

## MEMORANDUM

To: Dublin City Council  
Dana McDaniel, City Manager  
Jenny Delgado, Clerk of Council

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

Date: August 23, 2021

Re: E & S Hospitality LLC Application for Transfer of D5 and D6 Liquor Permits

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### **I. INTRODUCTION**

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control (“Division”) concerning a transfer application for D5 and D6 liquor permits from Martinos Inc. DBA Martinos Sports Bar & Grille (“Martinos Sports Bar and Grille”) to E & S Hospitality LLC (“E & S Hospitality LLC”). Dublin received this Notice pursuant to R.C. 4303.26 because 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**

E & S Hospitality LCC is a domestic limited liability corporation that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6645 Dublin Center Drive & Patio, Dublin, Ohio 43017. This is the same location of Martinos Sports Bar and Grille, the current holder of the liquor permits. It appears E & S Hospitality LLC submitted its transfer application because it will be the new owner of the permit premises; therefore, it will be acquiring the liquor permits that are currently held at that location.

E & S Hospitality LLC is seeking a transfer of 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 2:30am, and a D6 permit, which permits the sale of intoxicating liquor on Sunday between the hours of 10:00am and midnight. The application is currently pending before the Division.

According to the Division’s records, E & S Hospitality LLC does not have a history of violating Ohio liquor permit laws.

### **III. RECOMMENDATION**

It appears unnecessary to request a hearing in this matter. E & S Hospitality LLC does not have a history of liquor law violations and the Division will determine if the transfer is appropriate and within the guidelines of businesses eligible for D5 and D6 permits. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by September 9, 2021.

**NOTICE TO LEGISLATIVE  
AUTHORITY**

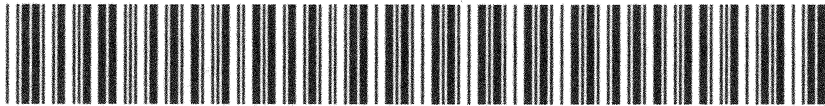
**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

2391497		TRFO	E & S HOSPITALITY LLC 6645 DUBLIN CENTER DR & PATIO DUBLIN OHIO 43017
PERMIT NUMBER		TYPE	
02	01	2019	
ISSUE DATE			
08	05	2021	
FILING DATE			
D5 D6		PERMIT CLASSES	
25	066	B	F25806
TAX DISTRICT		RECEIPT NO.	

FROM 08/09/2021

5592049			MARTINOS INC DBA MARTINOS SPORTS BAR & GRILLE 6645 DUBLIN CENTER DR & PATIO DUBLIN OHIO 43017
PERMIT NUMBER		TYPE	
02	01	2019	
ISSUE DATE			
08	05	2021	
FILING DATE			
D5 D6		PERMIT CLASSES	
25	066		
TAX DISTRICT		RECEIPT NO.	



MAILED 08/09/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/09/2021

**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 TRFO 2391497**

(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**



**Department  
of Commerce**

Rev 2/10/2021

Mike DeWine, Governor  
Jon Husted, Lt. Governor

Division of Liquor Control  
Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You must, within 30 days from the "mailed" 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: [LiquorLicensingMailUnit@com.state.oh.us](mailto:LiquorLicensingMailUnit@com.state.oh.us)

**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/llqr/llqr\\_apps/PermitLookup/PermitHolderOwnership.aspx](https://www.comapps.ohio.gov/llqr/llqr_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.

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.

## Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<a href="#">ORC 4303.182</a> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.