



TOWN OF FALMOUTH
Town Manager & Select Board Office
59 Town Hall Square, Falmouth, Massachusetts 02540
508-495-7320

APPLICATION for ANNUAL ENTERTAINMENT LICENSE

M.G.L. c. 140 §183A

Step 1: Prepare to submit the application at least 45 days in advance.

- Building Commissioner - obtain approval of the premises Floor Plan, see page 6. A Landscape Plan or Site Plan is required for any outdoor seating.**
- Assessor's Office: Obtain a list of abutters, selecting Properties within 300' for an Entertainment License Hearing, *Abutter List request see page 5.***

Step 2: Prepare the following requirements to submit with the application.

- If applying or Sunday Entertainment License obtain MA Form 90, fees vary based on hours, contact licensing@falmouthma.gov for help**
- License Fees payable to the Town of Falmouth are a \$10.00 filing fee and a separate bank or cashier's check for \$100.00 due with the application.**
- Copy of the approved Floor Plan showing all seating and the location of entertainment with the Building Commissioner's sign-off sheet, see page 6.**
- Copy of the current liquor license or common victualler license, if any**

Step 3: Now the application is ready to submit to the Select Board.

- Submit a complete Entertainment License application (and MA Form 90 if applying for Sunday Entertainment) with all items in Steps 1 and 2.**
- The Select Board Office will provide a public hearing notice which the applicant must provide proof of sending by first class mail to abutters and date for publication.**
- Applicant must at their own expense publish the hearing notice in the Falmouth Enterprise a minimum of 10 days before the hearing date, to schedule contact ads@capenews.net**
- Provide a copy of the list of abutters, proof of the mailing obtained from the US Postal Service, and a copy of the advertisement.**

Please proofread the application carefully.

For questions contact licensing@falmouthma.gov or call 508-495-7320



Please be advised that all license application fees must be paid upon submission of an application as follows:

- Filing fees and other administrative fees may be paid by personal or business check when the application is submitted. Cash is also accepted.
- License fees must be paid in full at the time of submission by cashier's check or bank check only.

These checks will be held on file and not processed until the application is fully approved and all license requirements completed. If the application is not approved the cashier's/bank checks will be returned to the applicant.

Please contact the Select Board Office for further information.



Town of Falmouth

Office of the Town Manager & Select Board
59 Town Hall Square, Falmouth, MA 02540
508-495-7320 • licensing@falmouthma.gov

ENTERTAINMENT LICENSE APPLICATION

Massachusetts General Laws, Chapter 140, Section 183A as amended by Chapter 694 of 1981

Required fields are outlined in red.

NAME OF BUSINESS: *D/B/A*
ADDRESS:
TOWN: **STATE:** **ZIP CODE:**
NAME OF OWNER/MANAGER:
TELEPHONE #: **EMAIL:**
MAILING ADDRESS:

LOCATION OF ENTERTAINMENT ON PREMISES:

DAYS OF ENTERTAINMENT:

HOURS OF ENTERTAINMENT: **FID#**

Provide a detailed description of proposed entertainment in the field below, and attach a **FLOOR PLAN** including the proposed locaton of the entertainment:

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT REQUESTED:

SUNDAY ENTERTAINMENT: **NO** **YES** (if YES, complete a separate Sunday Entertainment application - contact Select Board office)

- 1. **DANCING** **By Patrons** **No Dancing**
- 2. **MUSIC** **Recorded** **Live** **Amplified** **Acoustic** **Other**

I certify that this application contains a true description of the entertainment provided by this establishment and that I have complied with M.G.L. Chapter 140, Section 183A, Paragraph 3, by stating whether as part of the concert, dance exhibition, cabaret and public show any person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any female person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

DATE **X**

Total Town Fees: \$110 *Signature - OWNER or MANAGER*
Filing Fee: \$10
License Fee: \$100

Fees payable to Town of Falmouth

THE COMMONWEALTH OF MASSACHUSETTS
OF _____



State Fee, \$ _____
Municipal Fee, \$ _____

LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is _____ in or on the property at No. _____ (address)

The Licensee or Authorized representative, _____ in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion

Hon. _____ Mayor/ Chairman of Board of Selectman, _____ (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm – Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm – Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



Town of Falmouth Assessing Department

59 Town Hall Square, Falmouth MA 02540

Telephone: 508-495-7380

Fax: 508-495-7384

REQUEST OF CERTIFIED ABUTTERS LIST

Name of person requesting abutters list: _____

Address of person requesting abutters list: _____

Phone: _____

Abutters to (subject property): Map _____ Section _____ Parcel _____ Lot _____

Map _____ Section _____ Parcel _____ Lot _____

Map _____ Section _____ Parcel _____ Lot _____

Lot size of subject property: _____

Location of subject property: _____

Check one:

_____ Direct abutters (includes properties across street)

_____ Direct abutters in local Historic District (includes properties across the street) within 100'

_____ Immediate abutters (includes only properties with a common property line)

_____ Immediate abutters plus churches and schools within 500'

_____ Properties within 300'

_____ Properties within 300' or abutters abutter to abutter whichever is closest

_____ Properties within 100'

_____ Other (specify) _____

Fee. \$25.00 Total _____



Building Commissioner's Sign-off Sheet
Complete prior to applying for:
Annual Entertainment or Sunday Entertainment License

