



Public Meeting

The Provincetown Licensing Board will hold a Public Meeting on **Thursday, June 13, 2017** at 5:15 p.m. in the Judge Welsh Room, Town Hall, 260 Commercial Street.

Meeting Agenda

Public Hearings

Special Entertainment License & Noise By-law Waiver

Petition from Emily McGranachan, representing ***Family Equality Council*** for a ***Special Entertainment License & Noise By-Law Waiver*** at Bas Relief on July 30 – August 4, 2017 from 8:30 am to 4 pm. No rain date requested.

Special Liquor License

Petition from Elizabeth Gawron, representing ***Helping Our Women*** for a ***Special Liquor License*** in the Town Hall Auditorium on July 22, 2017 from 7 p.m. to 11 p.m. No rain dates requested.

Special Liquor & Entertainment Licenses

Petition from John DeSouza, representing ***Pilgrim Monument and Museum*** for ***Special Entertainment and Special Liquor Licenses*** on July 4 from 3-10pm, July 12 from 3-8pm, July 19 from 5-9pm, August 2 from 5-9pm, August 9 from 5-9pm, August 16 from 5-9pm, October, 1 2016 from 1-5pm & and January 1, 2018 from 4-7pm and ***Special Liquor Licenses*** on July 26 from 7-9pm, September 27 from 5-7pm, October 11 from 3-5pm. October 18 from 3-6pm, November 1 from 3-7pm, November 11 from 5-9pm, December 2 from 1-4pm, & December 7, 2017 from 5-7pm at 1 High Pole Hill Rd., Provincetown, MA. No rain date requested.

Special Entertainment License

Petition from Tomas Cullen & Kellie Grogan representing ***The Provincetown Pilgrim Monument*** for ***Special Entertainment License*** on June 24, 2017 from 6 pm - 8 pm at 1 High Pole Hill Rd., Provincetown, MA. No rain date requested.

Special Entertainment License

Petition from Tomas Cullen & Erik Burns representing ***The Provincetown Pilgrim Monument*** for ***Special Entertainment License*** on September 23, 2017 from 3:45 pm - 11 pm at 1 High Pole Hill Rd., Provincetown, MA. No rain date requested.

Special Entertainment License

Petition from Kevin Fessler, representing *Strangers & Saints* for a *Special Entertainment License* at 404 Commercial St., Provincetown, MA on June 24, 2017 from 7 pm to 12:30 am. No Rain Dates Requested.

Alteration of Licensed Premises

Petition from Diarmuid O'Neill, representing *Clipper Ventures, Inc. d.b.a. The Squealing Pig* for an *Alteration of Licensed Premises* at 335 Commercial St., Provincetown, MA.

Change of D.B.A. /Amendment of Common Victualer License

Petition from Stephen Katsurinis, representing *Steve & B Company d.b.a. Yolqueria* for *Change of DBA* at 401 1/2 Commercial St., Provincetown, MA.

Change of D.B.A./Amendment of Common Victualer License

Petition from Inna Litvinova, representing *Mimere's Legacy, LLC d.b.a. Mama Matcha* for *Change of DBA* at 258 Commercial St., Provincetown, MA.

New Common Victualer License

Petition from Dani Niedzielski, representing *The Captain's Daughters* for a *Common Victualer License* at 384 Commercial St., Provincetown, MA.

New Annual All-Alcohol Liquor License

Petition from Thomas Shirk, representing *The White Porch Inn, LLC* for an *Annual All Alcohol Liquor License* at 7 Johnson St., Provincetown, MA.

Taxi Regulation Changes

8.00 TAXICAB/LIVERY VEHICLE FOR HIRE REGULATIONS

8.01 TAXICAB/LIVERY VEHICLE FOR HIRE OWNERS

- b) No taxicab/livery vehicle for hire shall be operated unless a valid taxicab/livery vehicle for hire vehicle license, taxi/livery vehicle for hire operator license, and a current taxicab/livery registration from the Department of Motor Vehicles are in place.
- c) ~~No livery vehicle may pick up a person in response to a street hail or may stand in special areas authorized for taxicabs. This type of vehicle must be rented by means of a telephone request or a contract arranged in advance of the time of the designated pickup.~~
- c) Pursuant to MGL Chapter 159A ½, none of the provisions of this section shall apply to validly certified state Transportation Network Companies.
 - 1. No vehicle for hire company and/or vehicle for hire vehicle may be issued a license under these regulations, and if a license is already issued it shall be revoked, if that company and/or vehicle are concurrently licensed or become concurrently licensed as a state certified Transportation Network company and/or Transportation Network vehicle.
 - 2. A vehicle for hire license may be issued to a vehicle for hire operator who concurrently holds a state certified Transportation Network Company Operator License.
- d) Taxicab/Livery Vehicle for hire owners must reside in the towns of Provincetown, Truro, or Wellfleet and taxicabs/livery vehicle for hire vehicle(s) must be registered to an address in the Town of Provincetown.

