

**TOWN OF HAMILTON
COMMONWEALTH OF MASSACHUSETTS**



**RULES AND REGULATIONS
GOVERNING
ENTERTAINMENT LICENSES**

**Effective March 31, 2008
Updated November 17, 2021**

Local Licensing Authority: Hamilton Select Board

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Town of Hamilton

Rules and Regulations Governing Entertainment Licenses

Policy on the Licensing of Entertainment

No establishment holding an alcoholic beverage license or a common victualler license, issued by the Town of Hamilton shall offer entertainment without being licensed in accordance with these regulations.

For purposes of this policy, entertainment is defined, as stated in Chapter 140, §183A, as any live or recorded music, the use of an amplification system, dancing by patrons, dancing by entertainers or performers, a theatrical exhibition, play or moving picture show, a floor show of any description, a light show of any description, or any other dynamic audio or visual show, whether live or recorded, and automatic amusement devices as defined in Chapter 140, §177A.

Any establishment required to hold an Entertainment License, as defined above, shall complete and submit to the Select Board's office a signed Entertainment License Application. This application should be submitted at least forty-five (45) days prior to the date of the proposed entertainment. Upon receipt of a fully completed application, the Board will, within forty-five (45) days, either grant a license or provide an opportunity for a hearing on the application to the applicant. The applicant shall be informed of the opportunity for the hearing with at least seven (7) days notice. The license shall be either granted or denied within thirty (30) days following the hearing. If said license is denied, the reasons for denial shall be stated in writing.

License Conditions

The Select Board may impose reasonable limitations and conditions on any Entertainment License issued. Such limitations may include, but are not limited to, the type of entertainment, the number of performers, and the number and kinds of instruments.

The entertainment shall be conducted in such a manner so as to:

- Protect employees, patrons, and members of the public inside or outside the premises from disruptive conduct, from criminal activity, and from health, safety, or fire hazards;
- Prevent an unreasonable increase in the level of noise in the area caused by the licensed activity or caused by patrons entering or leaving the premises;
- Prevent an unreasonable increase in the level of pedestrian or vehicular traffic in the area of the premises or an unreasonable increase in the number of vehicles to be parked in the area of the premises.

The entertainment shall be confined to areas described on the Entertainment License Application and approved by the Select Board. To the maximum extent possible, the noise from the entertainment should not be heard outside the boundaries of the licensed premises.

The holder of an Entertainment License, issued by the Select Board, shall be subject to the terms and conditions as imposed by the Board and by M.G.L. Chapter 140, §183A.

Any license issued under this policy may be suspended, modified, or revoked if any of the terms or conditions are violated or for other reasonable cause related to the public good and the licensee's fitness to hold a license.

Hours of Operation

The hours of the Entertainment License shall not extend beyond the hours of operation as stated on the establishment’s alcoholic beverage license or common victualler license, and may be further limited at the discretion of the Select Board.

Schedule of Fees

The following schedule of fees shall apply to establishments issued an Entertainment License. No fee shall be collected in cases where the license is denied. There will be no automatic renewal of licenses issued on a yearly basis. Establishments must re-apply each year by completing an Application for Entertainment License form.

Under M.G.L. Chapter 136, §4, any entertainment held on a Sunday requires the approval of the Massachusetts Department of Public Safety, in addition to the approval of the Town of Hamilton. If approval for entertainment on a Sunday has been granted by the Town of Hamilton, the Town Manager, or the Town Manager’s designee, shall forward to the Department of Public Safety three (3) copies of each of the completed application and license, along with the additional state fee.

Town of Hamilton Fees:

- Yearly Entertainment License - \$100.00 (Monday thru Saturday only)
- Yearly Sunday Entertainment License - \$100.00
- One-Time Entertainment License - \$50.00 (Includes Sundays)
- Automatic Amusement License- \$100.00 per machine

Massachusetts Department of Public Safety Fees:

(NOTE: These are additional State fees for Sunday Entertainment Licenses)

- Fees per occurrence (Individual Sunday(s)) - \$5.00
- Annual Fee (For operation on every Sunday in a calendar year) - \$100.00

