

1st STOP CHECKLIST: DRINKING (ALCOHOL) PLACE/ NIGHTCLUB/CABARET

(This checklist is for businesses such as bars and taverns that will primarily serve alcoholic beverages.)

REQUIREMENTS & REGULATIONS

- [] A **cabaret** is a nightclub, bar, restaurant, etc. “in which persons appear in a state of nudity in the performance of their duties” (Ohio Revised Code Section 503.51). For complete information about Ohio’s cabaret laws, read **Ohio Revised Code (ORC) Sections 503.51-503.59**. The ORC is available at your local library or on-line at <http://codes.ohio.gov/orc>
- [] Cabarets are also regulated locally (by the city or municipality). Contact your local authorities.
- [] Contact the **Ohio Department of Liquor Control** at **(614) 644-2360** for liquor permit information. Information is also on-line at <http://www.com.state.oh.us/liqr/>. ****Remember to check local government agencies****
- [] If you will serve food, you must have a **Food Service Operation License**. Contact **your local health department** for license and inspection information. ****Remember to check local government agencies****
- [] You must charge sales tax on **food eaten on the premises of your business** and **beverages**. You need a **VENDOR’S LICENSE**. If you have questions about what or when food and beverage sales are taxable, contact the **OHIO DEPARTMENT OF TAXATION**. ****Remember to check local government agencies****
- [] If you will sell any **tobacco products**, contact **YOUR COUNTY AUDITOR’S OFFICE** and the **OHIO DEPARTMENT OF TAXATION** at **(888) 405-4039** for **Business Tax Assistance**; **888-405-4089** for **Tax Registration**; or **(800) 282-1782** for the **Forms Request Line**. Information is also on-line at <http://www.tax.ohio.gov/>. ****Remember to check local government agencies****
- [] If you will sell **lottery tickets**, contact your regional Lottery Commission Office. Information is available on-line at www.ohiolottery.com ****Remember to check local government agencies****
- [] If you will feature recorded or live **music**, you must have permission from the owner of the copyrighted material. You can do this by contacting **ASCAP** or **BMI**. For more information, contact **ASCAP** at **(212) 621-6000** (www.ascap.com) or **BMI** at **(212) 220-3000** at (www.bmi.com). ****Remember to check local government agencies****
- [] Contact the **Ohio Environmental Protection Agency (EPA)** for information about the proper disposal of hazardous and solid waste. The Ohio EPA can be reached at **(614) 644-3020** for **General Inquiries** or **(800) 329-7518** for the **Office of Compliance Assistance and Pollution Prevention**. Information is also on-line at www.epa.state.oh.us.

For more help, contact your local Small Business Development Center (SBDC).

www.ohiosbdc.ohio.gov

REMEMBER TO CHECK LOCAL GOVERNMENT AGENCIES

THIS CHECKLIST IS ABOUT STATE REQUIREMENTS



Department of Commerce

Division of Liquor Control

John R. Kasich, Governor
Jacqueline T. Williams, Director

6606 Tussing Road
Reynoldsburg, OH 43068-9006

www.com.ohio.gov

How To Apply For A Liquor Permit

1. Get an Application

Applications for a new liquor permits can be obtained by printing them from the Division's website.

- New bar, restaurant or carryout: http://www.com.ohio.gov/documents/liqr_4113.pdf
- All other types of permits: <http://www.com.ohio.gov/liqr/permitClasses.aspx>

2. Complete the Application

Prospective permit holders should complete the application (front and back), sign and notarize it, and send it to the above address along with the \$100 non-refundable processing fee that is charged for filing an application. Applicants will be required to pay the appropriate permit fee once the permit is ready to be processed. If an opening exists in the area requested by the applicant, processing will begin once the permit fee is submitted. (Permit quotas are based on population in a taxing district.) If there is no opening, the application will be held until an opening is available.

3. Division Notifies Legislative Authority of Filed Application

When processing begins, a notice is sent to the local legislative authority (city council or township trustees and county commissioners) and local police department (chief of police or township police and county sheriff).

4. Opportunity for Legislative Authority or Nearby Public Institution to Object

A Licensing Office compliance officer makes a physical inspection of the applicant's premises, draws a diagram of the premises and surveys the area within a 500 foot radius of the business to determine if there are any churches, schools, playgrounds, libraries or township parks within 500 feet. Those public institutions that are within 500 feet of the proposed permit premises are notified of their right to object to the issuance of the permit.

5. Division Checks the “Wet/Dry” Status of Proposed Permit Location

When an application is received, the Division sends a letter to the county Board of Elections to determine the precinct in which the applicant’s business is located. When this information is received, the division checks to determine whether the location is wet for the type of beverages that the applicant wishes to sell.

6. Hearing on Any Filed Objections

If a hearing is requested by either the legislative body or a public institution, the applicant is notified by certified mail as to the time and place of the hearing. The applicant may be represented by an attorney at the hearing.

7. Time Frame for Permit Issuance

If no hearing is requested, no objection is filed by the local police, and no adverse information is discovered through the local police or the Bureau of Criminal Identification and Investigation (BCII), the permit could be issued within ten to twelve weeks, but no sooner than 15 days from the filing date.

If a hearing is held, the results are sent by certified mail to the applicant and the objector. If the objections are overruled, the legislative body may file an appeal within 30 days of the order to the Ohio Liquor Control Commission. Public institutions do not have the right to appeal. If the objections are sustained, a rejection order is sent by certified mail to the applicant. The applicant may file an appeal within 30 days of the date of the order to the Ohio Liquor Control Commission. A permit cannot be issued until all administrative and legal remedies have been exhausted.

Division of Liquor Control: (614) 644-2360

1-800-750-0750 (TTY/TDD)
www.com.ohio.gov/liqr

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