

# **LIQUOR REGULATIONS FOR HOLDERS OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWN OF NORWOOD**

The Norwood Board of Selectmen ("the Board"), acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Norwood. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

1. The licensee is responsible for enforcing and complying with these Liquor Regulations, the Rules and Regulations of the Alcoholic Beverage Control Commission (ABCC), and Massachusetts General Laws Chapter 138. The license must be posted in a conspicuous location within the licensed premises, and clearly visible to employees and patrons. All licensees shall ensure that a copy of these Liquor Regulations are kept on the premises at all times and that all employees are aware of these Rules and Regulations and will comply with them.
2. MANAGER
  - (A) The licensee must have a Manager or other authorized/designated on-site employee, who shall, at all times, have full control and authority, and shall be responsible for the day to day operations of the licensed premises.
  - (B) The Manager must be a citizen of the United States, at least twenty-one years old and must be of good moral character and otherwise be acceptable to the Board. All managers of license applicants are required to submit to a state Criminal Offender Record Information (CORI) certification. No license shall be issued to any applicant who has been convicted of a violation of a federal or state narcotic drug law.
3. TRAINING:
  - (A) An individual licensee or principal representative of the licensee, the manager of record and any person that serves alcoholic beverages to the public are required to successfully complete an alcohol management or server training course within thirty (30) days of beginning their respective position and to maintain a current certification. At a minimum, these individuals must be TIPS certified or other equally suitable training approved by the Board.
  - (B) Copies of current training certificates of all persons subject to this section shall be available, on the premises, at all times. Training is mandatory for MGL Chapter 138, Section 15 licenses. The Board also requires training for Section 12 licenses.
4. If the licensee intends to suspend or terminate business operations for a temporary period or permanently, it shall first provide the Board with notice at least ten (10) days prior to the anticipated closing date, stating the reason(s) for the closing and the estimated length of the closing. If the temporary closing is the result of unforeseen circumstances such as fire, flood, or similar casualty, notice shall be given within ten (10) days after the date of the casualty.
5. The licensed premises shall at all times be subject to periodic, unannounced inspection by the Norwood Police Department, and their authorized agents to ensure compliance with state law and these regulations. The licensee and manager shall fully cooperate with such agents and shall not in any way hinder or delay access to the licensed premises or otherwise interfere with any agent in the conduct of any inspection or investigation. The licensee must maintain and promptly make available to the Board and its authorized agents for inspection and copying, records of all transactions involving the sale or purchase of alcoholic beverages, any video surveillance of the premises and any record from ID scanners used by the establishment at the time of the investigation. Required records determined to be off-site shall be provided to the Board and/or its authorized agents as soon as practical.



6. The Chief of Police or his/her designee may initiate compliance checks at any time using guidelines established by the Norwood Police Department, which shall be available upon request.
7. PHYSICAL ALTERATIONS
  - (A) Physical changes to the premises that do not change the maximum seating capacity but, will change the description of the licensed premises as shown on the license, shall be brought to the attention of the Board to determine if a modified license is required.
  - (B) Any alterations involving the installation, removal or relocation of any interior walls, doorways, stairways, or other structural components within the licensed premises that increases the maximum seating capacity will require Board approval for a modified license.
8. MAINTAINING ORDER AND DECORUM
  - (A) The licensee, manager, shift manager, or on-duty in charge, shall, at all times, maintain order and decorum within the licensed premises and shall not permit any illegality, disturbance, or disorder of any kind to take place in or on the licensed premises. The sale or use of illegal drugs or controlled substances, defined by MGL Chapter 94C, in, upon, or around the licensed premises is prohibited. The licensee shall be responsible therefor, whether present or not.
  - (B) Licensees shall take such steps as are necessary to ensure that patrons and/or employees do not leave the premises with alcoholic beverages. Without such enforcement by the Licensees, patrons are presumed to be leaving the premises with vessels containing alcohol.
  - (C) At the discretion of the Board, a Norwood Police Detail may be ordered or assigned on a periodic or permanent basis upon the premises or other areas within the license holders' control to ensure public safety and convenience.
9. The service, sale, delivery and consumption of alcohol on the licensed premises is strictly limited to the established hours for the service of alcoholic beverages as stated on the license. No licensee, manager, bartender, or server may solicit or accept any order for alcoholic beverages within fifteen (15) minutes prior to the hour stated on the license for cessation of liquor service ("the Closing Hour").
10. The licensee, manager, employees, contractors or subcontractors there for the purposes of cleaning, making renovations, making emergency repairs to, providing security for or preparing for the day's business or opening or closing the business in an orderly manner may be on the licensed premises outside of the established hours of operation for said purposes.
11. No server, bartender, or other person(s) employed by the licensee, shall consume any alcoholic beverage on the licensed premises while on duty.
12. Prices at which alcohol is sold shall not be displayed facing out on any window or on the exterior of the premises which are licensed under MGL Chapter 138, Section 12.
13. There are no alcoholic product sales, promotions or gifts of any kind allowed at or through drive-thru windows and/or vending machines.
14. LICENSEES – EMPLOYEES – SECURITY PERSONNEL

