



TOWN OF MAYNARD
Office of the Board of Selectmen
MUNICIPAL BUILDING
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Board of Selectmen
Chris DiSilva, Chairman
Jason Kreil
Tim Egan
David Gavin
Terrence Donovan

Carry-in Alcoholic Beverages License Application

Fee: \$25.00

Name to appear on License: _____

Owner of Establishment: _____

Address of Establishment: _____

Mailing address (if different): _____

Establishment Phone: _____ Managers Name: _____

Manager's Home Address: _____

Managers Phone: _____ (home) _____ (cell) _____ (work)

Number of Staff: _____ Number of Staff over 18: _____

Names of Staff who have attended TIPS training: _____

Days/Hours of Operation: _____

Provide the full and complete description of the premises to be licensed, including all locations of exits and entrances. Please include floor plan or sketch:

Seating Capacity: _____ Occupancy: _____

Are you at least 21 Years of Age: _____

Do you own the premises: _____

Signature of Owner of Premises

Date

Please print name.

Phone Number

The Applicant, Manager and Wait Staff must read the following and sign below:

1. I have read and understand the Town of Maynard Carry-In Alcoholic Beverages Regulations and Policy.
2. I understand that I as manager, and any wait staff or employees who are responsible for serving patrons who have Carry-In Alcoholic Beverages in their possession or at their table must have completed the TIPS program. All wait staff must sign the License
3. I understand that Carry-In Alcoholic Beverages can only be allowed if a person who has successfully completed the TIPS program is present on the premises during hours where Carry In Alcoholic Beverages is allowed.

Manager

Wait Staff

Wait Staff

Wait Staff

Wait Staff

Wait Staff

Wait Staff

Wait Staff

I have completed the foregoing application and all of the information contained therein is truthful.
Signed under the pains and penalties of perjury, this the _____ day of _____, 20_____.

Signature of Applicant

Title

Please print name

The Town of Maynard
Carry In Alcoholic Beverages Policy

Policy:

It shall be the policy of the Town of Maynard, to prohibit a patron, customer or other person from bringing onto the premises for consumption and/or to consume any alcoholic beverage, beer, wine or malt beverages on any premise operating with a Common Victualler's License unless said establishment is licensed pursuant to G.L. c. 138, Town of Maynard Carry-in Alcoholic Beverage Regulations or any other legal authority from bringing alcoholic beverage, beer, wine or malt beverages onto the duly licensed premise for consumption thereon. Additionally, the Town of Maynard through its licensing authority, has determined to allow the possession and/or consumption of "Carry-in Alcoholic Beverages" by a person of lawful age at those commercial food establishments which have a Common Victualler License and have been issued a "Carry-in Alcoholic Beverages" License by the Local Licensing Authority ("LLA"). The issuance of a "Carry-in Alcoholic Beverages" License is permissive and at the sole discretion of the LLA. A "Carry-in Alcoholic Beverages" License shall be issued for no more than one year and must be reapplied for annually at the time of renewal of the Common Victualler's License. The hours during which the consumption of "Carry-in Alcoholic Beverages" is allowed shall be at the discretion of the LLA and shall be specified on the License. A "Carry-in Alcoholic Beverages" License shall be issued in the name of the manager at the establishment and shall not be transferred to a new manager of the establishment without the prior approval of the LLA.

The Town of Maynard
Carry In Alcoholic Beverages Regulations

1.0 Definitions:

1.1 Licensing Authority - Maynard Board of Selectmen

1.2 Carry-in Alcoholic Beverages – wine and beer in previously unopened containers. (others)

2.0 Carry-in Alcoholic Beverages License Requirements Any establishment which has been issued a Common Victualler's License (the "CVLE") and which applies for a Carry-in Alcoholic Beverages License allowing the consumption of Carry-in Alcoholic Beverages on premises must comply with all of the following regulations unless otherwise waived by the LLA.

2.1 The Establishment must have a Common Victuallers License that has been in good standing for at least one year in conformance with the LLA licensing policy.

2.2 The CVLE must not have or be eligible for an alcoholic beverages license under the provisions of G.L. c. 138.

2.3 Patrons are allowed to carry in Carry-in Alcoholic Beverages only for personal consumption at the CVLE. No more than one 750 ml container of wine for every one or two patrons over the age of 21, or two containers of beer containing up to 24 ounces of beer in total, per patron over the age of 21, will be permitted for consumption.

2.3.3 It shall be the obligation of the management to ensure compliance with these consumption limits.

2.4 Patrons bringing in Carry-in Alcoholic Beverages must order and consume food on the premises.

2.5 No Carry-in Alcoholic Beverages shall be consumed by any person under the age of 21 in violation of G.L. c. 138 §34. It will be the responsibility of the on-site manager to ensure that this requirement is met.

2.6 Carry-in Alcoholic Beverages shall not be consumed by intoxicated persons.

2.7 The management or employee of the CVLE which assists a patron with Carry-in Alcoholic Beverages must be over 18 years of age. No staff under the age of 18 shall be allowed to clear from the tables or premises containers from which Carry-in Alcoholic Beverages were poured or consumed.

2.8 No Carry-in Alcoholic Beverages may be served or handled by employees. This includes opening, pouring, storing, refrigerating or resealing. Employees may provide bottle openers and glass ware.

2.9 Carry-in Alcoholic Beverages shall be consumed inside the area of the premises licensed for consumption.

2.10 In accordance with the Town of Maynard Bylaw Chapter XIII §9, no Carry-in Alcoholic Beverages may be removed from the premises unless resealed, and the resealed container is placed in a transparent, sealable plastic wine bag as allowed under G.L. c. 138 §12.

2.11 All Carry-in Alcoholic Beverages must be removed from the premises by the patron who carried them into the premises.

2.12 The onsite shift manager must be trained in alcohol management (BAT) or server training course (TIPS) and proof of training shall be submitted to the LLA.

2.13 Nothing in these regulations shall preclude a CVLE from imposing additional limits or restrictions on patrons with Carry-in Alcoholic Beverages.

2.14 The Applicant shall complete the Carry-in Alcoholic Beverages License Application and once the License is issued it must be visibly displayed at the CVLE.

3.0 Enforcement

3.1 These regulations may be monitored, with and without notice, by agents of the LLA and the Town of Maynard Police Department.

3.2 If the CVLE is not operated in a manner that is consistent with these regulations, the LLA may, after written notice to the Carry-in Alcoholic Beverages License Holder and reasonable opportunity for a hearing, suspend or revoke the Carry-in Alcoholic Beverages License.

4.0 License Application Procedures

4.1 The Applicant shall complete a Town of Maynard Carry-in Alcoholic Beverages License Application Form.

4.2 The LLA shall conduct a public hearing on the Application, after advertising the hearing in a local newspaper and notifying by certified mail the direct abutters at least 10 days prior to the public hearing. Renewal of a Carry-in Alcoholic Beverages License shall not require a public hearing.

4.3 A copy of the Application shall be forwarded to the Town of Maynard Police Department for comment. The LLA may not act on an Application without having first received comment from the Police Department.

4.4 The Applicant shall be responsible for the following fees and costs:

4.4.3 All costs of advertising and mailing for public hearing notice purposes.

4.4.4 An Initial License fee of _____ \$25.

4.4.5 A Renewal License fee of _____.

4.5 Upon complete review of the material presented and all facts relevant to the application, the LLA may in its sole discretion issue a License hereunder including any appropriate conditions applicable thereto.

5.0 Term

A License issued hereunder shall be valid for one (1) year or until December 31 of the year issued which ever is the first to occur.