



OHIO LIQUOR CONTROL COMMISSION
77 SOUTH HIGH STREET, 18TH FLOOR
COLUMBUS, OHIO 43215
PHONE: (614)466-3132 FAX: (614)466-4564
WWW.LCC.OHIO.GOV

MIKE DEWINE, GOVERNOR

DEBORAH PRYCE, CHAIR

FOR IMMEDIATE RELEASE

Contact: Sarah Creedon (614) 466-3132
Sarah.creedon@lcc.ohio.gov

LIQUOR CONTROL COMMISSION HEARS CASES REGARDING COVID-19
PUBLIC HEALTH REGULATIONS

(COLUMBUS, Ohio, August 21, 2020) – The Ohio Liquor Control Commission (Commission) conducted administrative hearings this week (August 17th through 21st) for liquor permit holders cited with violations related to Ohio’s health and safety regulations aimed to prevent the spread of COVID-19 within the state.

There were 13 cases heard by the Commission. Charges included violating social distancing orders and engaging in various forms of improper conduct in violation of Ohio Department of Health orders. One permit holder had a prior pending violation, which the Commission also heard.

The following are the details of the charges for each case and the Commission’s decisions:

- **POUR IT ON INC. (DBA: JAKES SALOON & SPORTS PUB) TOLEDO, OH**

Violations:

No. 1: On or about Thursday, May 21, 2020, you, your agent(s), and/or employee(s) allowed beer and/or intoxicating liquor that was sold for on-premise consumption to be removed from the permit premises in violation of Ohio Revised Code Section 4301.21(D) (“removal of alcohol from permit premise”).

No. 2: On or about Thursday, May 21, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully sold beer, wine, mixed beverages or spirituous liquor, to wit: White Claw Black Cherry Spiked Sparkling Water separately and without an accompanying food order from the liquor permit premises in violation of Emergency Order 4301:1-1-13(C) of the Ohio Admin. Code in effect on the date of the violation.

No. 3: On or about Thursday, May 21, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully failed to ensure that all patrons and staff maintain a distance of six feet or greater when possible for the health and safety of all individuals engaged in the transaction in violation of Emergency Order 4301:1-1-13(E) of the Ohio Admin. Code in effect on the date of the violation.

No. 4: On or about Thursday, May 21, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to all the violations. Based on the evidence presented, the Commission found the permit holder in violation as to 1, 3, and 4, but not in violation as to 2. The Commission issued a 7-day suspension beginning at noon, September 18, 2020.

- **CHARLES P HOPKINS (DBA: HOME TAVERN) LOGAN, OH**

Violations:

No. 1: On or about Saturday, May 2, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully sold beer, wine, mixed beverages or spirituous liquor for on-premises consumption in violation of Emergency Order 4301:1-1-13(A) of the Ohio Admin. Code in effect on the date of the violation.

No. 2: On or about Saturday, May 2, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to violation 1, but stipulated to the facts; violation 2 was then dismissed upon motion of the Ohio Attorney General. Based on the evidence presented, the Commission found the permit holder in violation as to 1. The Commission issued a 15-day suspension beginning at noon, September 18, 2020.

- **ABECA DEVELOPMENT LLC (DBA: CHAPZ BAR AND GRILL) BELMONT, OH**

Violations:

No. 1: On or about Saturday, May 9, 2020, you, your agent(s), and/or employees knowingly and/or willfully sold beer, wine, mixed beverages or spirituous liquor for on-premises consumption in violation of Emergency Order 4301:1-1-13(A) of the Ohio Admin. Code in effect on the date of the violation.

No. 2: On or about Saturday, May 9, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to violation 1, but stipulated to the facts; violation 2 was then dismissed upon motion of the Ohio Attorney General. Based on the evidence presented, the Commission found the permit holder in violation as to 1. The Commission issued a 10-day suspension beginning at noon, September 18, 2020.

- **COVE INC. (DBA: YANKEES TAVERN) GENEVA ON THE LAKE, OH**

Violations:

No. 1: On or about Friday, June 19, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

No. 2: On or about Friday, June 19, 2020, you and/or your agent(s) and/or employee(s) and/or your unidentified agent(s) and/or employee(s) did operate in and upon the permit premises more than two fixed counters, commonly known as bars, in rooms and/or places on the permit premises, where

beer, mixed beverages, wine, and/or spirituous liquor, to wit, Yankee's Tavern and the Goblin Wine & Ale House, is sold to the public for consumption on the premises, in violation of Section 4303.30 of the Ohio Revised Code.

