

Draft 7/2/18

BOARD OF LICENSE COMMISSIONERS
City Clerk's Office 166 Boulder Drive
Fitchburg MA 01420
(978) 829-1820

BYOB ("bring your own bottle") PERMIT REGULATIONS

Special Additional Rules for Common Victuallers holding BYOB permits:

Common Victualler license holders must obtain a BYOB permit prior to allowing patrons to bring alcoholic beverages into their premise.

Eligibility:

A. Common Victualler license holders who do not hold any type of alcoholic beverage license granted by this Board and the ABCC may apply for a BYOB permit.

B. Only Common Victualler license holders who offer on premise dining with table service provided by wait staff may apply for a BYOB permit.

Liability Requirements:

A BYOB Permit will not issue unless and until a licensee submits proof of liquor liability insurance for bodily injury or death for a minimum amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person.

Proof of liquor liability insurance for bodily injury or death for a minimum amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person is required as a condition to renew a BYOB permit.

Training Requirements:

The licensee, manager of record, and all employees must complete an in-person, insurance industry-approved safe service of alcohol training program, prior to issuance of a BYOB permit.

Employees hired after the issuance of a BYOB permit must complete an in-person, insurance industry-approved safe service of alcohol training program prior to beginning their employment.

Permitted Types/Sizes of Alcohol:

- A. Patrons may only bring wine and malt beverages into the licensed premise.
- B. Patrons are prohibited from bringing distilled spirits and/or liqueurs/cordials into the licensed premise.
- C. Patrons may only bring malt beverages in containers no larger than 64 oz., and may bring in no more than a total of 64 oz. per person.
- D. Patrons may only bring wine in containers no larger than 750 ml., and may bring in no more than a total of 750 ml. per person.
- E. Patrons are prohibited from re-entering the premise with additional alcohol.

Miscellaneous:

- A. Licensees shall not charge a "corkage" or any other fee or surcharge for permitting BYOB or providing any service or amenity relative to BYOB.
- B. Licensees are not prohibited from providing glassware and/or a bottle opener.
- C. Nothing in this section shall prohibit a licensee from discarding an empty or abandoned alcoholic beverage container or its content.

Hours of Operation:

Licensees shall only allow BYOB between the hours of 5:00 P.M. and 11:00 P.M.

Renewal and Annual Fee:

- A. Licenses shall be renewed each year within the month of October, to coincide with the renewal of the Common Victualler license.
- B. The annual fee is \$100.00

Licensees under this section are subject to all applicable general rules for licensees set out in sections 1 and 2, above, with the exception of those rules that refer to sales of alcoholic beverages on the premise.

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APPLICATION FOR B.Y.O.B. (BRING YOUR OWN BOTTLE) PERMIT
Wine & Malt Beverages Only

SECTION 1

Licensee: _____

d/b/a: _____

Business Address: _____

Phone Number: _____

SECTION 2

Does your establishment offer on premise dining with table service provided by wait staff? _____

What is the allowed capacity at your establishment, as specified on your Inspectional Services Certificate? _____

Hours and Days of Operation: _____

I hereby certify under the pains and penalties of perjury that the above is true and accurate information, and that the licensee, manager of record and all employees, both current and future, will complete an in person, insurance industry approved safe service of alcohol training program.

Signature

For Official Use Only

POLICE ACKNOWLEDGEMENT:

Signature Title Area/District

ACTION:

GRANTED: _____ REJECTED: _____