

MEMORANDUM

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

From: Jennifer D. Readler, Law Director
Yazan S. Ashrawi

Date: September 8, 2016

Re: McCormack & Taylor, LLC DBA Green Olive Company
Application for New D3 Liquor Permit

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control concerning McCormack & Taylor, LLC DBA Green Olive Company (“Green Olive”). Dublin has received this Notice pursuant to R.C. 4303.26 because Green Olive has applied for a new liquor permit and the proposed location for the permit premises is 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

Green Olive is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 36 N. High Street, Suite A, Dublin, Ohio 43017, which is located on North High Street just north of West Bridge Street. Green Olive is seeking a D3 liquor permit, which permits spirituous liquor for on premises consumption only until 1:00am. Green Olive’s application is currently pending before the Ohio Division of Liquor Control (the “Division”). Green Olive also has an application pending for a D2 liquor permit at this same location, which permits sale of wine and mixed beverages for on premises consumption or in original sealed containers for carry out until 1:00 a.m. Council was previously notified of Green Olive’s D2 application at its May 9th meeting.

According to the Division’s records, Green Olive does not have a history of violating Ohio liquor permit laws.

III. RECOMMENDATION

It would appear that it is unnecessary to request a hearing in this matter. Green Olive does not have a history of liquor law violations. Regardless whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by September 19, 2016.

4303.14 D-2 permit.

Permit D-2 may be issued to the owner or operator of a hotel, of a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter, or of a club, boat, or vessel, to sell wine and prepared and bottled cocktails, cordials, and other mixed beverages manufactured and distributed by holders of A-4 and B-4 permits at retail, either in glass or container, for consumption on the premises where sold. The holder of this permit may also sell wine and prepared and bottled cocktails, cordials, and other mixed beverages in original packages and not for consumption on the premises where sold or for resale. The fee for this permit is five hundred sixty-four dollars for each location, boat, or vessel.

Effective Date: 2003 HB95 09-26-2003

Restaurant / Night Club

Permit Class	Permit Fee	Description
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D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
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4303.15 D-3 permit.

Permit D-3 may be issued to the owner or operator of a hotel, of a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter, or of a club, boat, or vessel, to sell spirituous liquor at retail, only by the individual drink in glass or from the container, for consumption on the premises where sold. No sales of intoxicating liquor shall be made by a holder of a D-3 permit after one a.m. The fee for this permit is seven hundred fifty dollars for each location, boat, or vessel.

Effective Date: 2003 HB95 09-26-2003

D3

§750

~~ORC 4303.15~~ Spirituous liquor for on premises consumption only until 1 00am

**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

5713204		N		MCCORMACK & TAYLOR LLC DBA GREEN OLIVE COMPANY 36 N HIGH ST SUITE A DUBLIN OH 43017
PERMIT NUMBER		TYPE		
08 11 2016				
ISSUE DATE				
D3				
25 066 B		B27761		
TAX DISTRICT		RECEIPT NO.		

FROM 08/18/2016

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



MAILED 08/18/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/19/2016

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 N 5713204**

(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**

5713204 PERMIT NBR
MCCORMACK & TAYLOR LLC
DBA GREEN OLIVE COMPANY
36 N HIGH ST SUITE A
DUBLIN OH 43017

LISA MCCORMACK

02/11/2015 ACTIVE

MNMB5%V5%M

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