

**THE COMMONWEALTH OF MASSACHUSETTS  
ALCOHOLIC BEVERAGES CONTROL COMMISSION**

**GENERAL INSTRUCTIONS  
FOR LIQUOR LICENSE APPLICATION**

***BEFORE YOU BEGIN***

**COMPLETENESS AND ACCURACY**

Answers to questions on this application must be complete and accurate. All forms must be signed by the appropriate parties. Failure to provide legible, accurate and complete information may be cause for rejection of your application at any point by the local licensing authority (LLA) or Alcoholic Beverages Control Commission (ABCC).

**NOTICE**

Within 10 days after receipt of an application, the LLA must publish, at the applicant's expense, a notice of the application in a newspaper in the city or town where the license is intended to be exercised. The LLA will hold a hearing on the license application not sooner than 10 days after that notice.

Within 3 days after publication of the notice, the applicant, or someone on his/her behalf, must send a copy of the published notice by registered mail to each person appearing on the assessors' list of abutters to the premises to be licensed.

**IF THE PROPOSED PREMISES IS WITHIN 500 FEET OF A CHURCH, HOSPITAL OR SCHOOL** - A copy of the published notice must sent, by registered mail, to any church, hospital, or school within a radius of 500 feet of the premises to be licensed. Innholder applicants and applicants for premises located 10 or more floors above street level are not required to send such notice. The notice must state that a written objection by the governing body of the school, or church must be filed with the LLA to oppose the issuance of this license. The applicant must file an affidavit and an attested copy of the notice mailed with the LLA.

*If notice was not sent to any abutter or school, church or hospital as required, and there is a written complaint to the LLA or ABCC to that effect, the license may be canceled.*

**APPROVAL**

The LLA must act on the application within 30 days. Within 3 days after approval has been given, the application must be sent to the ABCC for its approval. The license will be issued by the LLA within 7 days of receipt of ABCC approval.

**RENEWALS**

Automatic renewal requires that the renewal application (which must be filed with the LLA by November 30<sup>th</sup>) be of the same type and cover the same licensed premises as the expiring license.

**IMPORTANT INFORMATION FOR ALL PARTIES IN A LIQUOR LICENSE TRANSACTION**

Grant of an application by the LLA is only the first step in the license process. The second step is approval by the ABCC. If the ABCC approves, the final step is issuance by the Local Board.

Until and unless a license is issued, the new owner may not take part in the operation of the premises other than as a salaried employee and the old owner, if any, is still liable for the operation of the premises.

Before approving most applications involving an ownership change of a license, the Department of Revenue (DOR) will research the tax history of the current and new owners for all types of taxes, including sales, meals, withholding, corporate excise, room occupancy and personal income taxes, if applicable. Please do not submit any documentation or information to DOR until you have applied to the ABCC and have been contacted by an employee of DOR. *The ABCC will not approve the license until DOR signs off. It is up to the parties, not the ABCC, to resolve tax questions.*

The ABCC will have an investigator meet with or telephone the applicant to ask certain information about the application, including, but not limited to, the people involved and the financing. It is important that the parties respond promptly to investigators' inquiries. *Failure to do so will result in denial of the application.*

**Operation by the applicant before final approval can have serious results including denial of the application or revocation of the existing license, if any. In certain circumstances it can also lead to possible criminal and civil liability.**

## **COMPLETING THE APPLICATION**

- a) Read these instructions carefully before answering the questions in the application form. The form includes requirements and restrictions under Massachusetts law and ABCC regulations.
- b) All questions must be answered fully and in complete detail.
- c) Applicants who will operate under d/b/a must file a business certificate with the clerk of the city or town where the applicant has an office (MGL Ch110 s5).
- d) Every applicant must answer questions 1) through 5a) and sign at the end of the application. Other questions should be answered as applicable.

## **SPECIFIC INSTRUCTIONS BY QUESTION**

1. Complete all items. An applicant may only apply for one type of license per application form. No more than two applications for any license granted for the same premises shall be allowed during a calendar year (Massachusetts General Law Ch. 138 s. 16B).

See example.

Name to appear on the license: ABC Inc.	FID # 042771234
Manager of Record (if a corporation): Iam Responsible	
Address of premise(s); Street: 123 Main Street	
Town: Westhampton	Zip Code: 12345
Phone number of premise: (617) 987-6543	
Business name (d/b/a), if different: Fun Times	

2. Check the type of license being applied for. Be sure to check only one.

3. Check the category of license being applied for. Check only one.

4. Check the class of license being applied for. Check only one.

5. Complete all items. Provide the requested information for whoever should be contacted concerning this application.

See example:

Name: Joe Quimby- Perry Mason and Associates Inc.,
Address: 567 City Hall Lane, Springfield 01812
Phone number: (413) 484-8120

6. Give a full and complete description of the premise to be licensed, including location of all entrances and exits:

Two function rooms on the first floor, restrooms in back. One exit and entrance at front and four other exits. Lobby, Kitchen, storage room downstairs.

6a. State seating capacity, and total occupancy numbers indicated on occupancy permit.

7. Check off which best describes the applicant for the license. Check only one.

8. Provide the requested information if the applicant is an individual or a partnership.

See example:

Full Name	Home Address	D.O.B.	SSN
Iama Goodfellow	77 Borque Drive, New Braintree 01010	2/2/59	032-62-5174
Ann Applicant	11 Bledsoe Way, Hadley 05151	5/26/61	022-65-9098

8a. Check off whether or not all the individuals or partners applying for the license are U.S. citizens. If no, please specify citizenship.

