

2021 -- H 5478

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Introduced By: Representatives Azzinaro, Filippi, and Kennedy

Date Introduced: February 10, 2021

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 3-7-19 of the General Laws in Chapter 3-7 entitled "Retail Licenses"  
2 is hereby amended to read as follows:

3           **3-7-19. Objection by adjoining property owners -- Proximity to schools and churches.**

4           (a) Retailers' Class B, C, N and I licenses, and any license provided for in § 3-7-16.8 of  
5 this chapter, shall not be issued to authorize the sale of beverages in any building where the owner  
6 of the greater part of the land within two hundred feet (200') of any point of the building files with  
7 the body or official having jurisdiction to grant licenses his or her objection to the granting of the  
8 license, nor in any building within two hundred feet (200') of the premises of any public, private,  
9 or parochial school or a place of public worship. In the city of East Providence, retailer's Class A  
10 licenses shall not be issued to authorize the sale of beverages in any building within five hundred  
11 feet (500') of the premises of any public, private, or parochial school, or a place of public worship.

12           (b) As used in this section, "private school" means any nonpublic institution of elementary  
13 or secondary (K-12th grade) education, accredited or recognized as a private school by the  
14 department of elementary and secondary education or the school committee of the city or town  
15 having jurisdiction over private schools.

16           (c) This section shall not apply to any Class B or C license holder whose license was issued  
17 prior to January 1, 1978, nor shall this section apply to, or constitute the basis of, an objection to,  
18 or disapproval of, the transfer of a Class B or C license where the location of the licensed  
19 establishment predates the location of the public, private, or parochial school, or place of public

1 worship.

2 (d)(1) Notwithstanding the provisions of this section, the board of licenses of the city of  
3 Providence shall, after application, have the authority to exempt from the provisions of this section  
4 any proposed retailer Class B, C, or I license intended to be located within the following described  
5 area(s) in the city of Providence:

6 (A) Beginning at a point, that point being the intersection of the southerly line of Smith  
7 Street and the easterly taking line of Interstate Route 95;

8 Thence running in a general southwesterly direction along the easterly taking line of  
9 Interstate Route 95 to the center line of Kingsley Avenue;

10 Thence turning and running northwesterly in part along the southerly line of Kingsley  
11 Avenue to its intersection with the southerly line of Harris Avenue;

12 Thence turning and running westerly along the southerly line of Harris Avenue to its  
13 intersection with the southerly line of Atwells Avenue;

14 Thence turning and running easterly along the southerly line of Atwells Avenue to the  
15 easterly taking line of Interstate Route 95;

16 Thence turning and running in a general southerly and southeasterly direction along the  
17 easterly taking line of Interstate Route 95 to the center line of Pine Street;

18 Thence turning and running northeasterly along the northerly taking line of I-195 to its  
19 intersection with the northerly taking line of I-195;

20 Thence turning and running northeasterly along the northerly taking line of I-195 to its  
21 intersection with the westerly shore line of the Providence River;

22 Thence turning and running northerly along the westerly shore line of the Providence River  
23 to its intersection with the southerly line of Crawford Street;

24 Thence running northwesterly across Dyer Street to the intersection of the westerly line of  
25 Dyer Street to the southerly line of Custom House Street;

26 Thence running northerly in part along the southerly line of Dyer Street and in part along  
27 the westerly line of Market Square to its intersection with the westerly line of Canal Street;

28 Thence turning and running northerly along the westerly line of Canal Street to its  
29 intersection with the southerly line of Smith Street;

30 Thence turning and running westerly along the southerly line of Smith Street to the point  
31 and place of beginning.

32 (B) Beginning at a point, that point being the intersection of the westerly line of Brook  
33 Street and the northerly line of Wickenden Street;

34 Thence running in a general westerly direction along the northerly line of Wickenden Street

1 to the intersection of Wickenden Street and Benefit Street;

2 Thence running in a general northerly direction along the easterly line of Benefit Street to  
3 the intersection of Benefit Street and Sheldon Street;

4 Thence turning and running in an easterly direction along the southerly line of Sheldon  
5 Street to the intersection of Sheldon Street and Brook Street;

6 Thence turning and running in a general southerly line to the intersection of Brook Street  
7 and Wickenden Street that being the point of beginning.

