



**PEABODY CITY COUNCIL
PEABODY, MA**

**RULES AND REGULATIONS GOVERNING THE ISSUANCE OF ENTERTAINMENT
LICENSES ISSUED BY THE PEABODY CITY COUNCIL**

By authority of the 1978 Acts and Resolves of the Commonwealth of Massachusetts, Chapter 102, the City Council in the City of Peabody is designated and constituted as the licensing authority under the provisions of Sections 181, 183A and 184 of Chapter 140 of the Massachusetts General Laws and Chapter 4 Entitled Alcoholic Beverages of the code of the City of Peabody. Accordingly, the following rules and regulations have been adopted with respect to the issuance of said entertainment license. **Said license is a six (6) day license [Monday through Saturday only].**

**DOES NOT INCLUDE SUNDAY ENTERTAINMENT. SUNDAY ENTERTAINMENT LICENSE
IS ISSUED THROUGH THE OFFICE OF THE MAYOR**

1. All licenses are to be issued by the City Council following a public hearing on the application of said license.
2. Public notice of the hearing on the application will be published once in a newspaper of general circulation in the City of Peabody at least fourteen (14) days prior to said hearing. The expense of publication will be assumed by the applicant, and abutters within 300' of the premises shall receive notice of said public hearing.
3. No application will be considered until all required forms, statements and disclosures are returned in a complete and accurate manner to the City of Peabody.
4. All other licenses, certificates and permits to be issued by the City of Peabody on the premises to be licensed must be obtained prior to the issuance of an entertainment license.
5. The premises to be licensed must be inspected and a favorable report made thereon by the following departments or agencies prior to the public hearing being scheduled:
 - a). Building Commissioner
 - b). Police Department
 - c). Fire Department
 - d). Health Department
 - e). Tax Collector
6. Entertainment Licenses are not transferable. All transfers must be approved by the City Council through the public hearing process.
7. Entertainment in a place of assembly is regulated by the Building Commissioner and shall determine whether or not the establishment is rated as an A-2 or A-3 use. Any live entertainment such a bands, D.J., karaoke, or social entertainment (group type events such as painting parties, etc.) change the use of a building to an A-2 rating and the owner is required to up grade the structure to current building code standards. Televisions, CD Players, jukebox and background music in the ceiling are allowed with limited shutdown requirements.

Rules and Regulations
Entertainment Licenses

8. If a temporary certificate of occupancy is issued by the Building Commissioner, the premises is limited to non-live entertainment only until such time as a yearly certificate of occupancy is issued.
9. If there is a change in manager, the license holder must notify the City Clerk forthwith in writing.
10. Violations of Mass. General Laws, ordinances of the City of Peabody, rules and regulations of the licensing authority of the city of Peabody, or any terms or conditions placed on the license may result in suspension and/or revocation of said license.
11. Any misstatement on an application or financial disclosure statement shall be considered a violation of the rules and regulations of the Licensing Authority.
12. Entertainment License will be granted only on an affirmative vote of at least a majority vote of the licensing authority. The fee for live entertainment is \$100.00; for non-live is \$50.00.

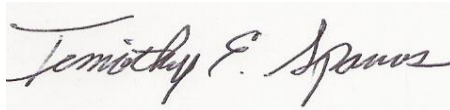
INTRODUCED

FEBRUARY 28, 2008

ADOPTED BY THE
PEABODY CITY COUNCIL

MARCH 13, 2008

ATTEST



(Timothy E. Spanos, City Clerk)

APPLICATION FOR ENTERTAINMENT LICENSE
6 Day License: MONDAY THROUGH SATURDAY
This application does not include Sunday Entertainment



To the City Council
Peabody, Massachusetts

NEW _____ RENEWAL _____ TRANSFER _____ AMENDMENT _____

Name of Corporation: _____

Name of Business (if different): _____

Location of Premises: _____ Map _____ Parcel No. _____

Mailing Address (If different) _____

Type of Non-Live Entertainment: (be specific as to equipment used i.e. Television, CD player, DVD Player, Radio, Electronic Jukebox or Digital Internet Jukebox etc.)

Live Entertainment: (be specific as to type of entertainment, location, and numbers of person(s), number of instruments, number of amplifiers involved (Karaoke and D.J. are grouped under live entertainment)

Karaoke Yes ___ No ___ DJ Yes ___ No ___ Live Entertainment Yes ___ No ___

Describe in detail type of live entertainment (i.e. live music, comedy acts, social entertainment, etc.)



Location of Live Entertainment _____

Number of Amplifiers _____ Number of Musicians _____ Dancing by Patrons _____

Location of Dance Floor _____

Size of Dance Floor _____

Maximum Capacity of Patrons (Including bar area/function room) _____

Hours of Non-Live Entertainment _____

Hours of Live Entertainment _____

Manager of Record: _____ Contact no:() _____ - _____

Email contact _____

Note: If manager changes you must notify Clerk's Office forthwith.

