



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
THOMAS M. MENINO

August 23, 2010

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval a home rule petition to the General Court entitled "An Act Providing for Designated Licenses for the Sale of Alcoholic Beverages and Wine and Malt Beverages at Logan International Airport Granted by the Licensing Board for the City of Boston." I am sponsoring this petition on behalf of the Massachusetts Port Authority.

Section 17 of Chapter 138 of the General Laws grants the City of Boston the authority to issue alcoholic beverage licenses, and puts a cap on the number of licenses that can be issued at any one time. Currently, thirteen of those licenses are issued to individual businesses that operate within Logan International Airport. The proposed petition would allow the Boston Licensing Board to issue Restricted Airport Licenses to businesses operating within the passenger terminals for the sale of all alcoholic beverages and the sale of wines and malt beverages to be drunk on the premises. The licenses would be non-transferable to businesses operating outside the passenger terminals or airport clubs.

The airport is a unique entity operated by the Massachusetts Port Authority, and for that reason it is prudent to treat these airport licenses differently. The purpose of this petition therefore, is to remove Logan International Airport licenses from the cap and establish a streamlined airport-specific licensing system that better addresses the needs and concerns of the Massachusetts Port Authority, the Boston Licensing Board and the Alcohol Beverages Control Commission with respect to Logan International Airport.

I urge your Honorable Body to join me in this effort to streamline the licensing process for businesses operating at Logan International Airport.

Sincerely,

Thomas M. Menino  
Mayor of Boston

# CITY OF BOSTON

## IN CITY COUNCIL

AN ACT PROVIDING FOR DESIGNATED LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES AND WINE AND MALT BEVERAGES AT LOGAN INTERNATIONAL AIRPORT GRANTED BY THE LICENSING BOARD FOR THE CITY OF BOSTON.

**ORDERED:-** That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:--

SECTION 1. Section 17 of chapter 138 of the General Laws as appearing in the 2010 Official Edition, is hereby amended by inserting after the seventh paragraph the following new paragraphs:

As used in this Section, the following terms shall have the following meanings:

“Airline Clubs”, shall mean establishments, not open to the general public, which are operated by or for airlines at the Airport to provide exclusive or special accommodations to members and their guests, in accordance with airline policy.

“Airport”, shall mean General Edward Lawrence Logan International Airport.

“Boston License”, shall mean a license for the sale of alcoholic beverages issued pursuant to the sixth paragraph of this Section, and subject the City of Boston municipal quota.

“Passenger Terminals”, shall mean the passenger terminals and designated Airline Clubs within the Airport.

“Restricted Airport Licenses”, shall mean licenses for both (i) the sale of all alcoholic beverages, and (ii) the sale of wines and malt beverages, to be drunk on the premises within the Passenger Terminals at the Airport.

“Transfer Period”, shall mean a period ending at the date the later to occur of either: (a) two (2) years of the enactment of this act, or (b) December 31, 2012.

With respect to the Airport, the licensing board for the City of Boston may also issue one or more Restricted Airport Licenses to any common victualler duly licensed under chapter one hundred and forty and operating within the Passenger Terminals at the Airport, subject to the approval of the Alcoholic Beverages Control Commission. Once issued to a licensee within the Passenger Terminals at the Airport, the licensing board shall not approve the transfer of a Restricted Airport License to a location outside of the Passenger Terminals at the Airport. A Restricted Airport License shall be nontransferable to any other person, corporation or organization operating outside the Passenger Terminals at the Airport, and shall be clearly marked nontransferable outside the Passenger Terminals at the Airport on the face of the license. Notwithstanding the language of this Section 17, or any other special or general law to the

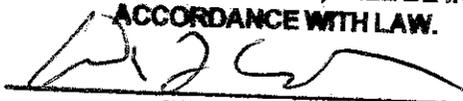
contrary, Restricted Airport Licenses shall not be subject to, nor shall such licenses be counted against, any municipal quota set forth herein, including, but not limited to, the City of Boston quota set forth in paragraph six of this Section. A Restricted Airport License, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges thereto, to the licensing board which may grant any such returned license to a new applicant operating within the Passenger Terminals at the Airport, consistent with the criteria set forth in this paragraph.

SECTION 2. Following the enactment of this act, Boston Licenses currently issued and otherwise in good standing for use within the Passenger Terminals at the Airport may continue to be valid during the Transfer Period, provided however, that a Boston License issued for use within the Passenger Terminals at the Airport, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges thereto, to the licensing board which may grant any such returned license to a new applicant outside of the Passenger Terminals at the Airport in accordance with paragraph six of this Section. A licensee under a Boston License, operating within the Passenger Terminals at the Airport, may freely transfer such Boston License to any location outside the Passenger Terminals at the Airport, subject to the approval of the Alcoholic Beverages Control Commission, whereupon such transferor may be eligible for a Restricted Airport License as provided herein; provided, however, that a licensee operating within the Passenger Terminals at the Airport under a Boston License may only transfer a Boston License during the Transfer Period. If such Boston License has not been transferred within the Transfer Period, such Boston License will be deemed revoked or no longer in use, and shall be returned physically, with all legal rights and privileges thereto, to the licensing board, which may (i) grant such returned Boston License to a new applicant operating outside the Passenger Terminals at the Airport, subject to paragraph six of this Section, and (ii) grant a Restricted Airport License to the person or establishment from whom the Boston License was revoked, or a new applicant within the Passenger Terminals at the Airport, in accordance with this Section.

SECTION 3. With respect to the Restricted Airport Licenses, the local licensing authorities may determine in the first instance, when originally issuing and upon each annual renewal of a Restricted Airport License, the amount of the license fee in accordance with Section 12; provided, however, that an origination fee of not greater than two thousand five hundred dollars (\$2,500) per alcoholic beverage license and one thousand dollars (\$1,000) per wine and malt beverage license shall apply to each Restricted Airport License.

SECTION 4. This act shall take effect upon its passage.

**I HEREBY CERTIFY THAT  
THE FOREGOING, IF PASSED IN  
THE ABOVE FORM, WILL BE IN  
ACCORDANCE WITH LAW.**

  
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WILLIAM F. SINNOTT  
CORPORATION COUNSEL MAC