8 (2) Notwithstanding the provisions of this section, the board of licenses of the city of  
9 Newport shall, after application, have authority to exempt from the provisions of this section any  
10 proposed retailer Class B license intended to be located within the following described area in the  
11 city of Newport:

12 Beginning at a point, that point being the intersection of the southerly line of Broadway  
13 and the easterly line of Courthouse Square;

14 Thence running in a general northeasterly direction along the southerly line of Broadway  
15 a distance of one hundred and two feet (102') to a point at the southeasterly corner of land now or  
16 formerly owned by the Newport Historical Society;

17 Thence turning and running in a southeasterly direction ninety-eight and nine-tenths feet  
18 (98.9') along the southwesterly border of land now or formerly owned by the Newport Historical  
19 Society;

20 Thence turning and running in a southwesterly direction one hundred and twelve feet (112')  
21 to Courthouse Street; and

22 Thence turning and running in a generally northwesterly direction along Courthouse Street  
23 for a distance of ninety feet (90') to the point and place of beginning.

24 (3) Notwithstanding the provisions of this section, the board of licenses of the town of  
25 Warren shall, after application, have the authority to exempt from the provisions of this section any  
26 proposed retailer Class B, C, or I license intended to be located within any zoning district in the  
27 town of Warren which is designated as a limited business district or as a general business district  
28 pursuant to the zoning ordinance of the town of Warren.

29 (4) Notwithstanding the provisions of this section, the board of licenses of the town of  
30 Bristol shall, after application, have the authority to exempt from the provisions of this section any  
31 proposed retailer Class B license intended to be located on lot 34 of tax assessors plat 10 of the  
32 Bristol tax assessors map as of December 31, 1999, including that portion of the public sidewalk  
33 contiguous to said lot.

34 (5) Notwithstanding the provisions of this section, the board of licenses for the city of

1 Newport shall, after application, have the authority to exempt from the provisions of this section as  
2 to places of public worship any proposed sidewalk cafe as defined in the Codified Ordinance of the  
3 city of Newport, provided that the applicant be an existing holder of a Retailers' Class B license.

4 (6) Notwithstanding the provisions of this section, the board of licenses of the city of  
5 Providence shall, after application, have the authority to exempt from the provisions of this section  
6 any proposed retailer Class B license intended to be located on lot 131 of tax assessors plat 68 of  
7 the Providence tax assessors map as of December 31, 1999 and any proposed retailer Class B  
8 license intended to be located on lot 21 of the tax assessors map plat 49 and any proposed retailer  
9 class BV license intended to be located on lots 3 and 5 of tax assessors map plat 35 of the  
10 Providence tax assessors map as of December 31, 2003.

11 (7) Notwithstanding the provisions of this section, the board of licenses of the city of  
12 Cranston shall, after application, have the authority to exempt from the provisions of this section  
13 any proposed retailer Class B license intended to be located on either lot 160 of tax assessor's plat  
14 9, and/or on lot 152 of tax assessor's plat 9, of the Cranston tax assessor's map as of December 31,  
15 2002; provided, however, as to the subsequent transfer of said Class B license issued by the city of  
16 Cranston under this exemption, whether said transfer is attributable to the holder's death or  
17 otherwise, any person desiring to become the potential transferee of said Class B license shall  
18 comply with those restrictions as to its use (and shall refrain from those activities which result in  
19 its reversion) set forth in the city of Cranston Memorandum of Understanding dated May 13, 2003  
20 and, in addition, those requirements applicable to anyone who desires to become a transferee of a  
21 validly issued and outstanding Class B license designated for use in any location in the state of  
22 Rhode Island. Neither the exemption granted herein nor any future exemption granted hereafter  
23 shall be effective until the proposed Class B license and the underlying property owner is certified  
24 to be current in the payment of any and all local and state taxes.

25 (8) Notwithstanding the provisions of this section, the board of licenses of the city of  
26 Pawtucket shall, after application, have the authority to exempt from the provisions of this section  
27 any proposed retailer Class B, C, or I license intended to be located within the following described  
28 area in the city of Pawtucket:

29 Beginning at the point of intersection of Dexter Street and the Central Falls line, then east  
30 along the Central Falls line to the Blackstone River, then north along the city boundary on the  
31 Blackstone River to the Cumberland line, then west along the Pawtucket city boundary line to I-  
32 95, then south along I-95 to Pine Street, then north on Pine Street to AMTRAK Right of Way, then  
33 northwest along the AMTRAK Right of Way to Dexter Street, then north on Dexter Street to the  
34 Central Falls line.