Do you understand that this license is subject to revocation/suspension for any violation of any city ordinance or rule or regulation of the licensing authority? Yes _____. (check)

FEIN NO. _____ Corporate Name: _____

Corporate Address: _____

Corporate Officer: _____

Manager's Signature _____

Signature of Property Owner: _____.

The Building Inspector of the City of Peabody has determined that the below mentioned License application request is **valid / invalid** as specified under the Zoning Ordinance of the City of Peabody. **(Does not apply to renewal applications)**

Signature of Building Inspector: _____.

- **This license expires on December 31st of the year issued and must be renewed prior.**
- **Entertainment Licenses are governed by Chapter 140, Section 183A of the Massachusetts General Laws.**
- **A Sunday License must be issued by the Office of the Mayor**

CORI REQUEST FORM

The City of Peabody has been certified by the Criminal History Systems Board for access to conviction and pending criminal case data. As a prospective license holder for a _____ License, I understand that a criminal record check will be conducted for conviction and pending criminal case information only and that it will not necessarily disqualify me. The information below is correct to the best of my knowledge.

(Applicant's Signature)

LAST NAME FIRST NAME MIDDLE NAME

MAIDEN NAME, PREVIOUS NAME OR ALIAS PLACE OF BIRTH

DATE OF BIRTH SOCIAL SECURITY NUMBER MOTHER'S MAIDEN NAME
(requested, not required)

CURRENT AND FORMER ADDRESSES:

SEX: _____ HEIGHT: ____ ft. ____ in. WEIGHT: _____ EYE COLOR: _____

STATE DRIVER'S LICENSE NUMBER: _____ STATE OF ISSUE: _____

THE ABOVE INFORMATION WAS VERIFIED BY REVIEWING THE FOLLOWING FORM OF GOVERNMENT ISSUED PHOTOGRAPHIC IDENTIFICATION: _____

RECEIVED BY: _____
SIGNATURE OF EMPLOYEE

CORI CHECK CONDUCTED BY: _____
(Peabody Police Department)



PEABODY CITY COUNCIL

LICENSING AUTHORITY FOR ENTERTAINMENT LICENSES SIX DAYS ONLY – MONDAY THROUGH SATURDAY

Ward Councillors

Craig S. Welton, Ward 1
Peter M. McGinn, Ward 2
James Moutsoulas, Ward 3
Edward R. Charest, Ward 4
Joel D. Saslaw, Ward 5
Mark J. O'Neill, Ward 6

Councillors at Large

Thomas L. Gould
Anne M. Manning-Martin
Ryan Melville
Thomas J. Rossignoll
Jon G. Turco

Clerk of Council

Allyson M. Danforth

FINANCIAL DISCLOSURE FORM

If you have not previously completed and filed a financial disclosure form with the Peabody City Council (Licensing Authority for Entertainment Licenses); if there has been any change in your answers as shown on previously filed applications or financial disclosure forms please complete the following:

1. Name and Address of Applicant:

2. If applicant is a partnership or corporation, name, address and percentage of ownership of partners, officers, directors and stockholders:

City Hall
24 Lowell Street

978-538-5900
FAX (978) 538-5985



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3. If you own the premises for which you are making application for a license, please specify the following:

a) Date acquired _____.

b) Purchase Price _____.

c) If more than real estate was purchased, please state what was purchased and purchase price _____.

d) How was business finance?

Down Payment \$ _____.

Source of down payment _____.

Source and amount of financing. (List separately each financial transaction from which funding for business was obtained) [Please answer following]

1. Date _____.

2. Amount borrowed _____.

3. Makers or lenders name & address _____.

4. Payee or borrowers name & address _____.

5. Guarantor's name and address _____.

6. Security pledged to secure loan _____.



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4. If you do not now own but intend to purchase or have an option to purchase the premises, please specify?

a) Sellers name & address _____.

b) Buyers name & address _____.

c) Purchase or option price _____.

d) Proposed financing _____.

5. If applicant leases or intends to lease the premises, list the lessor, annual rent, and to whom such payments are made.

Lessor name & address _____.

Annual rent _____.

Name & address of payee if other than lessor above _____.

_____.

6. Please furnish the following for borrowing for the business to be licenses other than the acquisition of premises or other purchases not listed above.

Date _____.

Amount borrowed _____.

Maker or lender _____.

Payee or borrower _____.

Guarantor _____.

Security pledged _____.



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Under the penalties or perjury, I/we declare that I/we have prepared or examined the answers to this disclosure statement and that they are true, correct, and complete.

Signed this _____ day of _____, 20 ____.

NAME (Print)

SIGNATURE

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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PEABODY CITY COUNCIL

Dear Licensee or Applicant:

Ward Councillors

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The following information is required by the City Council in connection with an application for Entertainment License (new or transfer of new owner) for 1978 and thereafter.

