

THE WALTHAM LICENSE COMMISSION
RULES & REGULATIONS
FOR THE SALE OF ALCOHOL
CONSUMED OFF PREMISE

I. THE LIQUOR LICENSE

1. No license may be sold, transferred or surrendered without the authority of the Waltham License Commission.
2. No license shall issue to any person who is not a United States citizen.
3. Each corporation must, by a properly authorized and executed written delegation appoint a manager with full authority and control of the premise. The manager must be a United States citizen and satisfactory to the Waltham License Commission. Immediate notice of the appointment must be made to the Waltham License Commission in writing.
4. Any applicant for an alcoholic beverages license shall submit a valid certificate of inspection, signed by the head of the fire department, attesting to the safety of the building, and that the building meets or exceeds the state building code.
5. Stock in the corporation cannot be transferred or pledged without obtaining prior approval of the Waltham License Commission.
6. The licensed premise must comply with the floor plan approved by the Waltham License Commission. Any changes in the floor plan or any renovations of any kind are not allowed without notification to and prior written approval of the Waltham License Commission.
7. The holder of an alcoholic beverages license may not change managers, change corporate officers, transfer stock, pledge the stock or the liquor license as security, reduce or extend the area of the licensed premise, or change the physical layout of the premise without first obtaining the approval of the Waltham License Commission and the Alcoholic Beverages Control Commission.
8. All licensed liquor establishments must maintain an updated employee roster that shall be available upon request to the Waltham License Commission or its agents.
9. Licensees shall immediately notify the Waltham License Commission of any proceedings brought against them or any proceedings brought by them under the Bankruptcy Laws.
10. Licensees shall immediately notify the Waltham License Commission of any court proceedings that may affect the status of the license and file all documents related to the bankruptcy with the Waltham License Commission. Licensees shall then apply for a hearing before the Waltham License Commission.
11. No person may have a direct or indirect beneficial interest in any type of liquor license without first obtaining the approval of the Waltham License Commission and the Alcoholic Beverages Control Commission.
12. Where the liquor licenses are granted to serve the public, licensees must remain open to the public and are expected to operate on all days and hours in accordance with the terms of the issued liquor license.
13. If the licensed premise is to be closed for any reason or become inactive, the owner must notify the Waltham License Commission in advance, and state in said notice the reason and length of such closing. A hearing must be held for permission to be closed. No licensee may close for any reason other than the following:
 - a) After a request to the Waltham License Commission for closing in order to do renovations/or other special circumstances; or

- b) On holidays in accordance with the calendar issued by the Alcoholic Beverage Control Commission; or
- c) Due to an act of nature.

14. It is the obligation of the licensee to inform all employees about the Rules & Regulations of the Waltham License Commission, the Alcoholic Beverage Control Commission, and any and all applicable Massachusetts laws.

II. HOURS OF OPERATION

The licensed premise shall be subject to inspection at any time during business hours by the Waltham License Commission and/or their authorized agents, and / or agents of the Alcoholic Beverages Control Commission to ascertain the manner in which the licensee conducts its business. Any Waltham police officer assigned to the Detective Bureau is deemed an authorized agent of the Waltham License Commission.

The hours for the sale of liquor are as follows:

Monday through Saturday	8:00AM to 11:00PM
Sunday & Legal Holidays	12:00 Noon to 11:00PM
Christmas, Thanksgiving and Memorial Day	CLOSED ALL DAY
Licensees may remain open until 11:30PM on any business day which immediately precedes a holiday.	
Revised Licensees may sell on Sunday	12:00 Noon to 8:00 PM

Registered Pharmacists and licensees under Section 30-A, of the Liquor Control Act, shall make no sales of alcoholic beverages or alcohol on any holiday, except upon a physician's prescription.

III. SELLING ALCOHOL

1. All Licensees are to ensure that any member of their staff that sells or serves alcohol receives education, training, and certification for the responsible service, sale, and consumption of alcohol. This can be accomplished through a TIPS (Training for Intervention Procedures) training course or some other training course equivalent.
2. Employees at an establishment that sells or serves alcoholic beverages for consumption must be a minimum of eighteen years of age.
3. You shall not sell alcoholic beverages to any person **UNDER 21 YEARS OF AGE**.

The following shall serve as the only means of acceptable identification:

- A) A Massachusetts Drivers License; or
- B) A Massachusetts Liquor Purchase Identification Card; or
- C) A Valid Passport issued by the United States government; or
- D) A Valid Passport issued by a foreign country's the government, recognized by the United States government; or
- E) A Valid United States issued Military Identification Card.

