



CAMBRIDGE LICENSE COMMISSION

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NOTICE OF BOARD VOTE REGARDING 2022 RECOVERY MEASURES

Board Voted: April 4, 2022

Published: April 4, 2022

On April 1, 2022, Governor Charlie Baker signed into law “An Act making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects.”

The Act permits the continuance of the temporary extensions of licensed premises to an outdoor area due to COVID-19 (“temporary extensions”) until April 1, 2023. On April 4, 2022, the Board of License Commissioners (the “Board”) discussed the matter.

Part of the Board’s discussion included the legislative history which is that the extension would allow towns and cities that did not have outdoor programs set up prior to COVID-19 to make all necessary changes to create ones; this is not a consideration for Cambridge since it has had an outdoor program for more than 20 years. The Board discussed how since the summer of 2021, when the extensions were going to expire 60 days after the state of emergency, it has asked businesses to apply to make the temporary extensions part of their annual license. The Board has sent over 10 communications on the issue asking businesses to apply to make temporary extensions part of annual licenses. This is something that was also articulated by the state through the Alcoholic Beverages Control Commission related advisories sent. At this point there are a good number of businesses that have applied. The Board discussed how during the past few weeks when it has heard extension of licensed premises applications it has found that abutters or neighboring businesses that may have been supportive during the last two years, may not be supportive now of an extended outdoor area. The Board discussed how it needed to be fair to all. The temporary patio program was implemented in a lax way to ensure our businesses survived, especially when they were not allowed to operate the indoor portions of their premises. Considering that is not where we are at now but acknowledging businesses are still hurting and need assistance to survive beyond what has already been done, the Board found that adopting a process by which abutters can be heard but businesses can operate outdoor areas in a more expeditious manner was best.

Specifically, the Board voted (2-0) as follows:

Temporary extensions which had been previously issued and have now expired will not to be automatically extended/approved.

A business must first file an application to have the outdoor area included in their annual license and be heard by the Board. If the Board approves the extension, at that time the temporary extension would be issued to allow the business to: in the case of those on the private way, open and operate the outdoor area while they wait for final approval of the ABCC; and those in the public way, to open and operate the outdoor area once they have signed the temporary indemnification agreement with the City

and while they wait for the ABCC approval and final signatures on the City's 2 year indemnification agreement.

The Board may consider issuing a temporary extension to a particular business without requiring an application to make the temporary outdoor area part of their annual license in extreme circumstances, such as: the business will permanently close within the 2022 calendar year; or the space will not be available because the City is expected to take it over. However, those businesses must still apply through a Change to Existing License application and the Board will hear and consider the matters in a meeting, after abutter notifications have been provided.

The temporary permits issued will have an expiration date of December 31, 2022 but will specify that the expiration date will be the earliest of the printed date or that specified in any agreement with the City, or the date the annual license is reissued based upon receipt of final approvals, permits, executed agreements and/or licensing fees.

The Chair and its designees will issue the temporary permits/licenses pursuant to the aforementioned processes.