8b. Check whether all individuals or partners involved are at least 21 years old.

9. If applicant is a corporation, provide the requested information. Be sure to indicate state of incorporation and date the corporation was qualified to do business in Massachusetts.

See example:

Date of incorporation: January 6, 1987	Place of incorporation: Maryland
Fiscal Year ends: June 31	Date qualified to do business in MA: Feb. 24, 1990

Note: Corporate applicants must include with the application form:

1. A certified copy of the Certificate of Corporate Existence.
2. If incorporated out of state, a Certificate to do Business as a Foreign Corporation in Massachusetts.
3. A copy of the vote authorizing the officer to sign this form.
4. A copy of the vote appointing the manager or other principal representative.

9a. The full names and home addresses of the president, treasurer, clerk and secretary or their equivalents, and of the directors and managers or other principal representatives of the corporation must be provided. Stockholder, as used in the application form, means:

1. a person or entity who holds 10% or more of the total outstanding stock of the applicant corporation, and the corporation is listed for sale to the general public with the Securities and Exchange Commission, or;
2. any person or entity who holds stock of the applicant corporation which has a maximum of 20 stockholders and is not listed for sale to the general public with the Securities and Exchange Commission.

See example:

Use \* to indicate director

Title	Full Name	Home Address	D.O.B.	SSN	Shares of stock owned or controlled
President	* Tom Hagen	13 Ware River Road, Palmer 03456	3/8/62	022-12-5712	109
Treas/Sec/ Dir	* Dan Allen	42 Vaughn Way, Palmer 03456	7/9/58	055-34-9090	88
Manager	Dan Marino	1312 Miami Way, Foxboro 02111	12/25/65	033-30-9794	
Director	* Janet Gretzky	99 Los Angeles St., Monson 33221	6/15/67	032-62-5199	

9b. Attach requested information.

9c. Check the correct answers.

10. A majority of the members of the governing body of an association must provide their full names and home addresses. These names must include the names of those people who sign the application.

See example:

Title	Full Name	Home Address	D.O.B.	SSN	Phone #
President	Cal Lull	199 Pennant Path Boston 01544	7/7/57	022- 55- 6188	(413) 767-1022
Vice President	Peter Ripken	9 Oriole Way Wellesley 54124	3/21/60	055- 90- 0987	(617) 625-9272

11. Include with this application a general floor plan of the altered or new structure(s). These plans must be in compliance with the rules and regulations of the Architectural Barriers Board, including the requirements on accessibility by physically handicapped persons.

12. Check which ever describes the way the property to be licensed is owned. If you do not own the premises to be licensed, provide the requested information about the owner.

See example:

Name: Ralph Wiggam	Telephone number: (413) 889-0987
Address: 56 Quaker Lane, Russell 03482	

13. Include financing by any banks, financing agencies, private or any other sources. Provide requested information.

See examples:

What assets were purchased and cost?

Equipment: \$10,000.00	Furniture: \$1,000.00	Goodwill: \$125.00
Inventory: \$10,000.00	License: \$100.00	Premise: \$90,000.00

Total Purchase Price: \$123,456.78
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13b. How financed and Terms of Financing?

Mortgage: \$	Seller: \$
Cash: \$	Other Financial Terms: \$

13c.

All other terms and conditions: (provide purchase and sale documents.)
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14. Direct or indirect beneficial or financial interest includes, but is not limited to: 1) money lent by any person or entity to the applicant; 2) ownership of any part of this license; 3) any financial or other interest in the premises to be licensed, in any real or personal property on the premises or in the business; 4) liens on the premises to be licensed or on any personal property, furniture, or fixtures related to the business; 5) pledges or mortgages to secure a loan or debt relating to the premises to be licensed or any personal property related to the business.

See example:

Full Name	Home address	D.O.B.	SSN	Phone #
Zack McDall	44 Chokers Lane, Fitchburg 01234	3/12/61	032-65-8976	(413)-898-0987

14a. List all persons with any such interest such as, but not limited to, persons or entities mentioned in questions 8, 9a or 10, owners of corporate stock, creditors, corporate management employees, and family members.

See example:

Person or entity	Beneficial or financial interest
Joe Hasenfuss	Owens seventy percent of business

14b. Provide requested information regarding financial interests in the license being applied for.

See example:

Name	Type of license	License name and address	Description of Interest
Kent Clark	Importer	Superman Importers 96 Lois Lane, Orange 09876	Owner

14c. Massachusetts General Law Chapter 138 covers: 1) liquor licenses listed in this application; 2) railroad car, airline corporation, ship or vessel, incorporated posts of war veterans organizations and druggist liquor license; 3) special liquor licenses; 4) licenses to act in a foreign state or country; 5) farmer-winery and farmer-brewery licenses; 6) wholesaler, importer, manufacturer, retailer licenses; and 7) any other license established under Chapter 138.

See example:

Name	Type of License	License name and address	Date ownership surrendered
Luca Brazzi	Package store	Luca's Liquors 99 Corleone Avenue, Springfield 01812	2/27/90
Joe Molluy	Farmer-winery	Grace Road Wines 46 Grace Road, Agawam, 03421	7/21/91

14d.

Date	License	Reason why license was terminated
4/4/84	Luca's Liquors	License transferred

14e.

Date	License	Reason why license was suspended, revoked, or canceled
4/1/83	Luca's Liquors	Serving to minors

14f. No license will be issued to any applicant who has been convicted of a violation of a federal or state narcotic drugs law. (Massachusetts law G.L. Ch138 s12).

15. Be sure to read each condition, and sign as indicated.

Return the completed application to the local licensing authority.