

# TOWN OF LINCOLN



## LIQUOR LICENSE

### APPLICATION GUIDELINES

## Guidelines for Applying for a Liquor License

1. Applicants for a new license shall submit – in duplicate - to the Board of Selectmen completed copies of the following forms:
  - a. Alcoholic Beverage Control Commission (“ABCC”) standard application for Alcoholic Beverage License for Retail Sale
  - b. ABCC Form 43,
  - c. ABCC Form A;
  - d. Criminal Record Release Form;
  - e. Any other application forms required by the ABCC (See Matrix of Liquor License Transactions attached to the Town of Lincoln Liquor License Regulations).
  - f. Certificate signed by building inspector and head of fire department as required by Chapter 304 of the Acts of 2004.

Note: The Board may require financial statements to be submitted with the initial application as evidence of the viability of the applicant to operate the establishment as intended. Annual renewals will be required to submit a copy of the current menu as proof of their continued viability as a full service restaurant.

State application forms, and other helpful information, are available online at [www.state.ma.us/abcc/](http://www.state.ma.us/abcc/). Local forms are available from the Office of the Board of Selectmen.

2. If the company is incorporated, applicants shall submit the following information as part of the application:
  - a. A copy of the corporation’s certificate of organization containing the seal of the Secretary of State. The Articles of Organization should provide language allowing the sale of wines and malt beverages.
  - b. Copy of the vote of the Board of Directors appointing a Manager and Alternate Managers (if applicable under #5 ).
  - c. Full names and home addresses of the president, treasurer, clerk and secretary, directors and managers or other principal representatives.
  - d. The application shall be signed by some officer duly authorized by a vote of its board of directors. The application shall include a copy of said vote, certified by the clerk or secretary of the corporation
3. If the company is a partnership, the applicant shall include a copy of the partnership agreement. All partners must be U.S. Citizens. The application shall state the full names and home addresses of all the members of the partnership and shall be signed by a majority of thereof.
4. If the applicant is an association, the application shall be signed by a majority of the members of the governing body and shall state the members’ full names and addresses.

5. If the applicant is neither a corporation nor a partnership, the applicant shall file a business certificate with the Lincoln Town Clerk. Applications by individuals shall be signed by the individual applicant and shall provide the applicant's full name and home address. Businesses operating as corporations must appoint a manager to be listed on the application.
6. The applicant shall submit a plan indicating the general layout of the full premises to be permitted (drawn to scale) on 8.5"x 11" paper. The plans shall clearly designate the portion of the premises that will be used for the storage, sale, and service of alcoholic beverages. Any outdoor seating area must be clearly delineated and must provide details description of the proposed barrier separating the outdoor seating area from the adjacent property. Outdoor seating areas must exit from the main entrance of the restaurant, except for the purposes of emergency evacuation.
7. All applications shall be made under the pains and penalties of perjury.
8. License applicants are required to obtain a Common Victuallers license from the Board of Selectmen prior to submission of a liquor license application.
9. Applicants shall contact the Board of Health and Building Department and obtain all necessary licenses or permits prior to filing the license application.
10. If leasing the proposed licensed premises, the applicant shall provide adequate evidence of the lease. If the applicant owns the property, the applicant shall provide a copy of the deed.
11. The applicant shall provide a \$200 check or money order made payable to the ABCC or the Commonwealth of Massachusetts, and shall also provide a \$100 license application fee, by certified check, payable to the Town of Lincoln.
12. The applicant will be scheduled to appear before the Board of Selectmen at a public hearing to make a presentation on the application. The applicant should be prepared to answer any questions the Board may have about the proposed operation.
13. A legal advertisement (for which the applicant will be billed) will be placed in the Lincoln Journal a minimum of 10 days before the hearing.
14. For new licenses, within three days of the legal advertisement, the applicant must notify all abutters via return receipt requested mail of the hearing. A certified abutters list must be obtained through the Assessor's Office.

15. If the premises is located within 500 feet of a church, synagogue, hospital, elementary, or secondary school, the applicant must notify the same of the public hearing via return receipt requested mail.
16. The receipts for certified mail, the green return receipts and the Assessor's certified list for the mailing must be provided to the Board of Selectmen at or before the hearing.
17. If the application is approved by the Board of Selectmen, the application will be forwarded to the Alcoholic Beverages Control Commission (ABCC) for final approval.
18. Upon final approval, the applicant shall pay the Board of Selectmen a licensing fee of \$1500, payable by a certified check to the Town of Lincoln, prior to receipt of the license.
19. Denial of the license by the Board may be appealed per the ABCC regulations.

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