APPLICANT: _____

ADDRESS: _____

LICENSE APPLIED FOR: _____

The attached plan or plans described below have been approved by the Building Commissioner's Office as appropriate for this application:

- a. A Floor Plan completed and stamped by an *Engineer or Architect* to the Building Commissioner's office. The Plan must include all seating, parking, and the occupancy load calculation.
- b. For outdoor seating, submit a Landscape Plan or Certified Plot Plan/Site Plan, *Contact the Building Commissioner's office for information.*

Plan submitted & drawn by: _____

Plan number: _____

Plan date: _____

Revision date: _____; _____; _____

Notes: _____

Building Commissioner: X _____

Date: _____

Town of Falmouth
Entertainment Regulation
Voted by Select Board on July 15, 2024

1. Any holder of a common victualler license or license to sell alcohol is prohibited from providing entertainment without a license in accordance with M.G.L. c. 140 §§ 181 and 183A and c. 136 § 4.
2. For purposes of this section, entertainment shall mean any theatrical exhibition, public show, public amusement or exhibition of any kind including, but not limited to, the following:
 - Concert
 - Cabaret
 - Dancing by patrons
 - Dancing by performers
 - Recorded or live music
 - Use of an amplification system for any purpose
 - Theater production or play
 - Movie
 - Floor show
 - Light show
3. The Select Board may impose reasonable limitations and conditions on the license to ensure public safety and welfare, including restricted hours for use of the license, noise abatement measures, additional security requirements, and occupancy limitations, among others, in order to further the following goals:
 - Protect employees, patrons and members of the public from disruptive conduct, criminal activity, and from health, safety or fire hazards
 - Prevent an unreasonable increase in pedestrian or vehicular traffic in the area of the licensed premises attributable to the entertainment
4. All licenses issued under these regulations are subject to the occupancy limits established by the building commissioner, unless the Select Board places further, more restrictive occupancy limitations as a condition upon the license.
5. Noise shall be confined to the building unless the Select Board makes specific findings and creates conditions to allow for outdoor entertainment. Unless the Select Board allows such outdoor entertainment, any noise originating from inside the building that is audible outside of the building will be considered a violation of these regulations.
6. No entertainment license is required for televisions, radios, satellite or internet music and other background, ambient entertainment, except when the Select Board allows such entertainment outdoors. In the event that the Select Board allows televisions, radios, satellite or internet music and other background, ambient entertainment outdoors, the Select Board shall make specific findings and create conditions upon such outdoor entertainment.

7. Any license for entertainment to take place outdoors, including any area of the licensed premises or building that is exposed to the open air, as in an alcove or under an overhang, for example, may be allowed under these regulations, subject to the following restrictions, unless explicitly permitted otherwise by the Select Board:
 - a. Any speakers or amplification systems must be directed towards the interior of the property.
 - b. There shall be no outdoor entertainment of any kind, including televisions, radios, satellite or internet music and other background, ambient entertainment, after 10pm.
 - c. Noise from outdoor entertainment shall not be audible to a reasonable person beyond the property line of the licensed premises.
8. If noise from outdoor entertainment cannot be contained within the property lines, the Select Board may place suitable conditions on the license.
9. Within 45 days of receipt of a complete application as determined by the licensing administration, the Select Board will either grant the entertainment license, with any conditions, or order that a hearing on the application take place. The applicant will be given at least 10 days notice prior to the date of the hearing if one is required. The applicant, at their expense, shall be required to publish notice of the hearing in a local paper and provide notification of the hearing to abutters via first class mail. The applicant shall provide proof of publication and notice to the Select Board in advance of the hearing.
10. Determination of whether a public hearing is required shall be made by the Town Manager's office pursuant to the criteria set forth in the Select Board Special Events Use and Entertainment License Policy.
11. Entertainment licenses are not transferable.
12. No gambling or games played for money, other prizes or alcoholic drinks are permitted, except that raffles or casino nights may be conducted by non-profit organizations if otherwise properly licensed.
13. Violations of the terms and conditions of the license may result in modification, suspension or revocation of the license after reasonable notice and a hearing before the Select Board. The licensee will be provided an opportunity to be heard.

Town of Falmouth

License Application – Department Contact Information

Select Board **Town Hall** **(508) 495-7320** licensing@falmouthma.gov

- License applications.

Building **Town Hall** **(508) 495-7470** <https://www.falmouthma.gov/307/Building>

- Approval of floor plan and/or site plan.

Apply online using **PermitEyes**.

- Certificate of Inspection.
- Sign Permit

Zoning Appeals **Town Hall, Second Floor** **(508) 495-7460**

- Special permit.

Planning **Town Hall, Second Floor** **(508) 495-7440**

- Site plan review.

Assessor **Town Hall** **(508) 495-7380** <https://www.falmouthma.gov/175/Assessing>

- Certified abutters list.

Police **750 Main St.** **(774) 255-4527**

- Call Central Records to schedule an appointment for the fingerprint-based background check.

Health **Town Hall** **(508) 495-7485** <https://www.falmouthma.gov/273/Health>

Apply online using **PermitEyes**

- Food service establishment permit.

Town Clerk **Town Hall** **(508) 495-7360**

- Certificate of Doing Business.
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