1 (9) Notwithstanding the provisions of this section the town council of the town of Little  
2 Compton, after application, is authorized to exempt from the provisions of this section relating to  
3 places of worship any class B license limited to malt and vinous beverages intended to be located  
4 on Plat 30, Lot 33 of the town of Little Compton tax assessment map existing as of December 31,  
5 2004.

6 (10) Notwithstanding the provisions of this section, the board of licenses of the town of  
7 Bristol shall, after application, have the authority to exempt from the provisions of this section any  
8 proposed retailers' Class B license intended to be located on lots 3, 18, and 19 of tax assessors plat  
9 10 of the Bristol tax assessors map as of December 31, 2007.

10 (11) Notwithstanding the provisions of this section the town council of the town of  
11 Smithfield, after application, is authorized to exempt from the provisions of this section, any class  
12 B, C, or I license intended to be located on Plat 45, Lot 042 of the town of Smithfield, tax  
13 assessment map existing as of December 31, 2007; provided, however, said exemption shall apply  
14 only to any renewal of any class B, C, or I license issued for use at the said premises located on  
15 plat 45, lot 042 as of December 31, 2011. In the event said license is not renewed, then this  
16 exemption is hereby repealed in its entirety.

17 (12) Notwithstanding the provisions of this section, the board of licenses of the city of  
18 Providence shall, after application, have the authority to exempt from the provisions of this section  
19 any proposed retailer Class B license intended to be located on plat 13, lots 31 and 32 of the  
20 applicable city of Providence tax assessment map.

21 (13) Notwithstanding the provisions of this section, the board of licenses of the town of  
22 Tiverton shall, after the application, have the authority to exempt from the provisions of this section  
23 a proposed retailer's Class BV license for a restaurant located on tax assessor's plat 181, lot 1A.

24 (14) Notwithstanding the provisions of this section, the board of licenses of the city of  
25 Providence shall, after application, have the authority to exempt from the provisions of this section  
26 any proposed retailer's Class B license intended to be located on tax assessor's plat 68, lot 732.

27 (15) Notwithstanding the provisions of this section, the board of licenses in the city of  
28 Providence shall, after application, have the authority to exempt from the provisions of this section  
29 any proposed retailer's Class B license intended to be located on plat 105, lot 489, plat 105, lot 12  
30 and plat 32, lot 232 of the applicable city of Providence tax assessment map.

31 (16) Notwithstanding the provisions of this section the city council of the city of Central  
32 Falls, shall, after application, have the authority to exempt from the provisions of this section any  
33 proposed retailer's Class B license intended to be located on plat 5, lot 188 of the applicable city of  
34 Central Falls tax assessment map.

1 (17) Notwithstanding the provisions of this section, the board of licenses of the town of  
2 Portsmouth shall, after application, have the authority to exempt from the provisions of this section  
3 any proposed retailer's Class B license intended to be located on plat 37, lot 69 of the applicable  
4 town of Portsmouth tax assessment map.

5 (18) Notwithstanding the provisions of this section, the board of licenses of the town of  
6 North Providence shall, after application, have the authority to exempt from the provisions of this  
7 section any proposed retailer's Class B license intended to be located on plat 23A, lot 98 of the  
8 applicable town of North Providence tax assessment map.

9 (19) Notwithstanding the provisions of this section, the board of licenses of the city of  
10 Cranston shall, after application, have the authority to exempt from the provisions of this section  
11 any proposed retailer's Class B license intended to be located on Plat 11, lot 3558 of the applicable  
12 city of Cranston tax assessment map.

13 (20) Notwithstanding the provisions of this section, the town council of the town of  
14 Smithfield, after application, is authorized to exempt from the provisions of this section, any Class  
15 B or C license intended to be located on Plat 6, Lot 54 of the town of Smithfield tax assessors map  
16 as of December 31, 2012.

17 (21) Notwithstanding the provisions of this section, the board of licenses of the city of  
18 Cranston shall, after application, have the authority to exempt from the provisions of this section  
19 any proposed retailers class B license intended to be located on tax assessors plat 1, lot 2170 of the  
20 applicable city of Cranston tax assessment map as of December 31, 2012.

21 (22) Notwithstanding the provisions of this section, the board of licenses in the city of  
22 Providence shall, after application, have the authority to exempt from the provisions of this section  
23 any proposed retailer's Class B license intended to be located on tax assessor's plat 43, lot 211.

