVEN (7) OVER QUOTA LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws or any other general or special law to the contrary, the licensing authority of the City of Northampton may grant seven (7) additional licenses for the sale of all alcoholic beverages to be drunk on the premises, under section 12 of said chapter 138, to seven entities deemed appropriate by the licensing authority of the City of Northampton. The licenses shall be subject to all of said chapter 138, except said section 17.

The licensing authority shall not approve the transfer of a license granted pursuant to this act nor shall a license be marketed for sale, sold or pledged to any other entity or location. For purposes of this paragraph, a conveyance or transfer of more than forty-nine percent interest in the entity holding the license shall constitute a sale of the license. Violation of this paragraph shall, after due notice and public hearing, be grounds for revocation of the license issued hereunder.

If a license granted pursuant to this act is canceled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority of the City of Northampton, which may then grant the license to a new applicant at the same location or new location in the city under the same conditions as specified in this act. The applicant for a license returned to the licensing authority shall file with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

SECTION 2. This act shall take effect upon its passage.