



**TOWN OF ANDOVER
TOWN CLERK'S OFFICE**

36 Bartlet Street
Andover, MA 01810
978-623-8230
www.andoverma.gov

**ENTERTAINMENT & AMUSEMENT DEVICE LICENSE
APPLICATION PROCESS**

An Entertainment & Amusement Device License is required if any of the following pertain to your establishment:

- You hold a Common Victualler or Alcohol License and are hosting a "public show" (see description below)
- You are hosting a "public show" and plan to charge and admission fee
- You offer an automatic amusement device which is a coin operated amusement skill game such as a pinball machine or a video game.

Please note that a "public show" includes the following:

- Recorded or live music
- Dancing, whether by performers or patrons
- Television
- An amplification system
- A theatrical play or a film screening
- A floor or light show
- Any other audio or visual show

Please use the checklists below to help organize your application materials to apply for an Entertainment & Amusement Device License.

Town of Andover Application Packet:

- Application Fee
(NOTE: The application fee is calculated by the Town Clerk's Office which can vary based on the number of automatic amusement devices your establishment is requesting and must be paid in the form of a check or money order made payable to TOWN OF ANDOVER)
- Town of Andover General License Application
- Entertainment & Amusement Device License Application Addendum
- Business Certificate
(NOTE: This can be obtained from the Town Clerk's Office)
- Criminal Offender Record Information (CORI) Acknowledgement Form
(NOTE: This 2 page form needs to be completed by the applicant and executed *in person* at the Town Clerk's Office with a copy of the applicant's driver's license and certified birth certificate or passport)
- Tax Form
- Worker's Compensation Affidavit
- Copy of worker's compensation policy declaration page

License Approval & Renewal

Upon prior approval from the Police Department, Fire Department, Health Department, Building Department, and Town Treasurer, this license application requires final approval of the Town Manager, as licensing authority. Once approved, this license is subject to an annual renewal by December 31st of each calendar year.



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GENERAL LICENSE APPLICATION

BUSINESS/ENTITY NAME:	
DBA:	
PREMISE ADDRESS:	
MANAGER/CONTACT NAME:	
EMAIL:	
PHONE:	
BUSINESS MAILING ADDRESS: (if different from premise)	
FID/SS#:	

Please select the license type for which you are applying below.

✓	License Type	Fee
	*Common Victualler	\$75.00
	*Entertainment/Amusement Device	\$85.00/\$100.00 per machine
	**Class 1 Dealer's License	\$100.00
	**Class 2 Dealer's License	\$100.00
	**Lodging License	\$50.00
	*Secondhand/Junk Dealer's License	\$50.00

I certify under the penalties of perjury, that the above information is true, and that named applicant has complied with all laws of the commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature: _____ Date: _____
Upon review of the Licensing Agent, this renewal application requires Town Manager approval as Licensing Authority.
TOWN MANAGER'S SIGNATURE: _____ DATE: _____



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**ENTERTAINMENT & AMUSEMENT DEVICE LICENSE
APPLICATION ADDENDUM**

SECTION 1: ENTERTAINMENT LICENSE

1. What type of entertainment will be offered? Please check all that apply.

- | | | |
|---|--|---|
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Dancing by Patrons | <input type="checkbox"/> Theatrical Exhibition |
| <input type="checkbox"/> Radio | <input type="checkbox"/> Dancing by Entertainers | <input type="checkbox"/> Moving Picture Show |
| <input type="checkbox"/> Television | <input type="checkbox"/> Floor Show | <input type="checkbox"/> Play |
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Light Show | <input type="checkbox"/> Other audio or visual show |
| <input type="checkbox"/> Juke Box | <input type="checkbox"/> Amplification System | |

2. Describe in full the proposed entertainment (i.e., genre of music being played, description of show being performed, etc.)

3. Will the proposed entertainment be taking place indoor or outdoor? If outdoor, please describe what efforts will be taken to reduce the impact of noise on neighboring residents and businesses.

4. What are the proposed hours of operation of the entertainment?

From _____ : _____ o am o pm Until _____ : _____ o am o pm

5. Will the entertainment include any display of any body part(s) as defined in M.G.L. Ch. 140 Sec. 183A? (A copy is attached for your reference) If yes, explain in what manner such person will be represented.

