

TOWN OF LINCOLN



LIQUOR LICENSE

BOARD OF SELECTMEN
INTERNAL GUIDELINES

I. Processing the Application

1. The Board, or its designee, should review an application for completeness prior to accepting an application for filing.
2. Once the application is deemed complete, the Board may record the date and time of filing on the Application.
3. Within ten (10) days of the filing of an application, the Board should publish notice of a public hearing on the application in [Local Newspaper] and inform the applicant of the date and time of the hearing.
4. The hearing on the application should be held no sooner than ten (10) days after the hearing notice is published.
5. The Board should ensure that prior to the commencement of the public hearing the applicant provides the Board with certified mail receipts and the green return mail cards for all abutters, as well as a certified abutters' list
6. If the premises is within 500 feet of a church, synagogue, hospital or school, the Board should ensure the applicant has provided certified mail receipts and green return mail cards for these entities prior to commencing the public hearing.

II. Reaching a Decision on an Application

1. The Board of Selectmen may consider any factors related to public need and public safety when deciding upon a license application. These factors may include, but are not limited to, the following:
 - a. Proximity to and potential negative impacts to adjacent residential neighborhoods
 - b. Traffic (What is the proposed traffic impact to our roadways?)
 - c. Noise (inside and out)
 - d. Layout of any outdoor seating areas (How many tables are proposed? What type of proposed barriers – solid or vegetative - will separate the seating area from the adjacent property, Will outdoor entertainment of any type exist?)
 - e. Pedestrian safety (Check with Public Safety)
 - f. Zoning compliance (Confirm with Planning Board that any necessary approvals have been obtained.)
 - g. Parking – See above
 - h. Fire safety (i.e. layout of floor-plan, use of candles - inside or out)
 - i. Adequate sanitation requirements (Is the BoH in approval of the proposed design and operations?)
 - j. Economic viability of the establishment (How has applicant indicated the funding is adequately available to establish and operate this

establishment? Is applicant or manager experienced in running this type of establishment?)

- k. Certificate signed by building inspector and head of fire department as required by Chapter 304 of the Acts of 2004 must be included

Note: At no time shall the Board be perceived as having the authority to dictate the décor, food styles or menu selections of the establishment. The annual menu review shall be done to ensure maintenance of a full-service restaurant status only.

2. If the Board approves a license for a premises that is within 500 feet of a church, synagogue, hospital, or school, the Board must note in writing that the proposed premises will not be detrimental to the educational or spiritual activities of the above mentioned entities.
3. The Board should reach a decision on an application within thirty (30) days after filing.
4. If approved by the Board the application should be forwarded to the ABCC within three (3) days of the Board's approval.
5. If approved by the ABCC, and upon receipt of the license fee from the Licensee, the Board should issue the license to the Licensee.
6. If the Board denies the application, the Board should issue a written "Statement of Reasons for Denial" to the applicant and provide the applicant with the ABCC "Right to Appeal" notice.

III. Annual Renewals

1. The annual license, once issued, is valid until December 31 of each year, and must be renewed in each succeeding year.
2. A license renewal form should be available to Licensees in the office of the Board of Selectmen between November 1 and November 30 of each year.
3. The Board should review all license renewal forms received prior to December 1 and make a determination regarding the renewal of the license on or before December 31.
4. The Board should forward all renewal applications approved by the Board to the ABCC on or before December 31 of each year.
5. If approved by the ABCC, and upon receipt of the license fee, the Board should issue the license renewal.

6. The Board should submit an annual report to the ABCC of all licenses issued on or before February 15 of each year.

IV. Violations and Enforcement

1. Should the Licensee violate any portion of the terms of the license or any conditions, regulations or laws of the Town or the State, the Board may take action against the Licensee, after notice and a hearing, and may suspend or revoke the license.
2. Whenever the Board suspends a license, it should provide the Licensee with a sign containing the words "Closed by Order of the Licensing Board of the Town of Lincoln," which sign should be attached on the inside, but visible from the outside, of the licensed premises during the period of such license suspension.

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