24 (23) Notwithstanding the provisions of this section, the board of licenses of the town of  
25 North Providence shall, after application, have the authority to exempt from the provisions of this  
26 section any proposed retailer's Class B license intended to be located on Plat 22A, Lot 336, of the  
27 applicable town of North Providence tax assessment map.

28 (24) Notwithstanding the provisions of this section, the city council of the city of Central  
29 Falls shall, after application, have the authority to exempt from the provisions of this section any  
30 proposed retailer's Class B license intended to be located on plat 1, lot 164 of the applicable city of  
31 Central Falls tax assessment map.

32 (25) Notwithstanding the provisions of this section, the board of licenses in the city of  
33 Providence shall, after application, have the authority to exempt from the provisions of this section  
34 any proposed retailer's Class B license intended to be located at 1948-1950 Westminster Street on

1 plat 35, lot 359 of the applicable city of Providence tax assessment map.

2 (26) Notwithstanding the provisions of this section, the town council of the town of  
3 Middletown, after application, is authorized to exempt from the provisions of this section, any  
4 proposed retailer's Class BV license intended to be located on Plat 107 NW, Lot 55 of the town of  
5 Middletown's tax assessor's maps as of December 31, 2014.

6 (27) Notwithstanding the provisions of this section, the board of licenses of the city of  
7 Providence shall, after application, have the authority to exempt from the provisions of this section  
8 any retailer Class B, C or I license intended to be located on Plat 109, Lot 289, of the applicable  
9 city of Providence tax assessor's map.

10 (28) Notwithstanding the provisions of this section, the board of licenses of the city of  
11 Providence shall, after application, have the authority to exempt from the provisions of this section  
12 any proposed retailer's Class BV license intended to be located at 226 and 230 Dean Street on plat  
13 25, lot 44 of the applicable city of Providence tax assessment map.

14 (29) Notwithstanding the provisions of this section, the board of licenses of the town of  
15 East Greenwich shall, after application, have the authority to exempt from the provisions of this  
16 section any proposed retailer's Class B license intended to be located at 219 Main Street on map/lot  
17 085 001 212 0000 of the applicable town of East Greenwich tax assessment map.

18 (30) Notwithstanding the provisions of this section, the board of licenses of the town of  
19 East Greenwich shall, after application, have the authority to exempt from the provisions of this  
20 section any proposed retailer's Class B license intended to be located at 137 Main Street on map/lot  
21 085-001-412; 59 Main Street on map/lot 085-001-236; 555 Main Street on map/lot 075-003-084;  
22 74 Cliff Street on map/lot 075-003-040; 609 Main Street on map/lot 075-003-080; 241 Main Street  
23 on map/lot 085-001-208; 155 Main Street on map/lot 085-001-222; 149 Main Street on map/lot  
24 085-001-223; and 2 Academy Court on map/lot 085-001-211 of the applicable Town of East  
25 Greenwich tax assessment map.

26 (31) Notwithstanding the provisions of this section, the board of licenses of the town of  
27 Lincoln shall, after application, have the authority to exempt from the provisions of this section any  
28 proposed retailers' Class B license intended to be located on tax assessor's plat 10, lot 108, of the  
29 Lincoln tax assessor's map as of December 31, 2015.

30 (32) Notwithstanding the provisions of this section, the board of licenses of the city of  
31 Providence shall, after application, have the authority to exempt from the provisions of this section  
32 any proposed retailer's Class C license intended to be located at 215 Dean Street on plat 28, lot 961  
33 of the applicable city of Providence tax assessment map.

34 (33) Notwithstanding the provisions of this section, the board of licenses in the city of

1 Providence shall, after application, have the authority to exempt from the provisions of this section  
2 any proposed retailer's Class B license intended to be located at 100-102 Hope Street on plat 16,  
3 lot 263 of the applicable city of Providence tax assessment map.

4 (34) Notwithstanding the provisions of this section, the board of licenses in the town of  
5 Cumberland shall, after application, have the authority to exempt from the provisions of this section  
6 any proposed retailer's Class B license intended to be located at 88 Broad Street on Lots 32, 51,  
7 and 52 of Plat 2 Cumberland tax assessor's map as of December 31, 2016.

8 (35) Notwithstanding the provisions of this section, the board of licenses in the city of  
9 Providence shall, after application, have the authority to exempt from the provisions of this section  
10 any proposed retailer's Class B license intended to be located at 11 Lowell Avenue, 191 Pocasset  
11 Avenue and 187 Pocasset Avenue on Lots 22, 23, and 24 of Plat 108 Providence tax assessor's map  
12 as of December 31, 2017.