SECTION 2: AMUSEMENT DEVICE LICENSE

6. Please list the name and type of automatic amusement device offered at the establishment:

NAME OF DEVICE	TYPE		
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____
_____	<input type="checkbox"/> Video Game	<input type="checkbox"/> Pinball Machine	<input type="checkbox"/> Other _____

Section 183A: Concerts, dances, exhibitions, public shows, etc.; license; application; suspension or revocation; rules and regulations

Section 183A. No inn holder, common victualler, keeper of a tavern, or person owning, managing, or controlling any club, restaurant or other establishment required to be licensed under section twelve of chapter one hundred and thirty-eight or under section two, twenty-one A or twenty-one E of chapter one hundred and forty, and no person owning, managing, or controlling any concert, dance, exhibition, cabaret or public show of any description to be conducted on any premises required to be licensed under the sections described above, shall, as a part of its usual business, offer to view, set up, set on foot, maintain or carry on a concert, dance exhibition, cabaret or public show of any description, unless and until a license therefor has been issued by the licensing authorities.

The application for such license shall be in writing and shall state the type of concert, dance, exhibition, cabaret or public show sought to be licensed and shall state whether such public show will include: (a) dancing by patrons, (b) dancing by entertainers or performers, (c) recorded or live music, (d) the use of an amplification system, (e) a theatrical exhibition, play, or moving picture show, (f) a floor show of any description, (g) a light show of any description, or (h) any other dynamic audio or visual show, whether live or recorded.

The application shall also state whether as part of the concert, dance exhibition, cabaret or 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.

Upon request of the licensing authorities, the applicant shall furnish further additional information concerning the type of concert, dance exhibition, cabaret, or public show sought to be licensed, the conditions of the premises, and the actions to be taken in order to prevent danger to the public safety, health or order. Once a license has been granted to an applicant, the licensee shall continue to provide such information to the licensing authorities upon their request with regard to any particular concert, dance, exhibition, cabaret, or public show or with regard to the conduct of the premises in general.

Within forty-five days following receipt of an application for a license under this section, the licensing authorities may (a) grant a license or, (b) shall provide the opportunity for a hearing on the application by written notice to the applicant given seven days prior to the hearing date.

Within thirty days next following the final date of such opportunity for a hearing the licensing authorities shall, (a) grant the license or, (b) deliver to the applicant a written notice denying the license and stating in writing the reasons for such denial. No application having been denied as aforesaid and no similar application thereto may be filed within one year of said denial except in the discretion of the licensing authorities.

The licensing authorities shall grant a license under this section unless they find that the license, taken alone or in combination with other licensed activities on the premises, would adversely affect the public health, safety or order, in that the concert, dance, exhibition, cabaret, or public show cannot be conducted in a manner so as to: (a) protect employees, patrons, and members of the public inside or outside the premises from disruptive conduct, from criminal activity, or from health, safety or fire hazards; (b) prevent an unreasonable increase in the level of noise in the area caused by the licensed activity or caused by patrons entering or leaving the premises; or (c) prevent an unreasonable increase in the level of pedestrian or vehicular traffic in the area of the premises or an unreasonable increase in the number of vehicles to be parked in the area of the premises.

The licensing authorities may modify, suspend or revoke a license granted pursuant to the provisions of this section after providing an opportunity for a hearing preceded by a written notice to the licensee ten days prior to the hearing date. The licensing authorities may not modify, suspend or revoke such license unless they find that the license, taken alone or in combination with other licensed activities on the premises, has adversely affected the public health, safety or order as stated in the preceding paragraph. In any case in which the licensing authorities modify, suspend or revoke a license, they shall notify the licensee in writing of such action and said written notice shall be accompanied by a statement of reasons.

In order to preserve and protect the public health, safety, and order as aforesaid, the licensing authorities may place conditions upon the license and promulgate rules and regulations for such licenses. The licensing authorities may modify, suspend or revoke a license pursuant to this section for any violation of their rules and regulations or for any violation of law and may petition the superior court department of the trial court to enjoin any violation of this section.

The licensing authorities of any city or town may adopt a rule requiring licensees under this section to prohibit minors from attending any concert, dance, exhibition, cabaret or public show of any description in which or at which any person appears in a manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or in which or at which any female person appears in a manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

A license issued under this section, unless sooner revoked, shall expire on December thirty-first of each year. The fee for any such license or for any renewal thereof shall not exceed one hundred dollars.

[Twelfth paragraph effective until July 18, 2021. For text effective July 18, 2021, see below.]

The provisions of this section shall be applicable seven days per week; provided, however, that no license under this section shall be granted to permit such activities, except an athletic game or sport, on Sundays or before 1 o'clock in the afternoon, without the written approval of the commissioner of the division of professional licensure, made in accordance with the provisions of this section, upon written application to said commissioner accompanied by a fee of not more than \$5, or in the case of an annual license by a fee of not more than \$100.

