

MEMORANDUM

To: Dublin City Council
Megan O'Callaghan, City Manager
Jenny Delgado, Clerk of Council

From: Jennifer D. Readler, Law Director
Jesse J. Shamp

Date: November 7, 2022

Re: Fukuryu Ramen Dublin, Inc. DBA Fukuryu Ramen
Application for New D1 and D2 Permit

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control regarding Fukuryu Ramen Dublin, Inc. DBA Fukuryu Ramen (“Fukuryu”). Dublin received this Notice pursuant to R.C. 4303.26 because Fukuryu applied for a new D1 and D2 permit and the proposed location for the permit premises is 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

Fukuryu is a domestic for-profit corporation that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 4540 Bridge Park Ave., Dublin Ohio 43017. Fukuryu already holds a D5J permit for operation within Bridge Park. Fukuryu is now seeking a D1 permit, which allows for the sale of beer only for on premises consumption or in original sealed containers for carry out until 1:00 A.M., and a D2 permit, which allows the sale of wine and mixed beverages for on premises consumption or in original sealed containers for carryout until 1:00 A.M.

It should be noted that D1 and D2 permits may only be issued to the owner or operator of a hotel, a retail food establishment, or a food service operation licensed pursuant to Ohio Revised Code (“ORC”) chapter 3717. Fukuryu will have to meet the ORC requirements in order to obtain these permits. The Ohio Division of Liquor Control, and not the City, holds the authority to determine if Fukuryu is the type of business eligible to receive a D1 and D2 permit. The application is currently pending before the Division.

According to the Division’s Records, Fukuryu does not have a history of violating Ohio liquor laws.

III. RECOMMENDATION

It appears unnecessary to request a hearing on this matter. Fukuryu does not have a history of liquor law violations and the State will determine if Fukuryu operates the type of business eligible for a D1 and D2 permit. 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 November 28, 2022.

**NOTICE TO LEGISLATIVE
AUTHORITY**

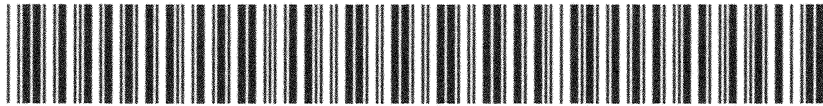
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2380 FAX(614)644-3166

TO

29593600005		NEW		FUKURU RAMEN DUBLIN INC	
PERMIT NUMBER		TYPE		DBA FUKURU RAMEN	
ISSUE DATE		FILING DATE		1ST FL & PATIO ONLY	
10 24 2022				4540 BRIDGE PARK AVE	
D1 D2		PERMIT CLASSES		DUBLIN OH 43017	
25	066	B	D60038		
TAX DISTRICT			RECEIPT NO.		

FROM 10/26/2022

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



MAILED 10/26/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/28/2022

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 2959360-0005**
(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
ATTN: LEGISLATIVE AFFAIRS
5200 EMERALD PARKWAY
DUBLIN OHIO 43017**

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	ORC 4303.13 Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	ORC 4303.14 Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.