



TOWN OF LEE
Select Board
32 Main Street
Lee, Massachusetts 01238

Tel. 413-409-5975
Fax. 413-243-5523
Website: lee.ma.us

ANNUAL (SUNDAY) ENTERTAINMENT LICENSE APPLICATION
(M.G.L. Chapter 136)

License Fee: **NO TOWN FEE**

New _____ Renewal _____

State Fee: \$100 (Prior to 1pm) \$50 (After 1pm)

Please make checks payable to the Commonwealth of Massachusetts

SUBJECT TO ANY AND ALL LAWS, REGULATIONS, STANDARDS, GUIDELINES AND POLICIES OF THE TOWN OF LEE and any state or federal agency, department or body otherwise having jurisdiction and further subject to the specific terms, conditions and restrictions printed or written herein below or attached, the application is hereby accepted from:

NAME OF APPLICANT: _____

D/B/A: _____

BUSINESS ADDRESS: _____ TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL: _____

DESCRIPTION OF PREMISE: _____

PROPOSED HOURS:

	ENTERTAINMENT BEGINS	ENTERTAINMENT ENDS
SUNDAY	_____ AM/PM	_____ AM/PM <i>No later than 12:00AM</i>

Check all that apply:

- ☐ Dancing by patrons (Size of Floor: _____) ☐ Moving Picture Show
☐ Dancing by performers (Size of Floor: _____) ☐ Poetry Readings
☐ DJ (Number of Speakers: _____) ☐ Jukebox
☐ Live Music **Number of Persons/Type of Show:** _____
☐ Exhibition **Type:** _____
☐ Athletic Event **Type:** _____
☐ Public Show **Type:** _____
☐ New Year's Eve "Entertainment After Midnight" **Type:** _____
☐ Other _____

Print Name of Applicant _____

Signature of Applicant _____ Date _____



For new license applications, there is a public hearing application fee of \$150. Please make checks payable to the Town of Lee. This fee will cover the publishing of a legal notice and notification to abutters within 500 feet of the premise. You will be invoiced for any remaining balance exceeding \$150, which will be due before your public hearing date.

For a new license, a completed application must be submitted no later than two weeks prior to the next Select Board meeting in order to be placed on the agenda.

Upon approval of the Select Board, the license can only be issued once a current Certificate of Inspection and a copy of Worker's Compensation Insurance is submitted.

Part I ADMINISTRATION OF THE GOVERNMENT

Title XX PUBLIC SAFETY AND GOOD ORDER

Chapter 136 OBSERVANCE OF A COMMON DAY OF REST AND LEGAL HOLIDAYS

Section 4 SPORTS, GAMES AND ENTERTAINMENT ON SUNDAY; LICENSE; APPLICATION; ISSUANCE; FEE; REVOCATION, ETC.; APPLICATION OF SECTION

[Paragraphs (1) to (3) effective until July 18, 2021. For text effective July 18, 2021, see below.]

Section 4. (1) The mayor of a city or the selectmen of a town, upon written application describing the proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion, except as provided in section one hundred and five of chapter one hundred and forty-nine, may grant, upon such reasonable terms and conditions as they may prescribe, a license to hold on Sunday dancing or any game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of payment or collection of money or other valuable consideration is made for the privilege of being present thereat or engaging therein, except horse racing, dog racing, boxing, wrestling and hunting with firearms; provided, however, that no such license shall be issued for dancing for which a charge in the form of the payment or collection of money or other valuable consideration is made for the privilege of engaging therein; and provided further, however, that no license issued under this paragraph shall be granted to permit such activities before one o'clock in the afternoon; and provided further, that such application, except an application to conduct an athletic game or sport, shall be approved by the commissioner of the division of professional licensure and shall be accompanied by a fee of two dollars, or in the case of an application for the approval of an annual license by a fee of fifty dollars.

(2) Licenses may be issued by the authorities designated in paragraph (1) to permit such activities before one o'clock in the afternoon, with the written approval of the commissioner of the division of professional licensure and upon such reasonable terms and conditions as prescribed by him therein. The application for the approval of the proposed activity by the commissioner shall be in writing and shall be accompanied by a fee of five dollars or in the case of an application for the approval of an annual license by a fee of one hundred dollars.

