



TOWN OF CHATHAM
 OFFICE OF THE SELECTMEN
 TOWN MANAGER
 549 Main Street, Chatham, Massachusetts, 02633
 508-945-5100



ONE DAY SPECIAL ALCOHOL PERMIT

- Special License for All Alcoholic Beverages** *(For non-profit organizations only)*
- Special License for Wine & Malt**

Date of Event: _____ **Start Time:** _____ **End Time:** _____

Responsible Manager: _____

*A special license may be issued only to a **natural person**, although the licensee may be a responsible manager acting on behalf of a corporation, partnership, or other entity.

Organization Name: _____

Location of Event: _____

Telephone # _____

Fully describe the event and include the following:

- Description of area of premises where alcohol will be served
- Manner in which alcohol will be served
- What steps will be taken to prevent underage sale or consumption
- Will the event be a cash bar
- If you are charging for event will alcohol be included in the price if so, number of drinks included (must be limit)
- Is the event open to the public

Name of Wholesaler Alcohol will be purchased from: _____

*Please note: Alcohol under this special license must be purchased from a licensed wholesaler and not from a package store.

Applicant Signature: _____

C. Special One Day Licenses (amended 9/24/2018, 2/11/2019)

Unlike an annual and seasonal liquor license, a special one-day license granted under M.G.L. c. 138, §14 does not require the approval of the ABCC. One-day licenses for sale of all alcoholic beverages may be issued only to the manager/ representative for a non-profit organization and the applicant will be required to provide proof of the organization's 501(c)(3) status. One-day liquor licenses for the sale of wine and malt beverages may be issued to the manager/representative for *any* for-profit or nonprofit enterprise. This special license authorizes its holder to sell alcoholic beverages at any indoor or outdoor activity, subject to certain restrictions. Pursuant to M.G.L c. 138, § 23 and 204 CMR 7.05, the holder of a one-day special license must purchase alcohol from authorized wholesalers only, with the exception of nonprofit charitable corporations organized pursuant to M.G.L. c. 180 and registered with the division of public charities in the department of the attorney general and licensed pursuant to M.G.L. c. 138, §14, which may accept free alcoholic beverages donated to the nonprofit charitable corporation by an individual, by a person licensed to manufacture alcoholic beverages or by a person licensed to sell alcoholic beverages at wholesale or retail pursuant to this chapter for the purpose of serving such donated alcoholic beverages at fundraising events for the benefit of the nonprofit charitable corporation. The holder of a one-day special license must comply with all alcohol storage requirements. As ABCC approval for one-day license is not necessary, the local licensing authority may impose additional regulations/ conditions with respect to these licenses, consistent with local interests. A police detail, a well-defined plan/diagram of the premises showing the proposed serving area sectioned off from the general public (so people will not be free to wander off the licensed premises with open containers), liquor liability insurance and a Certificate of Inspection may be required, in the discretion of the Selectmen, as a condition of such a license. The holder of a special one-day liquor license must abide with all regulations imposed by the ABCC relating to the sale of alcoholic beverages as if it was an annual or seasonal licensee.

Applicability: An event which satisfies one, two, or three of the following criteria, which is being held at a location not covered by an annual or seasonal license, is required to obtain a special one-day license:

- Open to the public
- Advertised
- A fee is charged, either for the event or per drink

Eligibility: An applicant who has applied for or is in the process of obtaining an annual or seasonal alcoholic beverage license under M.G.L. c. 138, §12, may not be granted a one-day license under M.G.L. c. 138, §14. *Examples* of the types of organizations and individuals who are eligible for one-day alcoholic beverage licenses under these Regulations include civic or municipal organizations, non-profit organizations, commercial establishments, fraternal organizations, service clubs, veterans

organizations, and individuals holding social events not held at a private residence. A real person must be named as the responsible party for the one-day license.

Hours of Service of Alcoholic Beverages: The hours of sale and service shall not deviate from those permitted for retail pouring licenses. The "last call" must occur not later than 30 minutes before the expiration of permitted service hours. The function need not end at the expiration of service hours, but no alcoholic beverages may be sold, served or consumed on the licensed premises, or in adjacent premises such as parking or recreational areas, after that expiration time.

Number of Persons on Premises: The number of persons on the licensed premises shall not exceed the occupancy limits allowed by law for the premises to which the license relates.

The following criteria will be taken into account in approving one-day licenses:

Admission Age: The LLA will not deny a one-day license solely because individuals under the legal drinking age will be in attendance at a function, but will require that sufficient trained servers are present, and that other appropriate measure(s) are in place, to ensure compliance with the laws governing the sale or furnishing of alcoholic beverages to such persons.

Frequency: Under ABCC regulations, One – Day Special Alcohol permits may be issued to any person (representing themselves or an organization) permitting sales on an aggregate of up to 30 days in any calendar year. Each "One-Day" permit actually covers three days to allow for delivery/return of alcohol on the day preceding and following the event, thus each person or organization may be granted up to 10 One-Day Special Alcohol permits in a calendar year.

Neighborhood Impact: The applicant, or such other person designated by name, address, and telephone number in the application, will be responsible for the orderly conduct of the function/event for which the license is issued. Consumption of alcoholic beverage outside of any structure within which the license was intended to be exercised will not be permitted. Music, noise, or other function-related activities must not create an undue imposition upon any adjacent residences. Police officers will be instructed to respond appropriately to any such complaints. Such response may result in an order to terminate the event or otherwise limit the offending activity.

Police Detail: The LLA, at its discretion, may require that the Licensee hire a police detail for the event/function at which the license will be exercised. The number of officers, if any, and the hours during which a police detail will be required shall be determined by the LLA in cooperation with the Police Department. The factors to be considered would include the location of the premises, availability of on-site parking, the number of

persons estimated to be in attendance, potential traffic impacts and the time and duration of the event/function.

Departmental Approvals: The Board of Health, Fire Department, Police Department, Department of Public Works, and the Building Inspection Department may be asked to review the application and make their recommendation to the LLA.

Violations: The sale of alcoholic beverages without a Special One Day license is a violation of MGL Ch. 138 and may, therefore, subject a person/entity engaged in such activity to criminal and/or civil liability. MGL Ch. 138 §62 provides that a violation of any section of said Chapter shall be subject to a fine of \$50-\$500 or one month to one year imprisonment, or both. Section 14 does not set forth a specific violation penalty provision, and the courts have determined that a violation of a section of Ch. 138 that does not have a penalty provision render such a violation a criminal offense.

Penalties: In addition to any criminal or civil liability for the sale of alcoholic beverages without a license, the following fines may be imposed by the LLA after proper investigation of the alleged violation, notification and public hearing:

- First Offense - \$125.00
- Second Offense - \$250.00
- Third and Any Subsequent Offenses - \$500.00

Fees: A fee of \$25 is charged for each license issued and is payable by check or money order at the time of application. If the application is denied the check or money order will be returned to the applicant. Applications will not be accepted unless submitted with payment.

Fees for nonprofit charitable corporations organized pursuant to M.G.L. c. 180 and registered with the division of public charities in the department of the attorney general and licensed pursuant to M.G.L. c. 138, §14, or other nonprofit organizations which can prove their 501(c)3 status are waived.