Town of Hamilton

Instructions for Applying for an Entertainment License

1. Fill-out and sign the application form. You may add an addendum if needed to describe the type of entertainment. It is important to be as accurate and descriptive as possible. The application should be submitted at least 45 days prior to the date of the proposed entertainment.
2. Include a check payable to the Town of Hamilton for the appropriate amount as stated under the Schedule of Fees on the application.
3. If you are seeking an Entertainment License for a Sunday(s), include a check made payable to the MA Office of Public Safety for the appropriate amount as stated under the Schedule of Fees on the application.
4. Deliver the completed application and check(s) to the Select Board's Office at 577 Bay Road, Town Hall.
5. After the completed application has been received, the Town Manager will review it. The applicant may be required to answer questions concerning the application either in writing or orally before the Town Manager.
6. Following the review of the application by the Town Manager, the application will be submitted to the Select Board who shall, within forty-five (45) days, either grant a license or provide an opportunity to the applicant for a hearing.
7. Following approval of the license, the applicant shall be issued an Entertainment License, which must be posted in a conspicuous place within the establishment.
8. If the entertainment is to be held on a Sunday(s), the Town Manager, or the Town Manager's designee, shall forward three (3) copies of the license, along with the check from the establishment made payable the Commonwealth of Massachusetts, to the Massachusetts Department of Public Safety. The MDPS will then return two (2) copies to the Town of Hamilton. One copy shall be given to the establishment and the other will be held on file in the Select Board's Office.

Specific questions should be addressed to:

Select Board's Office, 577 Bay Road, Hamilton, MA 01936 (978) 468-5599



TOWN OF HAMILTON

SELECT BOARD

APPLICATION FOR A ONE- TIME ENTERTAINMENT LICENSE

The undersigned hereby applies for an Entertainment License in accordance with the provisions of M.G.L. Chapter 140, § 183A, and/or Chapter 136, § 4. If the application is approved and the license granted, the undersigned agrees to abide by the applicable statutes, as well as to abide by any rules and regulations or conditions promulgated by the Hamilton Select Board.

Sunday Entertainment Licenses, in addition to Town of Hamilton approval, must be approved by the Massachusetts Department of Public Safety. This process will be completed by the Select Board's office.

Name of Establishment: _____

Address of Establishment: _____

Hamilton, MA 01982

Telephone: _____

Email address: _____

Applicant (must be an individual): _____

Applicant's Residential Address: _____

Applicant's Home Telephone: _____

Applicant's DOB: _____

Applicant's Email Address: _____

If Business is a Corporation,
name of Corporate Officers: _____

If Business is not a Corporation,
name of Owner: _____

Owner's Residential Address: _____

Owner's Home Telephone: _____

Owners DOB: _____

Owner's Email Address: _____

Describe in full the type of entertainment
at your Establishment:

Number and type of Automatic Amusement
Device(s) (if any)

State the proposed hours of the entertainment:

Where on the premises will the entertainment
be held:

Name of Manager for the Establishment:

Signature of Applicant:

Date:

Fees Included:

For Office Use Only

Application Approval Date:

Application Denied Date:

Reason for Denial:

Conditions set by Select Board:

HAMILTON SELECT BOARD

Date



TOWN OF HAMILTON

SELECT BOARD

APPLICATION FOR ENTERTAINMENT LICENSE RENEWAL (year)

The undersigned hereby applies for an Entertainment License in accordance with the provisions of M.G.L. Chapter 140, § 183A, and/or Chapter 136, § 4. If the application is approved and the license granted, the undersigned agrees to abide by the applicable statutes, as well as to abide by any rules and regulations or conditions promulgated by the Hamilton Select Board.

Please check the License(s) you are applying for:

_____ Yearly Weekday Entertainment License - (Monday thru Saturday) \$100 Annual Fee

_____ Yearly Sunday Entertainment License \$100 Annual Fee

Please note the **Massachusetts Department of Public Safety** charge additional fees for Sunday Entertainment Licenses:

Annual Fee (For operation on every Sunday in a calendar year)

- Regular Hours (Sunday 1:00 P.M. – Midnight): \$100.00
- Special Hours (Sunday 12:00 A.M. - Midnight): \$100.00

Sunday Entertainment Licenses, in addition to Town of Hamilton approval, must be approved by the Massachusetts Department of Public Safety. This process will be completed by the Select Board's office.

Name of Establishment:

Address of Establishment:

Telephone:

Applicant (must be an individual):

Applicant's Residential Address:

Applicant's Home Telephone:

Name of Licensee:

Describe in full the type of entertainment at your Establishment:

State the proposed hours of the entertainment:

Name of Manager for the Establishment:

Signature of Applicant:

Date:

