



City of Lynn, Commonwealth of Massachusetts
APPLICATION ~ ~ NEW FILING ~ ~
FLAMMABLE LICENSE

Please list your business information: (Please print all information)

Name of Business _____
 Address of Business _____
 Telephone Number of Business _____
 Hours of Operation _____
 e-mail address _____
 Describe the services to be offered _____

Business Owner's Name (Please Print) _____
 Business Owner's Street Address _____
 Business Owner's City, State, Zip _____
 Business Owner's Telephone Number _____

 BUSINESS OWNER'S SIGNATURE DATE

FIRE DEPARTMENT ONLY

In accordance with the provisions of Chapter 148 of the General Laws, a license is hereby granted to use the land herein described for the lawful use of the building... or other structure... which is/are or is/are to be situated thereon, and as described on the plot plan filed with the application for this license.

Owner of Land (not business) _____
 Number of buildings or other structures to which this license applies _____
 Occupancy or use of such buildings _____
 Total capacity of tanks in gallons: Aboveground _____ Underground _____
 Kind of fluid to be stored in tanks _____
 Restrictions – If any: _____
 Approval Date: _____
 Head of Fire Department Signature _____

CITY CLERK USE ONLY

Personal & Property Taxes Paid with Workman's Compensation Information.
 \$100.00 Fee Paid
 Committee Approval Hearing Date: _____

Paid by: Cash Check
Clerk's Initials: _____



City of Lynn, Commonwealth of Massachusetts

RENEWAL APPLICATION FLAMMABLE LICENSE

Please update your business information: (Please print all information)

Name of Business _____

Address of Business _____

Telephone Number of Business _____

Hours of Operation _____

e-mail address _____

Describe the services to be offered _____

Owner's Name (Please Print) _____

Owner's Street Address _____

Owner's City, State, Zip _____

Owner's Telephone Number _____

Please check box if there are no changes to Workman's Compensation Information on File.

OWNER'S SIGNATURE

DATE

OFFICE USE ONLY

Informed applicant they must have a current Fire Department Inspection Certificate

Personal & Property Taxes Paid

No Change In Workman's Compensation Information

\$50.00 Renewal Fee Paid \$50.00 Gas Station \$ _____ Other

Committee Approval Hearing Date: _____

Paid by: Cash Check

Clerk's Initials: _____

INSTRUCTIONS FOR FLAMMABLE LICENSE

A license must be obtained for any property storing Flammables. The license is valid from the date of issue through April 30th annually.

Steps to complete for License:

1. Application for each is \$50.00 (may be higher if determined by Lynn Fire Department) *(Renewal is \$50.00 year)*.
2. Cori Request Form (Criminal History Check)
3. Worker's Comp Insurance Form and Property Tax Form

Please Provide Current:

1. Flammable permit issued by Fire Department

For New Applicants OR Applicants with New Locations:

1. Contact Inspectional Services Department (Room 401) to make sure location does not need a Special Permit and is an allowed use.
2. Please refer to MGL c. 148 Section 13 for Fire Safety information.

Flammables - MGL c. 148 §13

CHAPTER 148. FIRE PREVENTION

Chapter 148: Section 13 Licenses for land for explosives and inflammable materials; certificate of approval; record; certificate of registrations; fees; replacements and alterations of, and regulations for buildings; explosion hazard; appeals to marshal

Section 13. No building or other structure shall, except as provided in section fourteen, be used for the keeping, storage, manufacture or sale of any of the articles named in section nine, unless the local licensing authority shall have granted a license to use the land on which such building or other structure is or is to be situated for the aforementioned uses, after a public hearing, notice of the time and place of which hearing shall have been given, at the expense of the applicant, by the clerk of the city or of the local licensing authority, by publication, not less than seven days prior thereto, in a newspaper published in the English language in the city or town wherein said land is situated, if there is any so published therein, otherwise in the county in which such city or town lies, and also by the applicant by registered mail, not less than seven days prior to such hearing, to all owners of real estate abutting on said land or directly opposite said land on any public or private street as they appear on the most recent local tax list at the time the application for such license is filed, and unless the application for such license shall have endorsed thereon the certificate of approval or disapproval of the head of the fire department. Such license shall be recorded in the office of the city or town clerk, and it shall, from the time of the granting thereof by the licensing authority, be deemed a grant attaching to the land described therein and as an incident of ownership thereof running with the land and shall not be deemed to be merely a personal privilege. Any license granted hereunder, or any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, shall remain in force unless and until revoked as hereinafter provided. Any such license granted hereunder shall be subject to such conditions and restrictions as may be prescribed in the license by the local licensing authority, which may include a condition that the license be exercised to such extent and within such period as may be fixed by such authority.