No. 3: On or about Friday, June 19, 2020, you, your agent(s), and/or employee(s) while a permit for off-premises consumption was in effect knowingly and/or willfully failed to ensure that all patrons and staff maintain a distance of six feet or greater when possible for the health and safety of all individuals engaged in the transaction in violation of Emergency Order 4301:1-1-13(E) of the Ohio Admin. Code in effect on the date of the violation.

Outcome:

At the hearing, the permit holder entered a denial as to all the violations. Based on the evidence presented, the Commission found the permit holder in violation as to 1, but not in violation as to 2 and 3. The Commission issued a 30-day suspension beginning at noon, September 18, 2020.

- **RIVERFRONT LLC (DBA: THE BAIT HOUSE) PORT CLINTON, OH**

Violation:

No. 1: On or about Friday, July 3, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) ("allowing persons to engage in disorderly activities").

Outcome:

At the hearing, the permit holder entered a denial as to the sole violation, but stipulated to the facts. Based on the evidence presented, the Commission found the permit holder in violation as to 1. The Commission issued a 7-day suspension beginning at noon, September 18, 2020, but gave the permit holder the option to pay a financial forfeiture in the amount of \$1,400 in lieu of serving the suspension.

- **EAST END CLEVELAND LLC CLEVELAND, OH**

Violations:

No. 1: On or about Saturday, December 7, 2019, your permit premises were not in a sanitary condition, to wit: THE FIXTURES, EQUIPMENT, TABLES, COUNTERS, COOLERS/ REFRIGERATORS, AND/OR UTENSILS WERE NOT CLEAN OR SANITARY, in violation of Ohio Admin. Code 4301:1-1-17(E) ("unsanitary conditions").

No. 2: On or about Saturday, December 7, 2019, you, your agent(s), and/or employee(s) assaulted, incited others to assault, hindered and/or obstructed an agent or employee of the Division of Liquor Control, an enforcement agent of the Department of Public Safety and/or an officer of the law from making an inspection and/or search of your permit premises while in the lawful performance of his duty in violation of Ohio Revised Code Section 4301.66 ("hindering inspection/search").

No. 3: On or about Saturday, December 7, 2019, you, your agent(s), and/or employee(s) failed to display your permit in a conspicuous place on the licensed premises and produce same upon request in violation of Ohio Admin. Code 4301:1-1-21 ("permit not posted").

Outcome:

At the hearing, the permit holder entered a denial as to violation 2, but stipulated to the facts; violations 1 and 3 were then dismissed upon motion of the Ohio Attorney General. Based on the evidence presented, the Commission found the permit holder in violation as to 2. The Commission issued a 4-day suspension beginning at noon, September 18, 2020, but gave the permit holder the option to pay a financial forfeiture in the amount of \$800.00 in lieu of serving the suspension.

- **EAST END CLEVELAND LLC CLEVELAND, OH**

Violation:

No. 1: On or about Friday, July 3, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to the sole violation, but stipulated to the facts. Based on the evidence presented, the Commission found the permit holder in violation as to 1. The Commission issued a 20-day suspension beginning at noon, September 22, 2020.

- **SCALE ENTERTAINMENT LLC (DBA: VIVID RESTAURANT) MAPLE HGTS, OH**

Violations:

No. 1: On or about Saturday, June 13, 2020, you, your agent(s), and/or employee(s) allowed beer and/or intoxicating liquor that was sold for on-premise consumption to be removed from the permit premises in violation of Ohio Revised Code Section 4301.21(D) (“removal of alcohol from permit premise”).

No. 2: On or about Saturday, June 13, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered an admission as to violation 2; violation 1 was then dismissed upon motion of the Ohio Attorney General. Based on the evidence presented, the Commission found the permit holder in violation as to 2. The Commission issued a 15-day suspension beginning at noon, September 18, 2020, but gave the permit holder the option to pay a financial forfeiture in the amount of \$3,000.00 in lieu of serving the suspension.

