

TOWN OF NATICK
RULES AND REGULATIONS
REGARDING PERMITS
for
THE SALE OF ALCOHOLIC BEVERAGES AT FUNCTIONS OR FUNDRAISING
ACTIVITIES HELD AT CLUBS LICENSED TO SELL ALCOHOLIC BEVERAGES

With respect to clubs which are licensed under Section 12 of Chapter 138 of the Massachusetts General Laws to sell alcoholic beverages in the Town of Natick, Chapter 336 of the Acts and Resolves of 2004 authorizes the Natick Board of Selectmen, subject to the approval of the Alcoholic Beverages Control Commission, to grant a permit to the holder of a club license to allow functions or fundraising activities held at the licensed premises or any part thereof to serve food and sell or dispense alcoholic beverages lawfully possessed by such licensees under that license to persons other than member of the club, to be consumed on the licensed premises, if such functions or fundraising activities are sponsored by a member of the club who shall be present at the functions or fundraising activities, and subject to such conditions as the licensing authority may impose and to regulations made by the licensing authority

In accordance with the authority conferred by Chapter 336 of the Acts and Resolves of 2004 and subject to further limitations fixed or from time to time modified or amended by the Board of Selectmen acting as the duly constituted licensing authority of the Town of Natick and as the duly constituted permit granting authority of the Town of Natick with respect to this class of permit and to each permit within said class, as provided in the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

I. GENERAL POLICY

1. In accordance with the provisions of Chapter 336 of the Acts and Resolves of 2004 it is the policy and purpose of the Board of Selectmen to limit the issuance of permits as provided in that legislation to functions or fundraising activities held at the licensed premises or any part thereof which are sponsored by a member of the club, which member shall be present throughout the entire function or fundraising activity, and for which all net proceeds from any sales of alcoholic beverages pursuant to such a permit shall be used solely for the license holder's charitable purposes.

2. The location of the premises which are the subject of a permit shall be in accordance with the Zoning By-Laws of the Town of Natick. The interior of said premises shall be strictly in accordance with the applicable provisions of the State Building Code and the respective rules

and regulations of the Natick Board of Health, Natick Fire Chief, and all other applicable agencies of the Town of Natick and Commonwealth of Massachusetts.

3. To ensure compliance with their respective rules, regulations, and laws for which they are responsible to enforce, all agencies referred to in Section 2 above shall be afforded reasonable access to the licensed premises.

4. The Board of Selectmen or any Selectman, as well as the Chief of Police or his designee, shall be afforded access to the permitted premises during all hours of operation, including times when alcoholic beverages are being served.

5. The requirements of the Chief of Police relative to security precautions at the permitted premises, and the control of rowdiness, loitering and similar behavior shall be adhered to by the permittee, and failure to do so shall be just cause for revocation of the permit.

6. The sponsoring member of the club shall be present throughout the entire function or fundraising activity for which a permit is issued. In the event that more than one member sponsors a function or fundraising activity, at least one of the sponsoring members shall be present throughout the entire function or fundraising activity.

7. The service of food is required in all areas of the permitted premises where alcoholic beverages are served.

II. PROCEDURES

1. Each applicant shall submit to the Board of Selectmen, along with an application for a permit, or for renewal of a permit, a plan drawn to scale on which shall be shown the following information:

a. The net floor area and dimensions of the existing room or rooms, function rooms, rooms in which alcoholic beverages are to be served, and rooms in which alcoholic beverages are to be stored. Net floor area shall be the area of the room or rooms measured between the interior walls exclusive of stairways, service bars, hallways, lobbies, kitchens, waiting areas, etc.

b. The area to which seats or benches are to be securely fastened to the floor forming what are commonly called booths, if applicable.

c. The area in which there is to be moveable or unsecured seats and tables.

d. Entrances and exits.

e. All rooms not being requested to be permitted, if said rooms are on the same floor as those rooms to be permitted; those rooms shall be labeled as to their function such as kitchens, coatrooms, lobbies, etc.

If any of the foregoing information is already on file with the Board of Selectmen, the applicant may, in lieu of refiling such information, refer to the plan or document in which such information is contained.

2. Each applicant shall submit to the Board of Selectmen, along with an application for a permit or for renewal of a permit, and the plan described in Section II. 1 above, the following information:

a. Description of the function(s) or fundraising activity (activities) for which a permit is sought and.

b. The name, address and telephone number of each of the member(s) who shall sponsor and be present throughout the function or fundraising activity.

3. The Board of Selectmen may in its discretion grant a permit for more than one function or fundraising activity.

4. Any club which holds a permit under Chapter 336 of the Acts and Resolves of 2004 and these Rules and Regulations shall provide to the Board of Selectmen annually, on or before November 30 of each calendar year, a report which itemizes the total revenue received from each function or fundraising activity held under that permit, each expense paid out of such revenue, and the amount of money used for charitable purposes out of such revenue. Such statement shall be certified by a Certified Public Accountant. Upon written request by the Natick Board of Selectmen a club shall provide the specific charitable purposes for which the money was used, and, if applicable, the name and address of the entity to which the money was paid. Such statement shall be certified by a Certified Public Accountant.

