

MEMORANDUM

To: Dublin City Council

Dana McDaniel, City Manager Jenny Delgado, Clerk of Council

From: Jennifer D. Readler, Law Director

Jesse J. Shamp

Date: May 4, 2021

Re: Vaishno Foods LLC Application for New D5 Liquor Permit

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority ("Notice") from the Ohio Division of Liquor Control (the "Division") concerning Vaishno Foods LLC d/b/a Nawabi Hyderabad House ("Nawabi"). Dublin received this Notice pursuant to R.C. 4303.26 because Nawabi applied for a new D5 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. <u>BACKGROUND</u>

Nawabi is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6395 Perimeter Drive, Dublin, Ohio 43016. Nawabi is seeking a D5 liquor permit, which permits 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 2:30 a.m. The application is currently pending before the Division.

According to the Division's records, Nawabi does not have a history of violating Ohio liquor permit laws.

III. <u>RECOMMENDATION</u>

It appears unnecessary to request a hearing in this matter. Nawabi 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 by June 1, 2021.

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NOTICE TO LEGISLATIVE **AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL 6606 TUSSING ROAD, P.O. BOX 4005

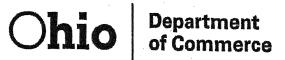
REYNOLDSBURG, OHIO 43068-9005 (614)644-2360 FAX(614)644-3166

				TO
	922728	82 PERMIT NUMI	BER TYPE	VAISHNO FOODS LLC -DBA NAWABI HYDERABAD HOUSE
	ISSUE D	ATE		BIRYANI PLACE 6395 PERIMETER DR
	04 09 2021			DUBLIN OH 43016
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Township Fiscal Officer

CLERK OF DUBLIN CITY COUNCIL ATTN: LEGISLATIVE AFFAIRS 5200 EMERALD PARKWAY DUBLIN OHIO 43017



Mike DeWine, Governor Jon Husted, Lt. Governor Division of Liquor Control Sheryi Maxifeld, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for ilquor permit as captioned on the notice. You must, within 30 days from the "malled" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing or not; or
- Ask for your one-time only, 30-day extension.
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered timely, your above response must be:

FAXED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can fax your response to: (614) 644 – 3166

EMAILED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can email your response to: <u>LiquorLicensingMailUnit@com.state.oh.us</u>

POSTMARKED, if mailed, no later than the date listed on the notice after "responses must be postmarked no later than." You can mail your response to

Ohio Division of Liquor Control Attn: Licensing Unit 6606 Tussing Road PO Box 4005 Reynoldsburg, Ohio 43068-9005

In an effort to speed up processing times and reduce paper, the Division respectfully asks that you either fax or email the above notice. In a similar effort, please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or
- Contact your police department or county sheriff, if you are a township fiscal officer or county clerk, as the Division sends the applicable law enforcement agency the pertinent ownership disclosure information when it notifies them of the permit application.

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

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.