



# Town of Wellesley

## Policy on the Licensing of Entertainment

Revised 09/01/06

No establishment holding an alcoholic beverage license or a common victualler license, issued by the Town of Wellesley, 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 Board of Selectmen'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 or deny the license. If the license is denied, the Board will provide the applicant with the opportunity for a hearing by written notification 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 Board of Selectmen 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 must 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. The entertainment shall be conducted in such a manner as to 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. The entertainment shall also be conducted in a manner designed to 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. To the maximum extent possible, the noise from the entertainment should not be heard outside the boundaries of the licensed premises.

The space provided for entertainment shall be confined to areas described on the Entertainment License Application and approved by the Board of Selectmen.

The holder of an Entertainment License, issued by the Board of Selectmen, 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 Board of Selectmen.

## **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 Department of Public Safety, in addition to the Town of Wellesley. If approval for entertainment on a Sunday has been granted by the Town of Wellesley, the Executive Director, or the Executive Director'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 Wellesley:**

Yearly Entertainment License -	\$100.00 (Monday thru Saturday only)
One-Time Entertainment License -	\$20.00 (Includes Sundays)
Yearly Sunday Entertainment License-	\$100.00
Automatic Amusement License-	\$100.00 per machine

## **Massachusetts Department of Public Safety:**

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

Fees per occurrence (Individual Sunday(s))

- Regular Hours (Sunday 1:00 P.M. – Midnight): \$2.00
- Special Hours (Sunday 12:00 A.M. - Midnight): \$5.00

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

- Regular Hours (Sunday 1:00 P.M. – Midnight): \$50.00
- Special Hours (Sunday 12:00 A.M. - Midnight): \$100.00