This information must be legibly written in ink, typewritten, or processed electronically, and every individual applicant, members of a partnership or officer, director and stockholder of a corporation must sign this application at the completion of these questions. Failure to answer all questions fully or failure to complete any other required forms will be considered as grounds for denial, suspension, or revocation of any entertainment license. If any question cannot be fully completed in the space provided in this or other forms, you may attach additional pages of similar size appropriately referenced to the application.

1. Name(s) and home address of applicant(s). If applicant is a member of a partnership, names, addresses and respective interest of all partners must be listed. If applicant is a corporation each officer, director and stockholder must be listed together with their respective percentage of ownership of outstanding capital stock.

City Hall
24 Lowell Street

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NAME

ADDRESS

% OF INTEREST/STOCK

- a.
- b.
- c.
- d.
- e.



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2. If the applicant is a corporation and if any shares of stock in the corporation are pledged, please identify the corporate pledger and pledge by name, address and shares pledged.

PLEDGOR
NAME

PLEDGOR
ADDRESS

SHARES
PLEDGED

a.

b.

c.

d.

e.

PLEDGEE
NAME

PLEDGEE
ADDRESS

SHARES
PLEDGED

f.

g.

h.

i.

j.

ALSO PROVIDE THE FOLLOWING:

- A. A certified copy of the Articles or Organization together with any amendments to date of application.
- B. A certified copy of the corporate vote to apply for a license or renewal of license and designating the officer authorized to apply.
- C. A certified copy of the corporate vote appointing the manager or principal representative.



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D. A certificate of legal existence issued by the Secretary of State for the Commonwealth of Massachusetts and dated not less than 10 days prior to the date of application.

E. If the applicant does not own the premises to be licensed, identify the owner in the same manner as described in question one (1) and the relationship between the applicant and the owner.

3. Number and date of expiration of the Building Certificate issued on the premises.

4. Have you obtained or have you applied for any other required certificates, licenses, permits, etc. relating to the business to be conducted on the premises.
YES NO If yes, please describe in full and complete detail.

5. Location, description and telephone number of premises to be licenses.

6. Are there any joining connections between the premises to be licensed and apartments? Between the premises to be licensed and any other premises?
YES NO If yes, please describe:

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7. Do the premises provide for separate restroom facilities on the premises for male and female patrons? YES NO

8. Have you operated your place of business continuously during the last 12 months prior to the date of this application? YES NO
If not, give dates and reasons for closing:

_____.

9. Are the statements relative to your stock holdings or pledges in answer to questions 1 and 12 above in agreement with those now on file with this licensing authority? YES NO . If no, please furnish details of all differences:

_____.

10. Has the applicant, any partner, officer, director, stockholder, or manager been convicted of a felony within the last five years? YES NO
If yes, please furnish full and complete details on each person and conviction:

_____.

11. In addition, the manager or principal representative must request an application for clearance from the Board of Probation as directed by separate form.

12. Has the applicant, partner, officer, director, stockholder, or manager ever had a liquor license or entertainment license suspended or revoked? YES NO
If yes, please furnish full details including authority taking such action, reason, length of suspension or revocation and present status.

_____.



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13. Does the applicant, partner, officer, director, stockholder, or manager now hold or ever held a liquor or entertainment license in any other city or town in the Commonwealth of Massachusetts? YES NO

If yes, please furnish complete and full details:

_____.

14. Has the applicant, partner, officer, director, stockholder, or manager ever failed or declared bankruptcy? YES NO

If yes, please furnish complete details on each person and each bankruptcy:

_____.

Any changes in corporate officers, stockholders, directors, or manager must be reported in writing to the licensing authority within 10 days of said change. Failure to do so may result in suspension and/or revocation of this license.

Under the penalties of perjury, I/we declare that I/we have prepared or examined the answers to this questionnaire, and that they are true, correct, and complete.

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Signed this _____ day of _____, 20__.

NAME (Print)

SIGNATURE

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(Applicant's Signature)

LAST NAME FIRST NAME MIDDLE NAME

MAIDEN NAME, PREVIOUS NAME OR ALIAS PLACE OF BIRTH

DATE OF BIRTH SOCIAL SECURITY NUMBER MOTHER'S MAIDEN NAME
(requested, not required)

CURRENT AND FORMER ADDRESSES:

SEX: _____ HEIGHT: ____ ft. ____ in. WEIGHT: _____ EYE COLOR: _____

STATE DRIVER'S LICENSE NUMBER: _____ STATE OF ISSUE: _____

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RECEIVED BY: _____
SIGNATURE OF EMPLOYEE

CORI CHECK CONDUCTED BY: _____
(Peabody Police Department)



\$20.00 filing fee

BUSINESS CERTIFICATE

RENEWAL _____ NEW _____

COMMONWEALTH OF MASSACHUSETTS
CITY OF PEABODY

Original certificate must be filed

DATE _____

In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of _____

is conducted at

Number _____

in the City of Peabody, Massachusetts by the following named person(s).