- f) All licensed ~~taxicab and livery~~ vehicle for hire vehicles must pass all items on the Vehicle Inspection Report checklist. There shall be periodic inspections and spot checks will occur during the license year.
- g) No ~~taxicab~~ vehicle for hire vehicle license shall be issued by the Licensing Board until the applicant has presented proof of the vehicle's insurance, that the insurance policy covers no more than eight passengers riding in the vehicle, and the applicant provides a Certificate of Vehicle Insurance naming the Provincetown Licensing Board as the certificate holder.
- h) When a ~~taxicab or livery~~ vehicle for hire vehicle owner changes his/her address or the place at which a ~~taxicab or livery~~ vehicle for hire vehicle owned by him/her is kept, the owner shall notify the Licensing Board within three days of such change.
- i) A ~~taxi/livery~~ vehicle for hire information placard/rate sheet, as issued by the Licensing Agent, shall be displayed so as to be clearly visible to the passengers at all times of operation.
- j) No vehicle will be licensed that carries more than the number of passengers which it is insured for and that number shall not exceed 8 total passengers (including the driver) for a ~~taxicab and~~ 15 total passengers for a ~~livery~~ vehicle (including the driver).
- k) All ~~taxicabs and livery~~ vehicle for hire vehicles shall have the business name and the business telephone number posted on the two front doors along with a ~~cab~~ vehicle for hire number, posted on the two front fenders and the rear of the ~~taxicab~~ vehicle for hire in letters no less than three (3) inches high and one-half inch wide. In addition, the assigned ~~cab~~ vehicle for hire number and the ~~cab~~ vehicle for hire business name shall be posted on the rear of the ~~cab/livery~~ vehicle for hire also in letters no less than three (3) inches high and one-half inch wide. All lettering must be in the form of painted or self-adhesive contrasting lettering (magnetic or other removable signs are not permitted).
- l) ~~Taxicab and livery~~ Vehicle for hire vehicle licenses shall be ~~valid for one year from the date of issuance~~ expire on December 31st of each year.
- m) A license issued for any ~~taxicab or livery~~ vehicle for hire vehicle is not transferable.
- n) ADVERTISING SIGNAGE:
 - 1. Advertising signage placement shall be ~~limited to the roof and rear of the vehicle~~ allowed on all parts of the vehicle including the roof, but must not block the license plate or vehicle for hire information.
 - 2. Signage on the roof shall be limited to one foot tall and cannot exceed the length of the roof of the vehicle.
 - 3. Signage on the rear shall be ~~limited to one foot tall~~, cannot exceed the width of the vehicle and ~~must not block the vehicle's license plate or cab information.~~
 - 4. Advertising may not be placed on a ~~taxi~~ vehicle for hire in any manner that may obstruct the operator's field of vision or in any way impede the operation of the vehicle.
 - 5. The Provincetown Licensing Board and the Provincetown Police Department must approve any deviation allowed regarding size or placement of signage on the roof of the vehicle.
- o) All ~~taxi and livery~~ vehicle for hire drivers shall maintain a neat and clean ~~taxicab~~ vehicle for hire while on duty.
- p) The total ~~Taxicab/Livery~~ vehicle for hire license fee is \$72 plus the application fee of \$30.
 - ~~1) All Taxicab/Livery vehicle for hire licenses will expire on December 31st of each year.~~
 - 2) 1) An Application fee of \$30 will be charged for changes to the Taxicab/Livery vehicle for hire license during the licensing year

- q) The Provincetown Police Department under supervision of the Chief of Police is hereby designated as the enforcement agency of Section 8 of the Rules & Regulations and shall file with the Licensing Board any alleged violation thereof. Taxicab owners/operators shall comply with Rules & Regulations including those of the Airport Commission and the Provincetown Public Pier Corporation. Any violation of the Licensing Board's Rules & Regulations, State and local laws may result in a suspension or revocation of license.
- r) ~~Taxicab and livery~~ Vehicle for hire owners shall notify the Licensing Board when drivers leave the company.
- s) ~~TAXI/LIVERY~~ VEHICLE FOR HIRE RATES: (TO BE VISIBLY POSTED IN VEHICLES)
 - 2. Flat Rates:
 - e) A maximum \$120.00 hourly rate in Provincetown. ~~(livery rates may vary.)~~
 - 5. Bicycle Surcharge:
 - a) Transporting of bicycles = \$6 ~~\$10~~ per bike.
 - 9. Vehicle for hire drivers and companies may charge less than the approved rates only if the customer(s) have already requested transportation or boarded a vehicle for hire. No company or driver shall solicit business by advertising or offering a lower rate to a potential customer(s), nor shall any company or driver offer a lower priced ride on a future ride to any customer(s) during use of that company/drivers services.
- t) The Licensing Agent or Licensing Board is authorized to issue a temporary operator's license, and a temporary vehicle swap after a vehicle inspection by the designated officer. Temporary license may be valid for not more than ~~ten (10)~~ thirty (30) days.
- u) No smoking is allowed in ~~taxicabs or livery~~ vehicle for hire vehicles at any time.
- v) Per MGL Ch. 138, Sec. 22, no person operating a ~~taxi or livery~~ vehicle for hire vehicle shall engage in the sale or transport of alcoholic beverages without a transportation permit issued by the ABCC.
- w) ~~Should a passenger refuse to pay the fare, the driver shall proceed directly to the nearest police station, present the facts and follow the officer's instructions for resolving the dispute. A complaint can be sought by the driver under MGL c. 159A, § 16, for fare evasion.~~

