

**THE WALTHAM LICENSE COMMISSION
RULES & REGULATIONS
FOR THE SALE OF ALCOHOL
CONSUMED ON 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. This includes tables, chairs, booths, counters, bars, barstools, dance floors or other areas.
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.

**RESTAURANTS
(7-Day License)**

Monday thru Saturday	8:00 AM to 1:00AM
* Sunday & Legal Holidays	1:00 PM to 12:00 Midnight

*At the discretion of the Waltham License Commission, establishments with seating capacity of 100 seats or more:

11:30 AM to 12:00 Midnight

RESTAURANTS

(6-Day License)

Monday thru Saturday 8:00AM to 1:00AM

TAVERNS

Monday thru Saturday 8:00AM to 12:00 Midnight

CLUBS

Monday thru Saturday 8:00 AM to 12:00 Midnight

***Sundays & Legal Holidays 1:00 PM to 12:00 Midnight**

***At the discretion of the Waltham License Commission, establishments with seating capacity of 100 seats or more: 11:30 AM to 12:00 Midnight**

Private Clubs must keep a roster of their members. Membership cards must be shown when entering the licensed premise.

Private Clubs may serve alcoholic beverages only to their members and to guests introduced by members, and to no others.

III. SERVING 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 a 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 dispense or serve 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 serve 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. All Alcoholic beverages sold, served or dispensed must be consumed on the premise. No one shall be allowed to take or consume alcoholic beverages on the sidewalks of any licensed establishment.
7. All entrance doors to the licensed premise must remain closed at all times regardless of weather conditions.
8. No alcoholic beverages shall be allowed to stand behind the bar in any receptacle whatever, glass, pitcher or other container. All alcoholic beverages ordered by patrons, shall be drawn and served immediately.
9. No alcoholic beverages may be served outside the licensed premise such as a patio, roof garden, or sidewalk unless such area is approved by the Waltham License Commission and is contained in the description of said licensed premise.
10. No minimum charge for the purchase of alcoholic beverages is allowable. A licensee may not set a minimum amount of alcohol to be purchased or consumed by a patron. All licensees shall maintain a schedule of the prices charged for all drinks to be served.
11. No pitchers of malt beverages may be served later than one (1) hour before the designated closing hour. Pitchers of malt beverages may contain no more than sixty (60) ounces and must be served to at least two (2) or more persons.
12. No more than two (2) glasses of alcoholic beverages may be sold to or be in front of a patron at one time.
13. No licensee or employee shall:
 - offer or deliver any free drinks to any person or group of persons;
 - sell, offer to sell or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions;
 - sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public;
 - sell, offer to sell or deliver drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public;
 - sell, offer to sell or deliver malt beverages by the pitcher except to two or more persons at any one time;
 - increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;
 - encourage or permit, on the licensed premise, any game or contest which involves drinking or the awarding of drinks as prizes.
14. 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. LAST CALL

1. Last call shall be at least fifteen (15) minutes before the designated closing hour. Any alcoholic beverage served prior to the designated closing hour must be consumed no later than thirty (30) minutes after the designated closing hour. No employee or owner shall serve any alcoholic beverages before the designated opening hour or after the designated closing hour.
2. All tables and bars must be cleared of all glasses, bottles and containers of alcoholic beverages, within thirty (30) minutes after the designated closing hour and all customers must be off the premise by that time. Licensees are not permitted to allow any patron or any guest or any employee to enter the premise after the designated closing hour or prior to the designated opening hour posted on the license.

3. Owners and employees must be off the premise no later than sixty (60) minutes after the designated closing hour, provided however, that such owners and employees may be on the premise at any time for cleaning, making emergency repairs, providing security for such premise, or preparing food for the next day's business.
4. 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 Section II, 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.
5. 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.

V. CONDITIONS INSIDE THE PREMISE

1. All licenses and building certificates shall be posted in an accessible place on the premise, easily seen by the patrons where they can be read without difficulty and without the assistance of employees. No document shall be posted in a way that will cover any part of the license issued by the Commission.
2. 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.
3. 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.
4. A licensed establishment which sells alcoholic beverages to be consumed on the premise must have a kitchen and provide food for patrons.
5. The licensed premise must be kept neat and sanitary. Toilet facilities must be kept supplied with hot water, soap, towels/tissue at all times.
6. Alcohol and beer and wine restaurants shall be required to adhere to revenue sales of majority of food to alcohol by at least 51% or more food revenues. Documentation shall be available for inspection by the Waltham License Commission or its agents.
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. No licensee or employee shall consume any alcoholic beverages during working hours or shall sell or use illegal drugs or narcotics.
10. 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.
11. No price list of alcoholic beverages shall be displayed in windows or in any other place where from outside the licensed premise.
12. 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.
13. 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.

14. Any Waltham police officer assigned to the Detective Bureau is deemed an authorized agent of the Waltham License Commission.

15. 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.

VI. 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 Department to have patrons removed from the premise when such patrons are being disruptive.

3. Licensees who permit persons to wait in line for a table, a seat, or entrance to the premise must enforce the following rules:

- Persons who wait inside the premise must be kept in an orderly line and must not be permitted to block fire aisles or exits;
- An employee of the licensed premise must supervise persons who are permitted to wait in line outside the premise. The employee must stand outside with the line during all times. Persons waiting outside must not block the public way or ramps for accessibility;
- Admissions to the premise should be denied if persons in the line are being loud or disorderly and causing noise or other problems for residents of the area.

4. Licensees shall take such steps as are necessary to ensure that patrons or employees do not leave the premise with alcoholic beverages or leave the premise intoxicated.

5. 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.

6. Patrons are not permitted to bring alcoholic beverages on the premise for their own consumption.

7. Licensees shall not permit more persons on the premise than the capacity number approved by the Waltham License Commission.

VII. 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