



TOWN OF DEERFIELD

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Town of Deerfield Policy for Service of Alcoholic Beverages under Carry-In (Bring Your Own Bottle) Provisions

The establishment requesting to be allowed to serve alcohol under the “BYOB” provisions agrees to abide by all legal standards to ensure safe and proper service to patrons in accordance with all the guidelines and laws set forth by MA General Laws; the Alcoholic Beverages Control Commission and the Rules and Regulations of the Town of Deerfield governing establishments pursuant to MA General Laws Chapter 138.

Requirements for submission of an application for a Carry-In Permit:

1. Only establishments which do not have a Section 12 Alcoholic Beverages permit may apply for a Carry-In Permit
2. Only establishments which hold a Common Victualer License in the Town of Deerfield may apply for a Carry-In Permit
3. The permit authorizes the allowance of Wine & Malt Beverages only to be carried in
4. The establishment applying for a Carry-In Permit must provide proof that staff is TIPS trained.

Restrictions of the Carry-In Permit:

1. Patrons may carry in Wine & Malt Beverages ONLY.
2. Restaurant staff shall not serve nor handle any Carry-In alcoholic beverages; including opening bottles, pouring beverages or refrigerating/storing beverages. The establishment is responsible for training employees in the correct procedures pertaining to this policy.
3. Alcoholic beverages are to be consumed inside the premises and disposed of before leaving.
4. Patrons cannot leave the premises with an open container of alcohol. A patron who wishes to remove their unfinished bottle of wine from the premises must have the premises ensure that the bottle is securely resealed and placed in a one-time tamper proof transparent bag as allowed under MGL Chapter 138 section 12. The secured bottle must

then only be removed from the unlicensed premises by the person who carried in the beverage.

5. No alcoholic beverages are to be consumed by any person under the age of 21 in violation of MA General Laws, Chapter 138, Section 34. It will be the responsibility of the establishment to ensure that patrons who consume alcoholic beverages on the premises are 21 years of age.
6. Alcoholic beverages are not to be consumed on the premises by an intoxicated person.
7. The establishment cannot charge the consumer either directly or indirectly to consume alcoholic beverages on the premises by including a service fee, glass fee, table fee or corking fee.
8. No alcohol shall be stored on premise at any time.
9. The Carry-In (BYOB) Permit will be in force only until such time as the Alcoholic Beverages Control Commission (ABCC) approves the establishment for a Section 12 Alcoholic Beverages Permit.
10. Upon notice by the ABCC of disapproval of the issuance of a Section 12, Alcoholic Beverages Permit, all Carry-In (BYOB) activity is suspended.
11. Any establishment, that in the conduct of business either directly or through its agent, causes or permits any violations of state or local statutes or regulations under the “Carry-In” (Bring Your Own Bottle) Policy or permits any other illegalities shall be subject to a hearing on the alleged violation for possible modification, suspension or revocation of their Common Victualer license before the Selectboard, Local Licensing Authority for the Town of Deerfield.
12. The Selectboard of the Town of Deerfield reserves the right to modify this policy at any time.

Adopted by vote of the Deerfield Selectboard November 15, 2017