

PREAMBLE

The Newton Board of License Commissioners (the “Board”) is a regulatory entity created by the Massachusetts Liquor Control Act of the General Laws of the Commonwealth. The Act permits the Board to issue licenses under chapters 138 and 140 of the General Laws of the Commonwealth. In order to serve the public good and promote the general welfare of the City of Newton, the Board seeks to ensure that all licensed establishments be of high credit to the immediate community and substantially contribute to the quality of life within the City of Newton as a whole. The Board promulgates these Regulations for the proper administration of chapters 138 and 140 of the General Laws of the Commonwealth and the Regulations of the Alcoholic Beverages Control Commission (the “ABCC”).

The Board strongly believes, and State Law mandates, that the rights of residents, neighbors, and abutters must be taken into account in considering the issuance of any license under these Regulations.

The Board is comprised of three uncompensated members appointed by the Mayor with the approval of the Board of Aldermen. The Board has an administrative office (“Office of the Board”) in Newton City Hall, 1000 Commonwealth Avenue, Newton Centre, MA.

All ranking officers of the Newton Police Department, the Board’s Enforcement Officer, and the Administrative Director of the Board are all appointed agents of the Board. At any time, the Board’s agents and the Board members themselves may inspect any licensed premises to ensure that the conduct of the business or the event conforms to all laws, ordinances, codes, rules and regulations pertinent to the licenses issued by the Board.

With a view to serve the public need and to protect the common good, the Board regularly receives and shares information with the City’s Health Department, Inspectional Services Department, Fire Department and Police Department. Thus, these regulations are to be considered **in addition to, and not instead of**, all obligations imposed under State law, local law, City of Newton Ordinances, the Liquor Control Act, State Sanitary & Health Code, State Building Code, Fire Prevention Code, and the Regulations of the ABCC with which the licensee must comply.

As a regulatory entity charged with the proper administration of licenses under chapters 138 and 140 of the General Laws of the Commonwealth, the Board is empowered to conduct full evidentiary and public hearings in accordance with State Law. In connection with the administration of these Regulations and the General Laws of the Commonwealth, the Board may impose sanctions where appropriate and in accord with all protections of due process, including any attendant appellate rights.

The Board’s Regulations are promulgated under the authority of the Massachusetts Liquor Control Act and may be amended and modified from time to time upon proper notice and after public hearing.

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