

# Warrant Article Questionnaire Non-Standard Town Agency Articles

## Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article #19	Date Form Completed: March 23, 2023
Article Title: Home Rule Petition to Amend Chapter 336 of the Acts of 2004	
Sponsor Name: Select Board	Email: pjoseph@natickma.org

Question	
1	Provide the article motion exactly as it will appear in the Finance Committee Recommendation Book and presented to Town Meeting for action.
Response	<p>Move that the Town vote to authorize the Select Board to petition the General Court to enact legislation in substantially the following Form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the general public objectives of this petition.</p> <p style="text-align: center;">AN ACT TO AMEND CHAPTER 336 OF THE ACTS OF 2004 RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN THE TOWN OF NATICK</p> <p>Be it enacted in the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:</p> <p>SECTION 1 Chapter 336 of the Acts of 2004, entitled AN ACT RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN TOWN OF NATICK is hereby amended by deleting from Section 1 thereof the following language "All proceeds from any sales pursuant to a permit granted under this act shall be used solely for the license holder's charitable purposes".</p> <p>As amended, said Section 1 shall read:</p> <p>SECTION 1. Notwithstanding section 12 of chapter 138 of the General Laws or any other general or special law to the contrary, with respect to a club which is licensed under said section 12 of said chapter 138 to sell alcoholic beverages in the town of Natick, the local licensing authority of said town may, subject to the approval of the alcoholic beverages control commission, grant a permit to the holder of a club license to allow functions or fundraising activities held at the licensed premises or any part thereof to serve food and sell or dispense alcoholic beverages lawfully possessed by such licensee under that license to persons other than members of the club, to be consumed on the licensed premises, if such functions or fundraising activities are sponsored by a member of the club, who shall be present at the functions or fundraising activities, and subject to such conditions as the licensing authority may impose and to regulations made by the licensing authority. The application procedures under section 15A of said chapter 138 shall apply to permits for the sale of alcoholic beverages issued under this act. A permit issued under this act shall expire not later than December 31 of the year of issue, but shall be subject to revocation or cancellation within its term.</p> <p>SECTION 2 This act shall take effect upon its passage or otherwise act thereon.</p>

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2	At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the accompanying Motion?
Response	This Article will remove the requirement that Clubs and Veterans Organizations must use proceeds from the sale of alcoholic beverages to be consumed on the premises for charitable purposes, thus allowing these non-profit organizations more flexibility to sustain their operations through the sale of alcoholic beverages during non-member, hosted events.
3	Has this article or one of a very similar scope and substance been on a previous Warrant Article and what have been the actions taken by the Finance Committee, other Boards or Committees and Town Meeting?
Response	No. This action will effectively undo the action taken by the Town and passed by Home Rule Petition in 2004 which imposed this requirement.  Coments:

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4	Why is it required for the Town of Natick and for the Town Agency sponsor(s)?
Response	Removal of this language/requirement will eliminate the unnecessary burden on the non-profit Clubs and Veterans Organizations to account for their charitable giving as a result of the sale of alcoholic beverages.
5	Does this article require funding, how much, from what source of funds and under whose authority will the appropriation be managed and spent?
Response	None.
6	Does this article act in any way in concert with, in support of, or to extend any prior action of Natick Town Meeting, Massachusetts General Laws or CMR's or other such legislation or actions?  Does this article seek to amend, rescind or otherwise change any prior action of Natick Town Meeting?
Response	Yes, as per responses to #2 and #3 above, this action will amend actions taken by the Town via Home Rule Petition in 2004.
7	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive Master Plan, and community values as well as relevant state laws and regulations?
Response	Enactment of this modified Home Rule Petition is consistent with recent changes by the Select Board and supported by 2022 Fall Annual Town Meeting to simplify Natick's Rules and Regulations pertaining to the service of Alcoholic Beverages by removing unnecessary, burdensome, and/or arbitrary requirements.
8	Who are the critical participants in executing the effort envisioned by the article motion?
Response	Natick Select Board and Town Administration.
9	What steps and communication has the sponsor attempted to assure that: <ul style="list-style-type: none"> <li>Interested parties were notified in a timely way and had a chance to participate in the</li> </ul>

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	process <ul style="list-style-type: none"> <li>• Appropriate Town Boards &amp; Committees were consulted</li> <li>• Required public hearings were held</li> </ul>
Response	In accordance with Open Meeting Law, public meetings were properly noticed and opportunities for the public to speak were provided.
10	Since submitting the article have you identified issues that weren't initially considered in the development of the proposal?
Response	No.
11	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences?
Response	Practically, none; however, should the Select Board choose to not enforce this requirement, it would be acting in violation of the law. Further, if/as the current requirement remains, local non-profit Club and Veterans Organizations will be required to expend resources to account for the charitable uses of funds and could potentially miss out on opportunities to sustain their operations through the sale of alcoholic beverages to non-member guests.