

Good Neighbors Report

To: PS&L Committee

From: Attorney Nhu H. Arn

RE: **Dubai Hookah Lounge (formerly Zodiac Lounge, formerly Truths Sports Bar)**, Jacqueline Lagrone (Malachi Muhammad appeared in her place)

Meeting date: Thursday, December 5, 2019

PS&L meeting: N/A (referral after a formal expression of concern)

Departments attended: Police, Health, Building, Fire and Attorney

Topics Discussed:

- Name change: Mr. Muhammad indicated that the Zodiac Lounge is being renamed and will be known as the Dubai Hookah Lounge, starting in January.
- Loud noise complaints: Lt. Smith explained the importance of training employees of the bar to deal with rowdy patrons and provided tips to Mr. Muhammad regarding crowd control. It was also suggested to Mr. Muhammad that he may want to purchase sound deadening insulation in order to reduce the impact of noise and vibration on nearby neighbors, to which he was agreeable. Additionally, Mr. Muhammad indicated that he has opened a line of communication with his neighbors to address their concerns. He states that every one of the complainants should have his phone number at this time.
- Provocative advertisements: Lt. Smith explained to Mr. Muhammad that anytime the bar is advertising prohibited activities, such as illegal food sales or strippers, it will attract the attention of the police department (RPD) and other city officials. Additionally, Mr. Muhammad was advised that the events being advertised are not consistent with what he promised the committee. Mr. Muhammad states that he promotes many events such as poetry night, which never gains the attention of the committee. Nevertheless, Mr. Muhammad was advised that if he continues with this type of raunchy advertisement, he is likely to continue to receive citizen complaints.
- Maximum capacity limits: It was reintegrated that the maximum capacity for the bar is 80 people, which includes all staff and employees. Mr. Muhammad indicates he is aware of this and has a device to monitor the amount of people being let into the bar.
- Selling food without a license: Mr. Muhammad currently has a prepackaged restaurant license for the premises at 607 Sixth Street, which limits him to the sale of individually

wrapped single food servings prepared off-premises by a licensed processor, and with preparation limited to heating and serving.

- On 11/26/19, the Health Department received a complaint that he was selling homemade food without a license. The food was being prepared at the Junction Avenue location and transported to the Sixth Street location to be sold. However, the business does not have, nor has it ever obtained, a catering license. For this reason, such activities constitute the illegal sale of food and is prohibited. An inspection by the health department (HD) substantiated the complaint, which resulted in two large fines levied against the business. Mr. Muhammad disputes that he was ever made aware of such prohibitions prior to the HD visit, despite the language on his prepackaged restaurant license.
- Mr. Muhammad has now applied for a "Simple Restaurant" license, which would permit him to sell certain food items on that condition that a menu is first submitted and approved by the HD. However, the status of the license is currently stalled due to the lack of a mop sink at the premises, which is required to be reasonably located within the building. Mr. Muhammad has yet to comply with this requirement and as such, may not sell anything outside of what a prepackaged restaurant license permits at this time. Mr. Muhammad states that he intends to appeal the decision of the HD with respect to the mop sink. He further states he does not intend to sell any food from the premises for the time being.

Overall summary:

Mr. Muhammad is aware of the loud noise complaints lodged against him and seems to be open to taking steps to address these concerns. To succeed, it is important that he follow through with these things as discussed, and continue to cooperate with RPD. As far as the provocative advertisements are concerned, Mr. Muhammad does not seem to view this as a problem. Mr. Muhammad may or may not choose to modify his flyers, but he is aware that it has brought negative attention to his business thus far. With respect to the health code violations for illegal food sales, the HD has again clarified for Mr. Muhammad what he can and cannot do, so there should be no future violations.