5. Any permit issued by the Board of Selectmen shall be subject to the conditions of the license issued by the Board of Selectmen to the club for the sale of alcoholic beverages at the premises.

6. Any permit issued by the Board of Selectmen shall be subject to approval of the Alcoholic Beverages Control Commission.

7. Any permit issued by the Board of Selectmen shall expire no later than December 31 of the year of issue, but shall be subject to revocation or cancellation within its term.

III. PROHIBITIONS

1. The sale and/or service of alcoholic beverages is prohibited in any area not permitted by the Board of Selectmen, and no change in such area or location shall be made without approval of the Board of Selectmen and unless an amended plan, as described in Section II.1. above, is approved by to the Board of Selectmen.

2. No alcoholic beverages shall be sold and/or served from the premises to be consumed outside the premises, including without limitation curb service, window service, and take-out service.

3. No more than one alcoholic beverages permit may be exercised on the same premises at any time.

4. The sale of alcoholic beverages at reduced or discounted prices during specified times, including without limitation "happy hours" and "two for the price of one" specials, is expressly prohibited.

5. The sale or service of alcoholic beverages in pitchers is prohibited.

IV. HOURS OF SALE AND SERVICE

1. Any hours during which the sale and service of alcoholic beverages may be made by any permittee shall be determined by the Board of Selectmen and shall be set forth in the permit.

V. POLICY REGARDING TRAINING FOR DISPENSERS AND SELLERS OF ALCHOLIC BEVERAGES

1. Each permit holder shall participate in a program designed to train its employees in methods of observation and detection to avoid serving or selling alcohol to intoxicated persons and/or minors.

2. All persons who engage in the sale, pouring or service of alcohol at such a function or fund raising activity shall currently be certified by one of the training programs listed below or by an in-house trainer certified as a trainer.

3. Programs that are currently available and meet the requirements of this policy are:

- Training for Intervention Procedures by Servers of Alcohol (T.I.P.S.)
- Alcohol Intervention Methods (A.I.M.)
- Any insurance industry approved and qualified program offered by a certified trainer and previously approved by the Board of Selectmen

4. Each application for a permit, or for renewal of a permit, shall include a roster of persons who shall sell, pour or serve alcohol at the permitted premises with the following information for each person:

Name

Affirmation that the person is at least eighteen (18) years of age

Type of training (e.g., T.I.P.S.) received

How training provided (outside class attendance or in-house certified trainer)

Date person last certified as trained

Expiration date of person's training

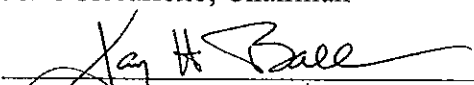
Applications lacking this information will be rejected.

5. Permittees shall maintain a file containing copies of the current certification records for all employees engaged in the sale, pouring or service of alcohol. The file shall be available for examination upon request of the Natick Board of Selectmen or the Natick Police Department.

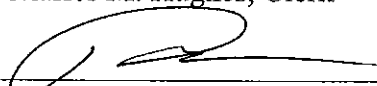
6. Failure to comply with the requirements of this policy, including but not limited to the sale or service of alcohol by an uncertified person, shall be a basis for suspension or revocation of the permit.

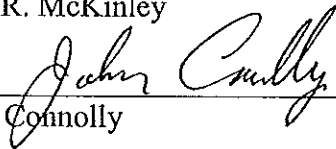
NATICK BOARD OF SELECTMEN


John Ciccariello, Chairman


Jay H. Ball, Vice-Chairman


Charles M. Hughes, Clerk


Paul R. McKinley


John Connolly

Adopted: December 20, 2004


TOWN OF NATICK
POLICY REGARDING "LAST CALL" FOR
ALL ESTABLISHMENTS HOLDING CLUB ALCOHOL LICENSES

No orders for service of alcoholic beverages may be taken and no alcoholic beverages may be served after last call. In this context "last call" shall mean thirty (30) minutes prior to the licensed establishment's closing time. In this context "closing time" shall mean the latest time set forth in the License at which alcoholic beverages may be sold on a given day. At last call no licensed establishment shall serve more than one (1) alcoholic beverage to a patron. All patrons shall vacate a licensed establishment no later than thirty (30) minutes after the licensed establishment's closing time.

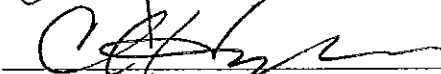
NATICK BOARD OF SELECTMEN



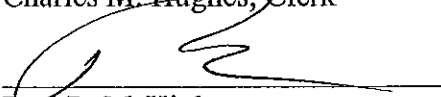
John Ciccariello, Chairman



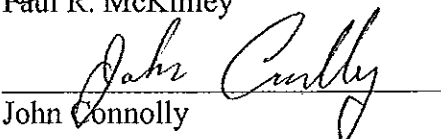
Jay H. Ball, Vice-Chairman



Charles M. Hughes, Clerk



Paul R. McKinley



John Connolly

Adopted: February 28, 2005

Effective: March 21, 2005