

## **Applying for a Common Victualer (restaurant without alcohol) License**

Pursuant to MA General Law Chapter 140 Section 2, you must obtain a license from the Licensing Commission to operate as a common victualer, which is a restaurant with seating where food is served and consumed on premises; common victualers may *not* serve alcohol.

### **APPLICATION TIMELINE AND LICENSE TERM:**

- Submit a complete application, including answering all questions and uploading all required documents to Citizenserve, at least 4 weeks before an upcoming Licensing Commission meeting.
- Your application will appear on the Licensing Commission agenda following completion of all departmental approvals. Refer to the Commission schedule posted online.
- The license is valid for one year, expiring on December 31st of the year the license is approved, and is subject to renewal. License fees are not pro-rated.
- If you cease operations, you must return your license to the city and contact [licensing@somervillema.gov](mailto:licensing@somervillema.gov).

### **APPLICATION CONDITIONS:**

- You must apply online on the city's website: <https://www.somervillema.gov/citizenserve>.
- You must have paid all taxes, fees or fines owed to the city and the state.
- The premises must be reviewed and approved suitable pursuant to the zoning code.
- The premises must be satisfactorily reviewed, inspected, and approved by building, health, and fire inspectors.
- For applications that also include entertainment by performers, patrons, or devices, or outdoor dining, you must appear at a public hearing before the Licensing Commission.
- It is recommended that you discuss your application with the Ward City Councilor who represents the proposed business location.

### **FEES:**

- A \$50 nonrefundable application fee must be paid upon submission of the application.
- An annual license fee of \$300 must be paid after the application is approved.
- If your restaurant includes outdoor seating:
  - A first-time outdoor seating application fee of \$200 must be paid after the application is approved.
- If your restaurant offers the following, an annual license fee must be paid as indicated, after the application is approved:
  - Entertainment by Devices License                    \$250 annually
  - Entertainment by Performers License                \$250 annually
  - Entertainment by Patrons License                 \$250 annually

- Outdoor Dining Annual Fee (Public and Private) \$200 annually
  - Outdoor Dining Use of Public Space Fee \$3/square footage under 150 sq ft.  
\$6/square footage over 150 sq ft.
  - Opening 10am-11:59am Sundays License \$100 annually
- If your business offers entertainment by performers or patrons or outdoor dining, the cost of publishing a Legal Notice prepared by the Licensing Commission must be paid directly to the newspaper upon receipt of the bill.
- Fees may be paid electronically online using your Citizenserve account with a credit card (Visa, Mastercard, or Discover only), debit card, or electronic funds, or in-person by bringing a check to the City Clerk's Office in City Hall.

#### **ADDITIONAL DOCUMENTS REQUIRED:**

Upload the following documents to Citizenserve for review by the Licensing Commission. Your application is **not complete and will not be processed** until all these documents are uploaded to Citizenserve:

- A Workers' Compensation Insurance Affidavit (downloadable when you apply), or other proof of WC Insurance.
- A signed Purchase and Sale agreement, lease, or other documentation of your access to the premises.
- A floor plan drawn to scale that clearly depicts all dining rooms, tables, chairs, cooking facilities, and storage space.
  - Once approved by the Licensing Commission, your floor plan is **final** and **cannot be changed** without submitting an amendment application (<https://s3.amazonaws.com/somervillema-live/s3fs-public/application-to-amend-existing-license.pdf>).
  - Making changes to your floor plan after it is approved by the Licensing Commission may result in licenses and permits from other city departments being **denied**, which could **significantly delay** the opening of your business.
- A menu with pricing information.
- For common victualer licenses that *also* include entertainment by performers, patrons, or devices, or outdoor dining, a public hearing is required. Within 3 days of the publication of the legal notice of the public hearing by the Licensing Commission, you must send that notice by certified mail, return receipt requested, to all immediate abutters and all churches, hospitals, and schools within 500 feet.
  - We will notify you when it is time to request your abutters list from the Assessor's Office, which you will do by sending an email to [assessing@somervillema.gov](mailto:assessing@somervillema.gov).
  - The publication occurs on the second Wednesday before the Licensing Commission meeting, and abutter notices **must** be mailed by the immediately following Saturday to comply with state and local notice requirements. If you do not mail your abutter notices by that Saturday, your application will **not** appear on that month's Licensing Commission meeting agenda.

- The cost of publishing the legal notice for your application's public hearing, which is prepared and submitted to the newspaper by staff, must be paid directly to the newspaper upon receipt of the bill.
- To complete your application, you must submit this affidavit, or other evidence that these were mailed, including photos or scans of the abutters list you received from Assessing and the stamped certified mail receipts (proving your notices were sent on time), to [licensing@somervillema.gov](mailto:licensing@somervillema.gov).

## HOW TO APPLY:

Before you begin:

- Make sure you have entered all your information properly before you click "SUBMIT."
- If you start your application and are not ready to submit it, you can always click "SAVE FOR LATER," and come back to it later. Note that once you "SUBMIT" your application, you cannot re-open it to edit it.

When you are ready:

- Go to <http://www.somervillema.gov/citizenserve>.
- Click the  logo.
- Click "MY ACCOUNT."
- Log in, or, if this is your first online application, click "REGISTER NOW" to create an account.
- Scroll down and click "APPLY FOR A LICENSE."
- At Application Type, select "LICENSING COMMISSION LICENSE."
- At Sub Type, select "COMMON VICTUALER (WITHOUT ALCOHOL)."
- At Business Name, enter your business name.
- At Address or Parcel #, enter the Somerville address of the business you want to open, and click "FIND ADDRESS." If Citizenserve doesn't identify your address, select "USE THIS ADDRESS."
- Answer the remaining questions.
- Upload the required documents.
- Review the terms and conditions. Do not proceed until you are ready to accept all terms and conditions.

When you finish:

- Before you click "SUBMIT," note that once you submit the form, you cannot re-open it to edit it. If you are not ready to submit the form, click "SAVE FOR LATER," so you can come back to finish it. If you click "SAVE FOR LATER," your application will be in your cart the next time you log in.
- When you are ready, click "SUBMIT" and pay the required application fee.
- To make changes to your application after you submit it, contact the Licensing Commission at [licensing@somervillema.gov](mailto:licensing@somervillema.gov).

## RENEWAL

- Your license expires annually on December 31st. In or around October, you will receive your renewal notice and a request to submit proof of current WC insurance and to pay your annual fees.

## **QUESTIONS?**

- Contact the Licensing Commission at [licensing@somervillema.gov](mailto:licensing@somervillema.gov).