13 (36) Notwithstanding the provisions of this section, the city council in the city of Central  
14 Falls shall, after application, have the authority to exempt from the provisions of this section any  
15 proposed retailer's Class B license intended to be located on Plat 1, of Lot 171 of the applicable  
16 city of Central Falls tax assessment map.

17 (37) Notwithstanding the provisions of this section, the board of licenses in the city of  
18 Providence shall, after application, have the authority to exempt from the provisions of this section  
19 any proposed retailer's Class BV and Class BX license intended to be located at 161 Douglas  
20 Avenue on plat 68, lot 201 of the applicable city of Providence tax assessment map.

21 (38) Notwithstanding the provisions of this section, the board of licenses in the city of  
22 Providence shall, after application, have the authority to exempt from the provisions of this section  
23 any proposed retailers' Class B license intended to be located at 1007 Broad Street, Plat 53, Lot 192  
24 of the applicable city of Providence tax assessment map and 1017 Broad Street Plat 53, Lot 582 of  
25 the applicable city of Providence tax assessment map.

26 (39) Notwithstanding the provisions of this section, the city council in the city of  
27 Woonsocket shall, after application, have the authority to exempt from the provisions of this section  
28 any proposed retailer's Class B license intended to be located at 122 North Main Street, Map/Lot  
29 130-125-005 of the applicable city of Woonsocket tax assessment map.

30 (40) Notwithstanding the provisions of this section, the city council of the city of  
31 Woonsocket, after application, is authorized to exempt from the provisions of this section, any  
32 proposed retailers' class BV and class BM license intended to be located between 2 Main Street  
33 (tax assessor's plat 14, lot 284) and 194 Main Street (tax assessor's plat 14, lot 139).

34 (41) Notwithstanding the provisions of this section, the board of licenses in the city of



1 Providence shall, after application, have the authority to exempt from the provisions of this section  
2 any proposed retailers' Class B license intended to be located at 375 Smith Street, Plat 68, Lot 132  
3 of the applicable city of Providence tax assessment map.

4 (42) Notwithstanding the provisions of this section, the board of licenses in the city of  
5 Providence shall, after application, have the authority to exempt from the provisions of this section  
6 any proposed retailers' Class B license intended to be located at 671 Broadway Street, Plat 35, Lot  
7 566 of the applicable city of Providence tax assessment map.

8 (43) Notwithstanding the provisions of this section, the board of licenses in the city of  
9 Providence shall, after application, have the authority to exempt from the provisions of this section  
10 any proposed retailers' Class B license intended to be located at 464-468 Wickenden Street, also  
11 identified as 8 Governor Street, Plat 17, Lot 179 of the applicable city of Providence tax assessment  
12 map.

13 (44) Notwithstanding the provisions of this section, the town council of the town of  
14 Westerly shall, after application, have the authority to exempt from the provisions of this section  
15 any proposed retailers' Class B license intended to be located at 114 Granite Street, Westerly, RI  
16 02891, Plat 67, Lot 278 of the applicable town of Westerly tax assessment map.

17 (45) Notwithstanding the provisions of this section, the board of licenses in the city of  
18 Woonsocket shall, after application, have the authority to exempt from the provisions of this section  
19 any proposed retailers' Class B license intended to be located at 43 Railroad Street, Plat 14R, Lot  
20 205 of the applicable city of Woonsocket tax assessment map.

21 (46) Notwithstanding the provisions of this section, the board of licenses of the city of  
22 Providence shall, after application, have the authority to exempt from the provisions of this section  
23 any proposed retailer Class BL license intended to be located at 601 Hartford Avenue, Plat 113,  
24 Lot 50 of the applicable city of Providence tax assessment map.

25 (47) Notwithstanding the provisions of this section, the town council of the town of  
26 Westerly shall, after application, have the authority to exempt from the provisions of this section  
27 any proposed retailers' Class B license intended to be located at 169 and 177 Main Street, Westerly,  
28 RI 02891, Map 66, Lots 8 and 9 of the applicable town of Westerly tax assessment map.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

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1           This act would allow the town council of Westerly to issue a Class B liquor license for  
2 premises located at 169 and 177 Main Street, despite its location within proximity to a school or  
3 church.

4           This act would take effect upon passage.

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