8.02 ~~TAXI~~ TAXI/LIVERY VEHICLE FOR HIRE OPERATORS

- e) A ~~taxicab/livery~~ vehicle for hire operator shall conduct themselves in a courteous and professional manner at all times. A driver shall not interfere with the business transactions of another taxi/livery vehicle or engage in any activity which impedes the movement of vehicular or pedestrian traffic on a public way.
- f) When a ~~taxicab/livery~~ vehicle for hire operator changes his/her address, the operator shall notify the Licensing Board within three days of such change. A neat and clean appearance is expected of all ~~taxi~~ vehicle for hire drivers while on duty.
- g) A neat and clean appearance is expected of all ~~taxi/livery~~ vehicle for hire drivers while on duty.
- h) ~~Taxicab and Livery~~ Vehicle for hire Operators, while on duty and operating a ~~Taxicab or Livery~~ vehicle for hire vehicle, must visibly post in the vehicle a valid Provincetown Taxi vehicle for hire operators license. And Upon request, produce a valid Massachusetts State Driver's license.

8.03 DEFINITIONS

- a) ~~Taxicab - A private passenger motor vehicle registered as such, with or without a taximeter, used or designed to be used, for the conveyance of passengers for hire from place to place but not over a fixed route or between fixed and regular termini. This type of vehicle may be requested by call to a dispatcher or "hailed" on public ways for~~

- ~~securing a ride. It also may pick up passengers in areas designated for taxis.~~
- ~~b) Livery Vehicle – A private passenger vehicle (including but not limited to limousines) registered as such, the designed seating capacity of which does not exceed 16 passengers (including the driver), for hire for transport of passengers for designated events (such as weddings, celebrations, airport transport or similar contractual purposes). This type of vehicle must be rented by means of a telephone request to the registered place of business of the owner or a contract arranged in advance of the time for a designated pickup. No licensed livery vehicle may pick up a person in response to a street hail or may stand in special areas authorized for taxicabs.~~
- a) Vehicle for Hire – All vehicles with Taxi or Livery Massachusetts registration used in the transportation of passengers, excluding common carriers.
- b) Vehicle for Hire Operator – An operator of a vehicle for hire.

Public Statements

Other Business

Discussion regarding Junior's Taxi and Black & White Taxi
~ **possible vote taken**

Amend/Transfer License

New License

Taxi/Livery Vehicle

1. **Cape Cab Company** – REG#LV3574; VIN#JTDKN3DU8D5594936; 2013 Gray Toyota Prius Hatchback; REG#LV70964; VIN#JTDKN3DU1C1550136; Gray Toyota Prius Hatchback;
2. **Love End Timez Taxi** – REG#LV50481; VIN#2FMDA522X5BA10160; 2005 Brown Ford Freestar Van;

Art Gallery

1. Pressley Rothenberg Fine Art, LLC, Jim Rothenberg, mgr., d.b.a. **On Center Gallery**, 352 Commercial St., Provincetown, MA 02657

Common Carrier

1. **Cape Cod Vintage Sidecar Tours** – REG#2D3318; VIN#JH2PC1704GM006332; Black CMX450 Motorcycle;

Fortune Teller

1. **Donna Eli** – 286 Commercial St.
2. **Crystal Eli** – 286 Commercial St.

Renewal License

Parking Lot

1. Kibbe Cook House Partners, Gael Poltrack, mgr., d.b.a. **Kibbe Cook House Parking**, 466 Commercial St., Provincetown, MA 02657

Taxi/Livery Vehicle

1. **Mercedes Cab Company** – REG#814D; VIN#WDBAB93A5EF017449; 1984 Blue Mercedes 300TDT, Wagon;

2. **Discover Provincetown** – REG#LV72652; VIN#1GBDM19W3XB110532; 1999 Gray Chevrolet Astrovan, Van;

***Correspondence
Minutes***

**Enforcement
Code Compliance**

**Old business
New Business**

***Licensing Board Statements
Licensing Agent Statements***

Posted by the Acting Town Clerk: www.provincetown-ma.gov, 6/9/17 10:55 am dv
REVISED: 6/13/17 1:30 pm dv