



## Legislation Text

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**File #:** 2020-021, **Version:** 1

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Liquor Permit Request #14959800100; Cinemark USA, Inc. dba Cinemark Movies 16

New Permit request for D5i: Restaurant meeting certain criteria per ORC 4303.181

(l) Permit D-5i may be issued to the owner or operator of a retail food establishment or a food service operation licensed under Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter and that meets all of the following requirements:

- (1) It is located in a municipal corporation or a township with a population of one hundred thousand or less.
- (2) It has inside seating capacity for at least one hundred forty persons.
- (3) It has at least four thousand square feet of floor area.
- (4) It offers full-course meals, appetizers, and sandwiches.
- (5) Its receipts from beer and liquor sales, excluding wine sales, do not exceed twenty-five per cent of its total gross receipts.
- (6) It has at least one of the following characteristics:
  - (a) The value of its real and personal property exceeds seven hundred twenty-five thousand dollars.
  - (b) It is located on property that is owned or leased by the state or a state agency, and its owner or operator has authorization from the state or the state agency that owns or leases the property to obtain a D-5i permit.

The holder of a D-5i permit may 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 may sell the same products in the same manner and amounts not for consumption on the premises where sold as may be sold by the holders of D-1 and D-2 permits. The holder of a D-5i permit shall sell no beer or intoxicating liquor for consumption on the premises where sold after two-thirty a.m. In addition to the privileges authorized in this division, the holder of a D-5i permit may exercise the same privileges as the holder of a D-5 permit.

A D-5i permit shall not be transferred to another location. The division of liquor control shall not renew a D-5i permit unless the retail food establishment or food service operation for which it is issued continues to meet the requirements described in divisions (l)(1) to (6) of this section. No quota restrictions shall be placed on the number of D-5i permits that may be issued. The fee for the D-5i permit is two thousand three hundred forty-four dollars.