(3) The licensing authority, or the commissioner of the division of professional licensure or his designee, may revoke, cancel or suspend any license issued under this section upon evidence that the terms or conditions of such license or provisions of law are being violated; provided, however, that said commissioner shall not revoke, cancel or suspend any license issued under paragraph (1) which he is not required by said paragraph to approve.

[Paragraphs (1) to (3) as amended by 2021, 39, Sec. 74 effective July 18, 2021. See 2021, 39, Sec. 128. For text effective until July 18, 2021, see above.]

(1) The mayor of a city or the selectmen of a town, upon written application describing the proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion, except as provided in section one hundred and five of chapter one hundred and forty-nine, may grant, upon such reasonable terms and conditions as they may prescribe, a license to hold on Sunday dancing or any game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of payment or collection of money or other valuable consideration is made for the privilege of being present thereat or engaging therein, except horse racing, dog racing, boxing, wrestling and hunting with firearms; provided, however, that no such license shall be issued for dancing for which a charge in the form of the payment or collection of money or other valuable

consideration is made for the privilege of engaging therein; and provided further, however, that no license issued under this paragraph shall be granted to permit such activities before one o'clock in the afternoon; and provided further, that such application, except an application to conduct an athletic game or sport, shall be approved by the commissioner of the division of occupational licensure and shall be accompanied by a fee of two dollars, or in the case of an application for the approval of an annual license by a fee of fifty dollars.

(2) Licenses may be issued by the authorities designated in paragraph (1) to permit such activities before one o'clock in the afternoon, with the written approval of the commissioner of the division of occupational licensure and upon such reasonable terms and conditions as prescribed by him therein. The application for the approval of the proposed activity by the commissioner shall be in writing and shall be accompanied by a fee of five dollars or in the case of an application for the approval of an annual license by a fee of one hundred dollars.

(3) The licensing authority, or the commissioner of the division of occupational licensure or his designee, may revoke, cancel or suspend any license issued under this section upon evidence that the terms or conditions of such license or provisions of law are being violated; provided, however, that said commissioner shall not revoke, cancel or suspend any license issued under paragraph (1) which he is not required by said paragraph to approve.

(4) The city council of a city or board of selectmen of a town may determine fees for the issuance of licenses, but in no event shall any such fee be greater than twenty dollars per event and four hundred dollars per year.

(5) The city council of a city and board of selectmen of a town may make regulations relative to granting of licenses under this section and may revoke or amend them from time to time.

(6) The provisions of this section shall not apply to premises licensed under the provisions of section one hundred and eighty-three A of chapter one hundred and forty; provided, however, that paragraph (2), insofar as it regulates activities on such premises between the hours of two o'clock in the morning and one o'clock in the afternoon on Sunday, shall apply to premises licensed under said section one hundred and eighty-three A of said chapter one hundred and forty.

(7) Sections two and three and this section shall not apply to golf, tennis, bowling, skiing, or any activity in a gymnasium or on any rink, court, or field, for which a charge is made only for the privilege of engaging therein and not for the privilege of being present thereat as a spectator, nor to the conduct for charitable purposes of amateur contests involving time trial driving of automobiles nor to beano games licensed under the provisions of section thirty-eight of chapter ten.

(8) Sections 2 and 3 and this section shall not apply to an athletic game or contest for which a charge in the form of the payment of money or other valuable consideration is made for the privilege of being present thereat, conducted, presented or exhibited on Sunday prior to 1 o'clock antemeridian; provided, however, the said athletic game or contest was commenced before the hour of 9 o'clock postmeridian on Saturday and it was necessary to continue said game after midnight on Saturday in order to complete the game.

(8A) Sections 2 and 3 and this section shall not apply to the exhibition of motion pictures by a movie theater, including any drive-in theater, licensed under the provisions of section 181 of chapter 140.

(9) Sections two and three and this section shall not apply to standardbred racing conducted under the provisions of clauses (b) and (c) of section eleven of chapter twenty.