

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
233 RICHMOND STREET
PROVIDENCE, RHODE ISLAND 02903

IN THE MATTER OF :
:
BOTTLES, LLC :
:
D/B/A BOTTLES :
:
RESPONDENT. :
:

CONSENT AGREEMENT

It is hereby agreed between the Commercial Licensing & Racing & Athletics Division (Division) of the Department of Business Regulation (“Department”) and Bottles (“Respondent”) as follows:

1. Respondent holds a Class A license for the retail sale of alcoholic beverages pursuant to R.I. Gen. Laws § 3-7-3.

2. R.I. Gen. Laws § 3-5-21 provides that every license is subject to revocation or suspension and a licensee is subject to fine by the Department, on its own motion, for breach by the holder of the license of the conditions on which it was issued or for violation by the holder of the license of any statute, rule or regulation applicable.

3. R.I. Gen. Laws § 3-7-3 provides:

§ 3-7-3 Class A license – Towns and cities of 10,000 or more. – (a) In cities and towns having a population of ten thousand (10,000) or more inhabitants, a retailer's Class A license authorizes the holder to keep for sale and to sell, at the place described, beverages at retail and to deliver the beverages in a sealed package or container, which package or container shall not be opened . . .

4. On May 23, 2011, an inspector from the Division conducted an on-site inspection of Bottles and found Growlers were being filled from kegs of beer on the premises in violation of R.I. Gen. Laws § 3-7-3:

5. Based on the above violations the Department has sufficient cause to impose an administrative penalty pursuant to R.I. Gen. Laws § 3-5-21.

6. In an effort to resolve the above-referenced violation and allow Respondent to maintain its license in good-standing, Respondent agrees to the following:

- A. Respondent understands that the Department is charged with protecting the public by ensuring that its Licensees are competent and trustworthy and are reasonably familiar with the statutes and law relating to real estate.
- B. Respondent shall comply with all terms and requirements for licensure under R.I. Gen. Laws §§ 3-5-1, *et seq.* and 3-7-1, *et seq.*, and *Commercial Licensing Regulation 8 – Liquor Control Administration*.
- C. Respondent shall pay a fine in the amount of \$250.00, payable to the Rhode Island General Treasurer.
- D. Respondent voluntarily waives its right to the hearing process, voluntarily waives its right to appeal to Superior Court, admits that the allegations in Paragraphs 3 *supra*, are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to maintain its license in good-standing.

7. If Respondent fails to comply with the terms of this Consent Agreement, the Department reserves its right to initiate the administration hearing

process to suspend or revoke Respondent's license pursuant to R.I. Gen. Laws §§ 3-5-21 and 42-35-9.

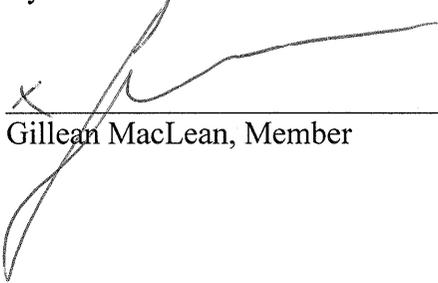
THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation

Respondent
By:



Maria D'Alessandro, Esq.
Deputy Director of Securities,
Commercial Licensing and Racing &
Athletics



Gillean MacLean, Member

Date: 6/9/11

Date: 6/8/11