

**AN AMENDMENT TO THE WORCESTER LICENSE COMMISSION
RULES AND REGULATIONS RELATIVE TO THE
SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE
PREMISES**

WHEREAS, the License Commission (“Commission”) previously adopted a rule prohibiting sales of alcoholic beverages by the bottle except for malt and wine; and

WHEREAS, licensed liquor establishments in the city petitioned the Commission to consider once again allowing sales of alcoholic beverages by the bottle (“Bottle Service”); and

WHEREAS, the Commission held public hearings and received input from Worcester licensees; and

WHEREAS, licensed liquor establishments authorized to allow on-premises consumption pursuant to Massachusetts General Laws Chapter 138, have the responsibility to adhere to the Massachusetts Liquor Control Act and any related rules and regulations, such as the ABCC’s Happy Hour Regulations, including but not limited to monitoring over serving to patrons; and

WHEREAS, to ensure the health, safety, and welfare of the general public at licensed establishments offering Bottle Service, the Commission proposes regulations to allow for the responsible provision of supervised Bottle Service;

NOW THEREFORE, be it adopted by the License Commission of the City of Worcester as follows:

Section 1. The City of Worcester License Commission Rules and Regulations for the Sale of Alcoholic Beverages to be Drunk on Premises is hereby amended by deleting the existing Rule Number 37, entitled “Bottle Service” and inserting in lieu thereof the following new Rule number 37:

Rule 37: Bottle Service

The sale of alcoholic beverages by the bottle for on-site consumption at licensed liquor establishments shall be allowed only upon express approval by the Commission, in accordance with the following requirements.

(a) Definitions.

1. “Bottle Host” shall mean an employee of the licensed liquor establishment, who is TIPS certified, and is responsible for maintaining direct control of a bottle sold to a seated group of patrons.
2. “Bottle Service” shall mean the sale of distilled spirits by the bottle, to a group of patrons.

(b) Approval Required.

1. Licensees authorized to allow on-premises consumption of alcohol pursuant to M.G. L. Chapter 138 may provide Bottle Service to two or more patrons if granted approval from the Commission.
2. Bottle Service Application- Official Form. The Commission shall issue an application form for approval of Bottle Service containing the following:
 - i. A list of required documents to be submitted with the application.
 - ii. A Bottle Service Plan
 - iii. A Plan (diagram) of the Licensed Premises and the areas where Bottle Service will be offered, describing the number of tables and number of patrons allowed at each table.
3. Applicant must submit a “Bottle Service Plan” illustrating how Licensee’s proposal conforms to the Worcester License Commission rules and regulations, the Liquor Control Act and any regulations promulgated by the ABCC.
4. The Bottle Service Plan should address, at a minimum, the following:
 - i. Applicant’s request related to frequency during which Bottle Service will be offered.
 - ii. Proposal to ensure applicant is adequately staffed to provide bottle service.
 - iii. Proposal to ensure that bottles are monitored and remain under the Bottle Host’s direct control at all times, such as assigning bottle hosts to individual tables and/or locked storage at the table.
 - iv. The total number of patrons and tables that will be offered bottle service at any given time.

(c) Minimum Operational Requirements.

1. When providing Bottle Service, a licensee must provide a “bottle host” who is responsible for handling and exercising control of the bottle at all times and ensuring the bottle is not left unattended or under the direct control of patrons.
2. An applicant can propose a plan for locked storage containers at the table.
3. All alcoholic beverages must be served by a Bottle Host of the licensed liquor establishment. Alcoholic beverages may not be served or dispensed by patrons.
4. The bottle must be sold at a price proportionate to its size to avoid violation of the Happy Hour Regulations.

(d) Renewal. Approval to offer Bottle Service by the Commission shall constitute a condition on the license subject to review by the Commission.

Adopted by the Commission on March 14, 2024