



City of Lowell

License Commission, Law Department
375 Merrimack Street, Lowell MA 01852

AMENDMENT – Outdoor Only Alteration of Premises

This application is for adding alcohol service to a new outdoor seating area, or for changing an already existing outdoor seating area already licensed for alcohol.

Please provide, typed & signed by hand, printed single-sided, and NOT stapled; in this order:

- This Application, which includes:
 - Financial Statement
 - Applicant's Statement
 - Vote of the Entity
- Floor Plan must be clear & neat, meeting these requirements:
 - To Scale (i.e. 1 inch = 3 Ft.)
 - Dimensions for everything, labeled in Ft., Areas in Sq. Ft.
 - Show all furnishings and label the fence/barrier around the seating area.
 - Show nearest wall(s) of premises building with door(s) and window(s).
 - Label Sidewalk, Street, Canal, and any other important features.
 - Write number of tables and seating capacity on the diagram.
- Proof of Legal Right to Occupy (Lease, Deed, or City Outdoor Retail Restaurant Permit)
 - Lowell Outdoor Permit is obtained from Development Services, here:
<https://lowellma.gov/FormCenter/Economic-Development-18/Outdoor-Restaurant-and-Retail-Permit-App-159>
- Abutter's Notification
 - Abutter's List from Assessor's Office: <https://www.lowellma.gov/154/Assessors>
 - \$200 Fee for Legal Notice: check payable to City of Lowell goes to License Commission
- \$75 Check payable to City of Lowell goes to License Commission for filing fees.
- Certificate of Insurance, showing general, liquor, and workers comp insurance.
 - If outdoor seating is on City property, the certificate must state in the description box **exactly**: "City of Lowell as additional insured with respect to general and liquor liability" with no additional verbiage modifying this statement.
 - It should also state in the description box: "Includes (description of your outdoor seating area).

Your application package is not complete until everything above is provided. Your complete package must be received at least 4 business days prior to a License Commission meeting to go before the Commission to request a hearing.

After License Commission agrees to hold a public hearing on the alteration of premises application:

- License Commission places Legal Notice in the Lowell Sun
- After Legal Notice is published, applicant must notify all on Abutters list of the public hearing with a Certified letter, return-receipt requested. Applicant will then provide to License Commission:
 - Copy of USPS Receipts / Certified Mail, Return Receipt Requested, with a copy of your letter and the legal notice.
 - Copy of any returned "Read Receipt (green) Cards."
 - Notarized affidavit of Notice to Abutters.

*Templates for the "Abutters Notification Letter" and the "Affidavit of Notice to Abutters" are available.

Your completed application package will be delivered to the Alcoholic Beverages Control Commission upon approval by the Lowell License Commission.

This application is an Adobe PDF form which must be typed. Get the free Adobe app: <https://get.adobe.com/reader/>

Choose the purpose of this amendment application:

- Add alcohol service to a new outdoor seating area, or
- Change an already existing outdoor seating area already licensed for alcohol.

1. BUSINESS ENTITY INFORMATION

Business Entity Name (Licensee)	ABCC License Number
DBA	Street Address & Zip Code

2. APPLICANT (must be on Business Entity filing with SEC)

Applicant Name	Title on Business Entity
Phone	Email

3. ALTERATION OF PREMISES

3A. Current Description of Premises

Please type the description of premises currently written on your Alcoholic Beverages License:

3B. Description of Alterations

Please summarize the changes you are making from your last-approved premises:

3C. Proposed Description of Premises

Please provide a new, complete description of the proposed premises inside and outside. Description must include the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. Also state number of entrances and exits and seating capacity of indoor and outdoor areas:

4. FINANCIAL DISCLOSURE

Associated Cost(s): (i.e. **Costs associated with your new outdoor alcohol service ONLY**, including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):

Associated Cost(s):

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other financial institution statements, Bank Letter, etc.)

Name of Contributor	Amount
Total:	

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			Yes No

5. APPLICANT'S STATEMENT

I, _____ the: sole proprietor; partner; corporate principal; LLC/LLP manager
 Authorized Signatory

of _____
 Name of Entity/Corp.

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Date:

Title:

6. ENTITY VOTE

The Board of Directors or LLC Managers of

Entity Name

duly voted to apply to the Licensing Authority of the City of Lowell and the Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

Date of Meeting

for the alteration of licensed premises.

“VOTED: to authorized

Name of Person

To sign the application submitted and to execute, on the entity’s behalf, any necessary papers and do all things required to have the application granted.”

For Corporations ONLY

A true copy attest,

A true copy attest,

Corp. Officer / LLC manager signature

Corp. Clerk’s Signature

Type Name

Type Name