



# TOWN OF PLYMOUTH

26 Court Street  
Plymouth, Massachusetts 02360  
(508) 747-1620

## APPLICATION FOR ONE DAY LIQUOR LICENSE

**\$50.00 Fee (as of 1/1/2020)**

**FOR INDOOR EVENTS:** Applicants requesting a one day liquor license must call the Building Department at 508-747-1620 Ext. 10109 and the Fire Department at 508-830-4213 Ext. 105 to see if the facility that will be used has a current inspection from both agencies. If not, the applicant should arrange for the Building Department and Fire Department Safety Inspection. Applicants must understand these inspections may take 8-10 days to schedule and complete, longer if there are deficiencies found. A signed certificate from both departments is required prior to the issuance of the license. This is not needed for outdoor events. Please see updated policy at the end of the application.

### **THIS APPLICATION MUST BE SUBMITTED 3-4 WEEKS PRIOR TO THE EVENT**

The undersigned hereby makes application for the following 1-day liquor license:

All Alcoholic: \_\_\_\_\_

Wine and Malt: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Time of Event: \_\_\_\_\_ to \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Name of  
Distributor(s): \_\_\_\_\_

Email Address: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Manager: \_\_\_\_\_

Occasion: \_\_\_\_\_

Location: \_\_\_\_\_

Description of Premises:	_____
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Do you have Liquor Liability Insurance?

Yes  No

Will you be using Professional (Certified) Bartenders?

Yes  No

If you are using Professional (Certified) Bartenders, please list their names and establishment they are from below. Attach an additional sheet if needed.

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**WE NEED A COPY OF YOUR LIQUOR LIABILITY INSURANCE CERTIFICATE  
WHICH NAMES THE TOWN AS AN ADDITIONAL INSURED, A COPY OF YOUR  
 SIGNED CERTIFICATE FROM BUILDING AND FIRE, AND COPIES OF THE  
 BARTENDERS SERVER TRAINING CERTIFICATES.**

1. Anyone holding a special license (one day liquor license) must purchase alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. (ABCC has a list). **You cannot purchase alcoholic beverages from a package store.**
2. Only non-profit agencies/applicants may apply for an All Alcohol One Day Liquor License. All others may only apply for Wine and Malt One Day Liquor Licenses.

Signature of  
 Applicant: \_\_\_\_\_ Date: \_\_\_\_\_



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<b>Policy Number</b>	<b>SB-111522</b>
<b>Title</b>	<b>Special One Day License</b>
<b>Established</b>	<b>November 15, 2022</b>
<b>Revision Approval Dates</b>	

## 1. PURPOSE

To adopt reasonable rules and regulations governing alcoholic beverages within the Town of Plymouth which are not in conflict with any section of the Massachusetts General Laws. Upon adoption of these rules and regulations, Licensees are still responsible for adhering to all Massachusetts General Laws regarding the service of alcohol regardless of whether the section of the General Laws is referenced in these rules and regulations.

## 2. POLICY GUIDELINES

The Select Board may grant a “Special License” under section 14, for- profits and non-profits also known as a “one-day license” pursuant to M.G.L. Chapter 138, § 14. Henceforth referred to as a Special One Day License.

A Special One-Day License is necessary whether there is a specific sale of alcoholic beverages or as an included charge in the price of tickets. If alcohol will be served at the event, the host, caterer or bartender must obtain a Special One Day License from the Town of Plymouth. A general guideline is that when tickets are sold to an event and alcoholic beverages are consumed or sold, a Special One Day License is required. If you plan to serve alcohol at a location that does not have liquor license, a Special One Day License is required unless indicated in Exemptions below.

The only exception to this requirement is for caterers that have a current annual caterer’s license issued by the Alcoholic Beverages Control Commission (ABCC) pursuant to G.L. c.138, §12C. Such caterers must comply with all requirements under §12C.

## **2.1 IMPLEMENTATION PROCEDURE**

There are two types of Special Alcohol Licenses:

- All Alcoholic Beverages: Special One Day License for the sale of all alcoholic beverages issued by the Select Board to a person acting on behalf of a non-profit organization.
- Wine and Malt Beverages: Special One Day License for the sale of wine and/or malt beverages issued by the Select Board to a person conducting an activity or enterprise that is not a non-profit.

### **2.1.1 VENUES OUTSIDE OF PRIVATE RESIDENCES**

Alcohol served at all events held outside of a private residence is presumed to result in a sale of alcohol. As such, a Special One Day License under G.L. c. 138, § 14 shall be required for such events.

The applicant must pay the appropriate fee at the time of filing the application and may be asked to appear at a Select Board meeting to respond to any question if requested.

### **2.1.2 EXEMPTIONS**

The following events shall not require a Special One Day License:

#### **Private Residence**

Events held by residents at their private residence do not require a Special One Day License where: 1) the event is by invitation only 2) money is not exchanged for alcoholic beverages; 3) tickets are not sold for admittance to the event; 4) a donation is not required or solicited in connection with the event; 5) an entrance fee is not charged for the event; 6) the event is not open to the public.