Licensees, employees and/or security personnel shall call the police and an ambulance and take all other reasonable steps to assist patrons or persons who are injured in or on the licensed premises.



15. SANCTIONS:

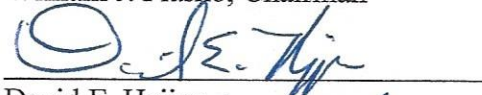
- (A) Any infraction of these Regulations, Regulations of the ABCC, and/or General Laws Chapter 138 may be grounds for action by the Board. In determining the appropriate action in any given cause, the Board will consider all relevant factors including the licensee's prior record, the nature of the offense, and other aggravating or mitigating circumstances. Only offenses which have occurred within the three (3) years preceding the date of violation shall be used in calculating the number of offenses for purposes of the disciplinary guidelines.
- (B) The sanctions below are only guidelines for the Board and Licensees. The Board may use its discretion in determining whether the facts and circumstances surrounding a violation, including those mitigating and aggravating factors cited below, warrant a sanction that is more lenient or severe than that suggested by the guidelines. The Board may, within its discretion, order a suspension with one or more days to be served and the remainder to be held in abeyance for such time as the Board may determine. These sanctions shall not be construed so as to limit the Board's authority to consider alternative or additional dispositions or further conditions on a license, or alternate penalties (e.g. roll back of operating hours, the requirement of an electronic scanner, etc.).
- 1<sup>st</sup> Violation – Verbal Warning or Letter of Reprimand
  - 2<sup>nd</sup> Violation – Letter of Reprimand and/or Suspension of 1 day
  - 3<sup>rd</sup> Violation – Suspension of License from 1 to 5 days
  - 4<sup>th</sup> Violation – Suspension of License from 5 to 30 days
  - 5<sup>th</sup> Violation – Revocation of License

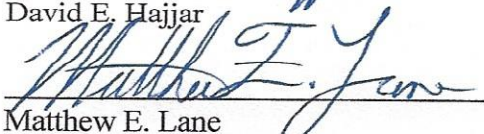
16. Any inconsistencies between these local regulations and statutory law shall be resolved in favor of statutory law.
17. The Board reserves the right, at any time, to modify or amend these Regulations, or to adopt such other additional Regulations as the Board deems necessary.
18. If any part, section, or subdivision of these Regulations, or the application thereof, is held to be invalid, unconstitutional, or inoperative as to any particular person(s) or conditions, such invalidity shall not affect other provisions or applications of these Regulations which can be given effect without the invalid provision or application, and to this end the provisions of these Regulations are declared to be severable.

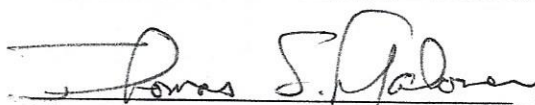
**The Norwood Board of Selectmen**  
**Acting as the Town's Licensing Authority**

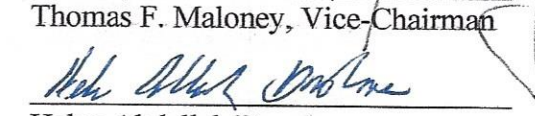
**APPROVED:** 02 / 09 / 2021

  
 William J. Plasko, Chairman

  
 David E. Hajjar

  
 Matthew E. Lane

  
 Thomas F. Maloney, Vice-Chairman

  
 Helen Abdallah Donohue