

MEMORANDUM

To: Dublin City Council
Dana McDaniel, City Manager
Anne Clarke, Clerk of Council

From: Jennifer D. Readler
Yazan S. Ashrawi

Date: August 4, 2016

Re: Dublin Arts Council – Application for New D5J Liquor Permit

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control concerning the Dublin Arts Council. The City of Dublin has received this notice pursuant to R.C. 4303.26 because the Dublin Arts Council has applied for a new D5J liquor permit and the proposed location for the permit premises will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

II. BACKGROUND

A D5J permit is a liquor permit that is specific to Community Entertainment Districts (“CEDs”). A D5J permit is identical to a typical D5 permit, but is CED-specific. It allows spirituous liquor for on premises consumption only; and beer, wine, and mixed beverages for on premises or off premises consumption in original sealed containers, until 2:30am.

A CED is defined as a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity. This Council recently approved three new CEDs in Dublin: (1) Scioto East CED; (2) Scioto West CED; and (3) Scioto North CED. The Ohio Division of Liquor Control completed its process to create these CEDs and is now accepting D5J applications. Each CED has up to 15 available D5J permits; accordingly, Council should expect to see several D5J permit requests in the future.

The Dublin Arts Council is a domestic corporation that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 7125 Riverside Drive, Dublin, Ohio 43016, which is located north of Emerald Parkway and east of the Scioto River, in the Scioto North CED. The Dublin Arts Council is seeking to obtain a D5J license, which is

the same as a D5 license, but issued only within CEDs. Dublin Arts Council’s application is currently pending before the Ohio Division of Liquor Control (“the Division”).

According to the Division’s Records, Dublin Arts Council does not have a history of violating Ohio liquor permit laws.

III. RECOMMENDATION

It would appear that it unnecessary to request a hearing in this matter. Dublin Arts Council does not have a history of liquor law violations. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control no later than August 19, 2016.

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

2321991		NEW	DUBLIN ARTS COUNCIL 7125 RIVERSIDE DR DUBLIN OH 43016
PERMIT NUMBER		TYPE	
ISSUE DATE			
07 15 2016			
FILING DATE			
D5J			
PERMIT CLASSES			
25	066	B	B26471
TAX DISTRICT			RECEIPT NO.

FROM 07/19/2016

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 07/19/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/19/2016

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B NEW 2321991**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF DUBLIN CITY COUNCIL
5200 EMERALD PARKWAY
DUBLIN OHIO 43017**

2321991 PERMIT NBR
DUBLIN ARTS COUNCIL
7125 RIVERSIDE DR
DUBLIN OH 43016

DAVID S GUION

07/06/2016 ACTIVE CEO

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

4303.18 D-5 permit.

Permit D-5 may be issued to the owner or operator of a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant or night club for purposes of this chapter, to sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold, and to sell the same products in the same manner and amounts not for consumption on the premises as may be sold by holders of D-1 and D-2 permits. A person who is the holder of both a D-3 and D-3a permit need not obtain a D-5 permit. The fee for this permit is two thousand three hundred forty-four dollars.

Effective Date: 2003 HB95 09-26-2003

D5J 52.344 ORC 4303.181 (Same as D5). Community Entertainment District

D5

\$2,344

ORC 4303.18 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2.30am.