The owner or occupant of said land licensed as herein provided, and the holder of any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, shall annually, on or before April thirtieth, file with the clerk of the city or town where such license is to be or has been exercised, or in Boston, with the fire commissioner, or in Cambridge, with the board of license commissioners, a certificate of registration setting forth the name and address of the holder of such license; provided, that no certificate of registration shall be required for any building used as a garage for storing not more than three vehicles, when once used under such a license. The board may by regulation prescribe the amount of any of the articles named in section nine that may be kept in a building or other structure without a license and registration, or either of them. Such fee as may be established from time to time by ordinance or by-law may be charged for any such license, registration or certificate of the head of the fire department, respectively.

Every license granted under this section, and every certificate of registration filed under this section, shall be deemed to be granted or filed upon condition that if the land described in the license ceases to be used for the aforementioned uses, the holder of the license shall within three weeks after such cessation eliminate, in accordance with rules and regulations of the board, all hazardous conditions incident to such cessation. If the holder of the license fails so to eliminate such conditions, the local licensing authority may eliminate such conditions; and a claim for the expense incurred by the local licensing authority in so doing shall constitute a debt due the city or town upon the completion of the work and the rendering of an account therefor to the holder of the license, and shall be recoverable from such holder in an action of contract. Said debt,

together with interest thereon at the rate of six per cent per annum from the date said debt becomes due, shall constitute a lien on said land if a statement of claim, signed by the local licensing authority, setting forth the amount claimed without interest is filed, within ninety days after the debt becomes due, with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies. Such lien shall take effect upon the filing of the statement aforesaid and shall continue for two years from the first day of October next following the date of such filing. Such lien may be dissolved by filing with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies, a certificate from the collector of the city or town that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. Such collector shall have the same powers and be subject to the same duties with respect to such claim as in the case of the annual taxes upon real estate; and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof, and the redemption of land so sold or taken shall apply to such claim.

The marshal may, upon application and after a public hearing, reinstate and continue in force and effect any license granted prior to July first, nineteen hundred and thirty-six, for the keeping, storage, manufacture or sale of any of the articles named in said section nine, irrespective of the extent of the use and occupancy of buildings or other structures made or had under said license prior to the date of such reinstatement and continuance, anything in the provisions of this chapter to the contrary notwithstanding, unless prior to such reinstatement and continuance said license has been revoked for cause or the marshal shall have determined that a fire or explosion hazard would result from the exercise of such license. The marshal shall give written notice of such application, and of the date of the hearing thereon, to the head of the fire department of the city or town wherein is situated the land to which such application relates and shall, after such hearing, notify in like manner the clerk of such city or town of the action taken on such application.

Any license granted hereunder between July first, nineteen hundred and thirty-six and August seventeenth, nineteen hundred and fifty-one, both dates inclusive, not exercised for a period of at least three years, may be revoked by the local licensing authority after notice and hearing given to the owner or occupant of the land licensed.

When a fire or explosion hazard exists or is liable to exist due to the exercise of such license, the marshal or the head of the fire department, shall issue an order to the licensee to cease and desist in the exercise of such license and said marshal or said head of the fire department shall direct that reasonable measures to insure safety to the public be undertaken at the expense of the holder of such license.

Any license granted hereunder or any license for the keeping, storage, manufacture or sale of any of the articles named in section nine, granted prior to July first, nineteen hundred and thirty-six, including any license reinstated and continued by the marshal as herein provided, may be revoked for cause, after notice and a hearing given to such owner or occupant, by the local licensing authority or by the marshal. Any building or structure erected or maintained under any of the aforementioned licenses shall always be subject to such replacements and alterations in construction and to such regulations of its use in respect to protection against fire or explosion as the board may prescribe.

Any person aggrieved by the granting of a license hereunder on the ground that the exercise thereof would constitute a fire or explosion hazard may, within ten days after the granting thereof, appeal to the marshal who, after notice and hearing, shall finally determine whether such a hazard would result. If, in his opinion, such a hazard would result, he shall notify the authority granting the license, and such notice when received by such authority shall constitute a revocation of such license and no further license for the same or similar use of the same land shall be granted within one year after the receipt by such authority of such notice.