#### **Businesses, Charities and Organizations**

Private events held by a business, charity or organization shall require a Special One Day License unless: 1) the event is by invitation only; 2) money is not exchanged for alcoholic beverages; 3) tickets are not sold for admittance to the event; 4) a donation is not required or solicited in connection with the event; 5) an entrance fee is not charged for the event; 6) the event is not open to the public.

### **2.1.3 GENERAL REGULATIONS**

Special One Day Licenses may be issued only to a natural person or a natural person acting on behalf of a business, organization, or charity. The person named on the Special One Day License must sign the application for the license. The person named on the license is responsible for management of the license and shall be on the premises for the entire event. The person named on the license shall be a United States citizen.

Each Licensee or Underlying Business may only be issued a Special One Day License or Licenses for a combined maximum of thirty (30) days in any calendar year, per location. When there is an Underlying Business hosting an event, the Select Board will consider the number of Special One Day Licenses obtained by the Underlying Business and not the individual who signed the application. The purpose of this is to prevent an Underlying Business from circumventing the thirty (30) day maximum per applicant and location per year rule established by the ABCC at 204 CMR 7.00. Accordingly, the Select Board may consider related persons or entities to be a single entity for the purposes of this requirement. A business, charity or organization which maintains multiple locations where events are held may receive Special One Day Licenses up to thirty (30) days per calendar year for each individual location.

Special One Day Licensees **must** purchase alcoholic beverages from a licensed supplier. Special One Day Licensees CANNOT purchase alcoholic beverages from a package store and CANNOT accept donations of alcoholic beverages from anyone, except as expressly authorized for registered nonprofit charitable organizations in accordance with G.L. c.138, §14. The Alcoholic Beverage Control Commission (ABCC) has a list of distributors.

#### **2.1.4 REQUIREMENTS**

An application for a Special or “one day” license for the sale of alcoholic beverages must be submitted at least **three weeks** prior to the event to the Selectmen’s office. Liquor Liability Insurance must be provided to the town and must list the Town as an additional insured.

Events that are anticipated to have more than 100 patrons in a building and entertainment may be required under State Law to have an events manager on the premises for the event. The Police Department or the Licensing Authority or its agents may check the license at every one-day function to make certain that its provisions are being adequately enforced.

Certification is issued by the State Fire Marshall as called for under 527 CMR 10.1.3(2) (d). Applicants that indicate on the application that their event will exceed these thresholds will be referred to the Fire Department.

A copy of the license shall be prominently posted and available for inspection during the hours and at the location of the event for which it is issued. All licensees shall cooperate fully with the Select Board and their agents when they are on the premises investigating complaints or making routine inspections.

The last drink must be served (30) minutes before the closing hour. All glasses and bottles must be cleared from the licensed area by fifteen (15) minutes after the closing hour. All customers must have left the premises by thirty (30) minutes after the closing hour. Any licensee and his/her employees shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making emergency repairs to, or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. They may NOT drink after the closing hour.

### **2.1.5 HOLD HARMLESS AGREEMENT AND INSURANCE**

Alcohol may not be served to or consumed by persons under age 21. If alcohol is served at a function, the user is urged to employ a caterer or bartender (TIPS certified.) A liquor liability insurance policy satisfactory to the Town of Plymouth of at least \$250,000 for bodily injury or death of 1 person, and \$500,000 on account to any 1 accident resulting in injury or death of more than 1 person, on which the “Town of Plymouth” is named as an additionally insured party. If “independent contractors” are used by the catering bar service to serve beer and wine, the caterer must notify the Town and the certificate or other documentation signed by the insurance company’s agent must state that the liability coverage applies to “independent contractors” as well as to employee. Strict adherence of this policy will be followed.

### **2.1.6 FEES PER EVENT**

There is a charge for a Special One Day License. See One Day Liquor License Application on the town website.

### **2.1.7 STORAGE OF ALCOHOL**

The Special One Day License shall cover the day before and the day after the event for the purpose of proper delivery, storage, and disposal of alcoholic beverages. All Licensees must comply with all laws and regulations regarding the transportation of alcoholic beverages.

### **2.1.8 HOURS**

The Select Board has the authority to dictate the specific hours and terms of sale and service of alcohol under a Special One Day License.

### **2.1.9 ISSUANCE, SUSPENSION, CANCELLATION, REVOCATION**

The Select Board has the authority to refuse to issue or reissue a Special One Day License, if the Licensee fails to comply with state or local regulations or any reasonable requirements imposed by the Select Board in the issuance of the Special One Day License.

The Select Board has the authority to suspend, cancel or revoke a Special One Day License, after a hearing, if the Licensee fails to comply with state or local regulations or any reasonable requirements imposed by the Select Board in the issuance of the Special One Day License.

If the licensee violates the provisions of their Special One Day License during their licensed event, the Town may take action to revoke the license upon violation.

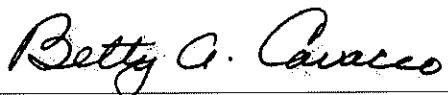
### **3. REGULATORY AND STATUTORY REFERENCES**

**3.1** Massachusetts General Law Chapter 138, all relevant sections

### **4. QUESTIONS**

Please direct questions to the Town Manager's Office.

Signed By:



Chair, Select Board



Town Manager

Date 11/15/2022

Date 11/15/2022