

# Town of Auburn, Massachusetts

Julie A. Jacobson  
Town Manager



## Board of Selectmen

Scott C. Wrenn, Chairman  
Sara Rufli, Vice Chairman  
Daniel S. Carpenter  
Steven Chambers

Section 300

## BOARD OF SELECTMEN POLICY

### BOARD POLICIES ON VIOLATIONS OF LIQUOR LICENSE

Section 1 Pursuant to Massachusetts General Laws Chapter 138 §1, et seq., the Auburn Board of Selectmen have been established as the local licensing authority for the sale of all alcoholic beverage licenses and all wine and malt beverages licenses, on premises (G.L. c138 §12) and off-site (G.L. C. 138 §15).

Section 2 Pursuant to the authority of law, the local licensing authority is responsible for the enforcement of all statutes, by-laws and regulations established for the sale of alcoholic beverages both on-site and off-site, and further is authorized to administer appropriate penalties for violation of said statutes, by-laws and regulations.

Section 3 Pursuant to the authority of law, the local licensing authority may modify, suspend, revoke, or cancel a licensee's license. It shall be the policy of the local licensing authority for the Town of Auburn, that prior to taking any action to modify, suspend, resolve or cancel a license, proper notice and a reasonable opportunity to be heard, shall be given a licensee, as required by G.L. C.138 §64.

Section 4 After notice and hearing and upon finding by the local licensing authority that a violation of a statute, by-law or regulation has occurred, said local licensing authority may impose the following penalties.

A.) If a licensee has been found in violation of G.L. c.138, one time, but not more than one time in the two (2) years preceding the date of violation, then the licensee shall have its license suspended for a period of 24 hours, to be served on a Monday through Thursday.

B.) If a licensee has been found in violation of G.L. C. 138, two (2) times but not more than two (2) times in the two (2) years preceding the date of the violation, then the licensee shall have its license suspended for two (2) 24-hour periods, to be served on a Friday and/or Saturday, but not necessarily consecutively.

C.) If a licensee has been found in violation of G.L. c.138 three (3) times or more in the two (2) years preceding the date of the violation, then the licensee may have its license revoked.

Section 5 Pursuant to the provisions of law any license holder aggrieved by a decision of the local licensing authority shall be allowed the opportunity to appeal the local licensing authority's decision to the Alcoholic Beverage Control Commission, as provided for in G.L. c.138 §67.

Accepted as written –  
February 27, 2012