

ALCOHOL ENFORCEMENT VIOLATIONS

LICENSEE	DATE OF VIOLATION & REASON	DATE OF VIOLATION & REASON	DATE OF VIOLATION & REASON
99 Restaurant	09/26/14 Compliance Check		
Acapulco's	08/03/16 Compliance Check		
Alumni Restaurant	06/15/12 Compliance Check		
Anne's Market	4/6/2007 Compliance Check		
Applebee's Restaurant	2/16/2007 Compliance Check		
Bamboo House	04/13/12 Compliance Check		
British Beer Company	09/26/14 Compliance Check		
Coles Tavern	4/6/2007 Compliance Check		
Cottage Street Pub	01/17/09 Compliance Check		
Devitas	05/15/09 Compliance Check	07/29/11 Compliance Check	
Franklin Mobil	3/13/2009 Compliance Check	06/15/12 Compliance Check	
Franklin Wine & Spirits	09/22/12 Compliance Check		
Guru	06/15/12 Compliance Check		
Hang Tai	4/6/2007 Compliance Check		
Ichigo Ichie	06/15/12 Compliance Check	06/28/13 Compliance Check	
Joe's American Bar & Grill	07/29/11 Compliance Check	08/03/16 Compliance Check	
Liquor World	05/15/09 Compliance Check		
Longhorn Steakhouse	2/16/2007 Compliance Check		

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Peeper Terrace	4/6/2007 Compliance Check	01/17/09 Compliance Check	
Picadilly Pub	2/16/2007 Compliance Check		
Tedeschi	07/29/11 Compliance Check		
Teppanyaki	05/15/09 Compliance Check		
Uptowne Pub	07/29/11 Compliance Check		
Village Mall Liquors	06/28/13 Compliance Check		



FRANKLIN POLICE DEPARTMENT

Thomas J. Lynch, Chief of Police
James A. Mill, Deputy Chief of Police
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www.franklinpolice.com

To: Chief Thomas J. Lynch

Fr: Lt. Mark Manocchio *MSM*

Re: Results of the Minimum Age Purchase Law Compliance Check on 08/3/16 & 8/4/16

Dt: 08/08/2016

On Wednesday 8/3/16 and Thursday 8/4/16 from 6:00 p.m. – 9:00 p.m. Three (3) officers and two (2) under 21 buyers conducted a Minimum Age Purchase Law Compliance Check operation of Thirty three (33) licensed establishments in the Town of Franklin. Thirty one (31) establishments passed the check and refused to sell or serve alcohol to the under 21 operative. Two establishments were not open for business at the time of the operation (King Street Cafe and Pour Richards Wine).

Two (2) establishments failed the compliance check and served an under 21 operative.

The following failed the compliance check on 08/3/16:

- Acapulcos – 15 Main Street

The Following failed the compliance check on 8/4/16:

- Joe's American Bar and Grill – 466 King Street

Attached are the Officers report, Buyer Report, Notice of Violation. Congratulations Letters will be sent to all locations that passed the check. I also have all other buyer and officers reports on file.

The notice of violation were hand delivered to Acapulcos and Joe's on 08/8/16 and signed for. They have both been notified they will receive information regarding a future hearing before the alcohol licensing authority (Franklin Town Council).



Sponsor: Administration

**TOWN OF FRANKLIN
BYLAW AMENDMENT 14-727
CHAPTER 47, ALCOHOLIC BEVERAGES**

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 47.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 47 of the Code of the Town of Franklin is amended by adding a new Section 47-22 as follows:

§47-22. Guidelines and Criteria to be Applied by Franklin Town Council in Determining Penalty to be Imposed Upon Alcohol Beverage Licenseholder for Violation.

A. Guidelines for Compliance Check Violations:

First Offense

Three to five-day suspension, one to three days to be served, with balance held in abeyance for two years.

Second Offense*

Five to seven-day suspension, three to five days to be served, with balance held in abeyance for three years.

Third Offense*

Seven to ten-day suspension, five to seven days to be served, with balance held in abeyance for five years.

*Any outstanding prior penalty held in abeyance shall be brought forward and served.

All penalties shall be served, at Council's option, commencing on the day of the week of the violation.

B. Other Operational Violations:

The Town Council shall consider each alleged violation on its facts, on a case-by-case basis and reserves its statutory right to modify, suspend or revoke a license; however, it may, in its sound discretion, apply the guidelines for compliance check violations, as well as aggravating or mitigating factors as follows:

Aggravating Factors:

1. Deliberateness of violation: intentional, willful, or negligent.
2. Facts of violation

- a. Incident impacting public safety or accident involving serious personal injury or death.
- b. Continued service of intoxicated or underage person or serve of multiple intoxicated and/or underage persons.
3. Multiple statutory and/or local bylaw violations.
4. Licensee's obstruction of or non-cooperation in investigation.
5. Licensee's failure to provide adequate staff training and oversight procedures.
6. Number and frequency of prior violations.

Mitigating Factors:

1. Licensee's acknowledgment of violation.
2. Licensee's cooperation in investigation.
3. Licensee's prevention attempts: equipment installation, staff training, oversight procedures, etc.
4. Licensee's voluntary remediation efforts: additional equipment, training, procedures, etc.

This bylaw amendment shall become effective upon passage in accordance with the provisions of the Franklin Home Rule Charter.

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DATED: January _____, 2014

A True Record Attest:

Deborah L. Pellegrini
Town Clerk

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council