- **MEDUSA RESTAURANT & LOUNGE LLC CLEVELAND, OH**

Violations:

No. 1: On or about Saturday, July 4, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: DISORDERLY ACTIVITIES as defined in Rule 4301:1-1-52(A)(2) and as further set forth in Section 2917.11(A)(5) of the Revised Code, in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

No. 2: On or about Saturday, July 4, 2020, you, your agent(s), and/or employee(s) while a permit for off-premises consumption was in effect knowingly and/or willfully failed to ensure that all patrons and staff maintain a distance of six feet or greater when possible for the health and safety of all individuals engaged in the transaction in violation of Emergency Order 4301:1-1-13(E) of the Ohio Admin. Code in effect on the date of the violation.

Outcome:

At the hearing, the permit holder entered a denial as to violation 1, but stipulated to the facts; violation 2 was then dismissed upon motion of the Ohio Attorney General. Based on the evidence presented, the Commission found the permit holder in violation as to 1. The Commission issued a 45-day suspension beginning at noon, September 18, 2020.

- **NIESE HOLDINGS LTD. PUT IN BAY, OH**

Violations:

No. 1: On or about Friday, July 3, 2020, you, your agent(s), and/or employee(s) assaulted, incited others to assault, hindered and/or obstructed an agent or employee of the Division of Liquor Control, an enforcement agent of the Department of Public Safety and/or an officer of the law from making an inspection and/or search of your permit premises while in the lawful performance of his duty in violation of Ohio Revised Code Section 4301.66 (“hindering inspection/search”).

No. 2: On or about Friday, July 3, 2020, you, your agent(s), and/or employee(s), knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: recklessly caused inconvenience, annoyance, or alarm to another by creating a condition that presents a risk of illness, by an act or acts that served no lawful and reasonable purpose of the permit holder in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to the violations. Based on the evidence presented, the Commission found the permit holder in violation as to 2, but not in violation as to 1. The Commission issued a 20-day suspension beginning at noon, September 18, 2020.

- **I LOVE THIS BAR LLC COLUMBUS, OH**

Violation:

No. 1: On or about Saturday, May 16, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: recklessly caused inconvenience, annoyance, or alarm to another by creating a condition that presents a risk of illness, by an act or acts that served no lawful and reasonable purpose of the permit holder in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to the sole violation. Based on the evidence presented, the Commission found the permit holder in violation as to the violation. The Commission issued a 15-day suspension beginning at noon, September 18, 2020.

- **HOTEL ON THE PARK INC. (DBA: PARK HOTEL GIFT SHOP) PUT IN BAY, OH**

Violation:

No. 1: On or about Saturday, June 27, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: recklessly caused inconvenience, annoyance, or alarm to another by creating a condition that presents a risk of illness, by an act or acts that served no lawful and reasonable purpose of the permit holder in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to the sole violation. Based on the evidence presented, the Commission found the permit holder in violation, but issued no penalty.

- **BLUM BAY LLC (DBA: ADVENTURE BAY) PUT IN BAY, OH**

Violation:

No. 1: On or about Saturday, June 27, 2020, you, your agent(s), and/or employee(s) knowingly and/or willfully allowed and/or engaged in improper conduct, to wit: recklessly caused

inconvenience, annoyance, or alarm to another by creating a condition that presents a risk of illness, by an or acts that served no lawful and reasonable purpose of the permit holder in and upon the permit premises in violation of Ohio Admin. Code 4301:1-1-52 (B)(1) (“allowing persons to engage in disorderly activities”).

Outcome:

At the hearing, the permit holder entered a denial as to the sole violation. Based on the evidence presented, the Commission found the permit holder in violation as to the violation. The Commission issued a 5-day suspension beginning at noon, September 18, 2020, but gave the permit holder the option to pay a financial forfeiture in the amount of \$750.00 in lieu of serving the suspension.

For information regarding future hearings docketed before the Commission, please see the Commission’s website at lcc.ohio.gov

The Liquor Control Commission is an adjudication and rule-making agency that oversees the alcohol beverage industry. The mission of the Commission is to ensure compliance with the liquor laws and regulations of the state of Ohio and to provide fair and impartial hearings for the protection of the public and liquor permit holders. The Commission works in conjunction with the Ohio Department of Commerce, Division of Liquor Control, and the Ohio Department of Public Safety, Investigative Unit.