4. No licensee or employee shall sell alcoholic beverages without charge.
5. No person shall keep for sale or sell in any part of the premise **NOT** specified on the license.
6. The sale or delivery of alcohol to a person under twenty-one or to an intoxicated person is strictly prohibited and punishable by fine or imprisonment or both and / or by having your alcoholic beverages license suspended, revoked, or forfeited.

IV. CONDITIONS INSIDE THE PREMISE

1. All licenses and building certificates shall be posted in an accessible place on the premise, of

employees. No document shall be posted in a way that will cover any part of the license issued by the Commission.

2. If it is necessary, for any reason, to have workmen or their employees on the premise after the time allowed for owners and employees as set forth in the Section II, titled, HOURS OF OPERATION, you must first obtain the approval of the Waltham License Commission. Your request must contain the reason, the number of people, their names and the hours they will be on the premise.
3. In the event of any emergency that requires any workers, other than the owner and the employees on the premise after hours, you must call the Waltham Police Department, Commanding Officer, (781) 314-3600, and explain the nature of the emergency and provide the Commanding Officer the amount of people staying, their names, and the time they are expected to leave.
4. Rear Emergency Doors shall be marked with proper EXIT signs and equipped with proper, approved panic bars/or crash hardware. All required safety equipment and emergency lighting equipment must be kept in working order at all times.
5. No licensed establishment shall allow Rear Emergency Doors to be used as an access into, nor egress out of, the licensed premise. These are **EMERGENCY DOORS ONLY** required by law, and are only to be used in that capacity.
6. The licensed premise must be kept neat and sanitary. Toilet facilities must be kept supplied with hot water, soap, towels/tissue at all times.
7. All establishments shall have suitable appliances, devices or machines which shall be capable of maintaining water at the boiling point at all times, so that all cups, glasses and/or other utensils shall be thoroughly and properly cleaned and sterilized.
8. No booths, stalls or enclosures of any description are permitted which prevent the persons therein from being plainly observed by other persons on the premise.
9. Card playing is prohibited in all licensed establishments, except clubs and **NO** card playing shall be allowed in any club room where alcoholic beverages are sold.
10. No licensee or employee shall sell or use drugs or narcotics.
11. No licensee shall make any distinction, discrimination, or restriction due to race, color, religious creed, national origin, sex or ancestry relative to the admission or treatment of any person.
12. The licensed premise shall be subject to inspection at any time during business hours by the Waltham License Commission and/or their authorized agents, and / or agents of the Alcoholic Beverages Control Commission to ascertain the manner in which the licensee conducts its business.
13. Any Waltham police officer assigned to the Detective Bureau is deemed an authorized agent of the Waltham License Commission.
14. Any person who hinders or delays any authorized investigator of the Waltham License Commission or any investigator, inspector or any other authorized agent of the local or state licensing authorities in the performance of his/her duties shall be punished by a fine and / or imprisonment. This includes, but is not limited to, advanced warning of compliance checks conducted by the Waltham Police Department or the Alcoholic Beverages Control Commission.

V. PUBLIC SAFETY

1. The owner and/or manager of record shall be fully responsible for any violations or infractions of the law, these rules and regulations, and disorders or disturbances of any kind which take place on the licensed premise whether or not they are present, including the actions of employees and/or entertainers.

2. Licensees shall instruct their employees and security personnel that they are not to make bodily contact with a patron unless to protect other patrons or themselves from being subjected to body blows or other harm from an unruly patron. In all other circumstances employees and security personnel are to call the Waltham Police to have patrons removed from the premise when such patrons are being disruptive.
3. Licensees and employees shall call 9-1-1 and take all other reasonable steps to assist patrons and persons who are injured in or on the licensed premise or whose injuries have occurred outside the premise but have been brought to the attention of the licensee.
4. Patrons are not permitted to bring alcoholic beverages on the premise for their own consumption.
5. Licensees shall not permit more persons on the premise than the capacity number approved by the Waltham License Commission.

VI. ADMINISTRATIVE PENALTY

The alcoholic beverages license is subject to suspension, revocation, forfeiture or further conditions for breach of its conditions, these Rules & Regulations, or for the breach of any law of the Commonwealth for which the licensee has notice.

Approved by Commission vote on June 22, 2008.

WAYNE F. BRASCO, SR., CHAIRMAN
ROBERT J. HARDIMAN, COMMISSIONER
KENNETH W. SUMNER, COMMISSIONER