FULL NAME

RESIDENCE

_____	_____
_____	_____
_____	_____

Email Address

Contact Telephone Number

All signatures must be notarized if signed outside of the City Clerk's Office

Signed

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

COMMONWEALTH OF MASSACHUSETTS
CITY OF PEABODY

ESSEX SS.

Personally appeared before me the above-named _____

and made oath that the foregoing statement is true. _____

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date _____

(Seal)

A "Form of List" must be filed with the Assessors Office for personal property taxes

City Clerk

TITLE

BUSINESS CERTIFICATE FILINGS ARE NOT A LICENSE TO CONDUCT BUSINESS. ANY PERSON WISHING TO CONDUCT BUSINESS MUST, IN ADDITION TO THE ABOVE, CONTACT THE BUILDING INSPECTOR TO ENSURE THAT THE BUSINESS LOCATION IS IN COMPLIANCE WITH CITY ZONING LAWS PRIOR TO THE ISSUANCE OF THIS CERTIFICATE AND RECEIVE APPROVAL FROM THE BUILDING INSPECTOR FOR THE SAME.

CHAPTER 110, SECTION 5:

Certificates of persons conducting businesses; contents; filing; fees; index

Section 5. Any person conducting business in the commonwealth under any title other than the real name of the person conducting the business, whether individually or as a partnership, shall file in the office of the clerk of every city or town where an office of any such person or partnership may be situated a certificate stating the full name and residence of each person conducting such business, the place, including street and number, where, and the title under which, it is conducted, and pay the fee as provided by clause (20) of section thirty-four of chapter two hundred and sixty-two. Such certificate shall be executed under oath by each person whose name appears therein as conducting such business and shall be signed by each such person in the presence of the city or town clerk or a person designated by him or in the presence of a person authorized to take oaths. The city or town clerk may request the person filing such certificate to produce evidence of his identity and, if such person does not, upon such request, produce evidence thereof satisfactory to such clerk, the clerk shall enter a notation of that fact on the face of the certificate. A person who has filed such a certificate shall, upon his discontinuing, retiring or withdrawing from such business or partnership, or in the case of a change of residence of such person or of the location where the business is conducted, file in the office of said clerk a statement under oath that he has discontinued, retired or withdrawn from such business or partnership or of such change of his residence or change of the location of such business, and pay the fee required by clause (21) of said section thirty-four. In the case of death of such a person, such statement may be filed by the executor or administrator of his estate. The clerk shall keep a suitable index of all certificates so filed with him which are currently in force and effect, setting forth the pertinent facts, including a reference to any statement of discontinuance, retirement or withdrawal from, or change of location of, such business, or change of residence of such person. A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed. Copies of such certificates shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours, to any person who has purchased goods or services from such business. Violations of this section shall be punished by a fine of not more than three hundred dollars for each month during which such violation continues.

Section 29: Notice of assessments; lists

Section 29. Assessors before making an assessment shall give reasonable notice thereof to all persons subject to taxation in their respective towns. Such notice shall be posted in one or more public places in each town, or shall be given in some other sufficient manner, and shall require the said persons to bring into the assessors, before a date therein specified, in case of residents a true list, containing the items required by the commissioner in the form prescribed by him under section five of chapter fifty-eight of all their personal estate not exempt from taxation, except intangible property the income of which is included in a return filed the same year in accordance with sections twenty-two to twenty-five, inclusive, of chapter sixty-two, and in case of non-residents and foreign corporations such a true list of all their personal estate in that town not exempt from taxation, and may or may not require such list to include their real estate subject to taxation in that town. It shall also require all persons, except corporations making returns to the commissioner of insurance as required by section thirty-eight of chapter one hundred and seventy-six, to bring in to the assessors before a date therein specified, which shall not be later than March first following, unless the assessors for cause shown extend the time to a reasonable later time but in no event later than the last day for filing an application for abatement of the tax for the fiscal year to which the filing relates, true lists, similarly itemized, of all real and personal estate held by them respectively for literary, educational, temperance, benevolent, charitable or scientific purposes on January first preceding, or at the election of any such corporation on the last day of its fiscal year preceding said January first, together with such information as may be required to comply with regulations promulgated by the commission pursuant to section three of chapter fifty-eight and the amount of receipts and expenditures for said purposes during the year together with copies of federal tax returns containing unrelated business income taxable under section five hundred and eleven of the Internal Revenue Code. The assessors may require from any person claiming under the Seventeenth, Eighteenth or Twenty-second clause of section five an exemption from taxation, a full list of all such person's taxable property, both real and personal.