

Policy for a “One Day Special Permit”

Swampscott Select Board, as the Local Licensing Authority (LLA), hereby adopts this policy for authorization and approval of a “One Day Special Permit” (One Day Liquor License). The LLA is authorized to issue such permits for the sale of wines and/or malt beverages to any enterprise, however, special licenses for the sale of all alcoholic beverages may be issued to non-profit organizations or individuals, only.

General Rules and Regulations:

Subject to further limitations fixed, modified, or amended by the Select Board acting as the duly constituted Licensing Board of the Town of Swampscott with respect to alcohol beverage licenses, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Control Commission, the following rules and regulations will be in full force and effect for a One Day Special Permit:

Any One Day Special Permit issued by the Town of Swampscott Select Board under the above authority shall be processed in accordance with the procedures and shall be subject to the rules and regulations for such licenses listed herein. The Select Board may adopt further rules and regulations and all such changes shall apply to existing license holders from the date of adoption.

The Select Board is authorized to issue a One Day Special Permit to an organization for use only on the day of an event. No organization may be granted a special permit for more than a total of 30 days per calendar year. No more than one license can be issued to a premises at one time.

Any person that has an on-premises license application pending before the Select Board or any premises that already has an alcoholic beverages license is not eligible for a One Day Special Permit.

Property occupied by the licensee, whether owned or leased by the licensee, shall conform with all Town bylaws and codes. No licensee shall discriminate in the service of alcoholic beverages on the basis of creed, status as a veteran, ancestry, marital status, pregnancy, race, color, religion, sex, national origin, age, disability/handicap, or sexual orientation.

License holders must check proper identification at the time of each purchase and are required to use wrist bands and/or stamps for patrons as a safety measure. Patrons shall be limited to purchasing two beverages per person, per transaction and beverages must be opened by the caterer/server at the time of purchase. Licensees shall submit a floor plan clearly identifying the areas where alcohol will be stored and served, areas where access will be restricted, entrance points, and exit points.

The Select Board may attach such additional conditions and restrictions to each such One Day Special Permit as recommended by the Fire Chief or Police Chief, as it deems to be in the public interest.

The Chief of the Swampscott Fire Department, or his or her designee, has full discretion as to the safety and/or suitability of any location or structure for the stated purpose of the event. Further, the Fire Chief has the authority to require an inspection of the structure or location prior to authorizing the event. The Fire Chief will have the discretion to set capacity limits that will allow for the safe conduct of the event, and prompt evacuation in the event of emergency. The Fire Chief may require fire detail(s) be hired and paid for by the event organizers at his or her discretion.

The Chief of the Swampscott Police Department, or his or her designee, has full discretion to ensure that the submitted security policy provides reasonable assurance that alcohol will be stored and served in a way that ensures persons under 21 will not have access. The Police Chief may also require police detail(s) be hired and paid for by event organizers at his or her discretion.

The Police Chief and Fire Chief, or their designees may limit, restrict or terminated the event in the case of serious or repeated violations of the agreed to security policy, exceeding crowd capacity limits, disorderly behavior affecting the peace of the surrounding neighborhood, or any other significant safety concerns.

If a violation occurs under such a license, the Select Board has the right to deny a One Day Special Permit application for a person or an organization that committed violations with respect to a previously issued license.

Permit Requirements:

1. A One Day Special Permit is required for any activity at which alcoholic beverages are served
2. Applications must be submitted 14 days prior to the event
3. The cost is \$50 per event (check or money order made payable to the Town of Swampscott)
4. One Day Special Permits are permitted for indoor and outdoor events
5. Permits issues are valid for the date and timeframe indicated
6. Applications must include a rain date, if applicable
7. Server training certificates (i.e. TIPs) must be submitted for each person working the event who will serve alcoholic beverages
8. A One Day Special Permit may be issued to the responsible person for any indoor or outdoor activity for a for profit enterprise for wine and malt beverages only
9. A One Day Special Permit may be issued to the responsible person of any non-profit conducting any indoor or outdoor activity for all alcoholic beverages. Non-profits must show proof of nonprofit status.

Liability Insurance

All licensees shall be required to provide to the Town a certificate of insurance showing liquor liability coverage in the amount of **\$1,000,000** each occurrence listing the **Town of Swampscott** as Additional Insured and as certificate holder for General Liability and Liquor liability coverage.

All alcoholic beverage laws shall be observed, including but not limited to:

- MGL Chapter 138, §34, Sale or delivery of furnishing alcoholic beverages to persons under twenty-one (21).
- MGL Chapter 138, §69, Sale or delivery to intoxicated persons.
- Town General Bylaws, Article V, Section 19, Consumption of Alcoholic Beverages in Public.

In addition to the Rules of Regulations set forth by the Town of Swampscott Select Board, as the Local Licensing Authority, any rules or regulations promulgated by the Alcoholic Beverages Control Commission Regulations are applicable to One Day Special Permits.

All persons issued a Special One Day License cannot purchase alcoholic beverages from a package store and must purchase alcohol from a licensed Massachusetts wholesaler and/or manufacturer.

A list of approved sellers can be found at: <https://www.mass.gov/info-details/apply-for-a-special-license-or-permit-abcc>

Adopted by the Swampscott Select Board

Date: December 6, 2023