[Twelfth paragraph as amended by 2021, 39, Sec. 80 effective July 18, 2021. See 2021, 39, Sec. 128. For text effective until July 18, 2021, see above.]

The provisions of this section shall be applicable seven days per week; provided, however, that no license under this section shall be granted to permit such activities, except an athletic game or sport, on Sundays or before 1 o'clock in the afternoon, without the written approval of the commissioner of the division of occupational licensure, made in accordance with the provisions of this section, upon written application to said commissioner accompanied by a fee of not more than \$5, or in the case of an annual license by a fee of not more than \$100.



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**CRIMINAL OFFENDER RECORD INFORMATION (CORI)
ACKNOWLEDGEMENT FORM**

TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR
EMPLOYMENT, VOLUNTEER, SUBCONTRACTOR, LICENSING, AND HOUSING PURPOSES

Town of Andover Town Clerk's Office is registered under the provisions of M.G.L. c. 6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the Department of Criminal Justice Information Services (DCJIS). I hereby acknowledge and provide permission to Town of Andover Town Clerk's Office to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing Town of Andover Town Clerk's Office with written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY: The Town of Andover Town Clerk/Andover Public Schools may conduct subsequent CORI checks within one year of the date this form was signed by me provided, however, that Town of Andover/Andover Public Schools must first provide me with written notice of this check.

By signing below, I provide my consent to a CORI check and acknowledge that the information provided on page 2 of this Acknowledgement Form is true and accurate.

SIGNATURE: _____ **DATE:** _____

Your identity and signature must be verified by examining a government-issued identification **in person**.

All CORI forms must be returned, in person, along with your ID



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SUBJECT INFORMATION:	
Last Name:	
First Name:	
Middle Name:	
Suffix:	
Maiden Name (or other name(s) by which you have been known):	
Date of Birth:	
Place of Birth:	
Last Six Digits of Your Social Security # (REQUIRED):	-
Sex:	
Height:	ft. in.
Eye Color:	
Race:	
Drive License or ID #:	
State of Issue:	
Mother's Full/Maiden Name:	
Father's Full Name:	
Current Address:	
Former Address:	

Office Use Only

The above information was verified by reviewing the following form(s) of government issued identification:

Driver's License Certified Birth Certificate US Passport Other _____

VERIFIED BY: _____

Name of Verifying Employee (Please Print)

Signature of Verifying Employee



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CRIMINAL RECORD INFORMATION FORM

This form must be completed by all Managers, Directors, Stockholders, and Officers.

BUSINESS/ENTITY NAME:	
APPLICANT NAME:	
APPLICANT ADDRESS:	
OCCUPATION:	
BIRTHPLACE:	
DATE OF BIRTH:	

If you have any record of misdemeanors including: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace, and such offences were disposed of ten or more years prior to the filing of this application, you may be considered to have NO RECORD for the purpose of furnishing this department information as to your criminal record.

I, _____, applicant for a _____ license
(name) (license type)
in the Town of Andover, hereby state that I have not been convicted for violation of a state or federal narcotic law.

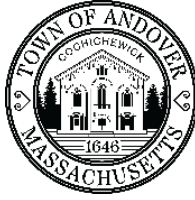
I do hereby state that I have no record of criminal convictions in any state or federal court except those listed as follows:

I do hereby state that I have no pending criminal charges against me for any criminal violations in any state or federal court except those listed as follows:

Signed and subscribed to under the pains and penalties of perjury on this
_____ day of _____, 20_____.
(date) (month) (year)

Signature: _____

Any statements contained herein found to be untrue shall be cause for the cancellation and/or revocation of any license granted to the applicant or corporation in which they are a principal or agent.



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TAX FORM

APPLICANT NAME: _____

I certify under penalties of perjury that the above named applicant has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature of Individual or Corporate Name:

(Required for all applicants) _____

Name of Corporate Officer:

(Required if applicant is a corporation) _____

Social Security #:

(Required if applicant is an individual) _____

Federal Identification Number (FID #):

(Required if applicant is a corporation or non-profit): _____

This license will not be issued unless the certification clause is signed by the applicant.

Your social security or FID number will be furnished to the Massachusetts Department of Revenue to determine if you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass General Laws c. 62, s. 49A.



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am a employer with _____ employees (full and/ or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Licensing Board
- 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "**every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required.**"

Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street
Boston, MA 02114-2017
Tel. # 617-727-4900 ext. 7406 or 1-877-MASSAFE
Fax # 617-727-7749
www.mass.gov/dia