

A G E N D A  
LIQUOR CONTROL ADJUDICATION BOARD  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI

DATE & TIME: DECEMBER 1, 2016, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM  
DAVID K. TRASK, JR. OFFICE BUILDING  
2145 KAOHU STREET, ROOM 108  
WAILUKU, MAUI, HAWAII 96793

**I. HEARINGS BEFORE THE BOARD:**

**A. COMPLAINT AND ACCUSATION NO. 2017-9, PLEA: GUILTY**

**In the matter of the accusation against LAHAINA PETROLEUM, LLC dba PAIA SHELL, Retail Beer & Wine License No. 126, 68 Hana Highway, Paia, Maui, Hawaii.**

Count 1. On June 13, 2015 at approximately 7:50 p.m., LAHAINA PETROLEUM, LLC dba PAIA SHELL, a retail beer & wine licensee, did, through its employee, sell, serve, or furnish liquor to a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.

Count 2. On June 13, 2015 at approximately 7:50 p.m., LAHAINA PETROLEUM, LLC dba PAIA SHELL, a retail beer & wine licensee, did, through its employee(s), fail to properly check the identification of a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-61(c) of the Rules of the Liquor Commission, County of Maui.

**B. COMPLAINT AND ACCUSATION NO. 2017-8, PLEA: NO CONTEST**

**In the matter of the accusation against MID PAC PETROLEUM, LLC dba MAKO'S MART, Retail General License No. 340, 129 Ma'a Street, Kahului, Maui, Hawaii.**

- Count 1. On June 12, 2015 at approximately 5:39 p.m., MID PAC PETROLEUM, LLC dba MAKO'S MART, a retail general licensee, did, through its employee, sell, serve, or furnish liquor to a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On June 12, 2015 at approximately 5:39 p.m., MID PAC PETROLEUM, LLC dba MAKO'S MART, a retail general licensee, did, through its employee(s), fail to properly check the identification of a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-61(c) of the Rules of the Liquor Commission, County of Maui.

**C. COMPLAINT AND ACCUSATION NO. 2017-10, PLEA: NO CONTEST**

**In the matter of the accusation against JUBE ENTERPRISES INC. dba PARADISE GRILL K.B., Dispenser General License No. 438, 2291 Kaanapali Parkway, Kaanapali, Maui, Hawaii.**

- Count 1. On August 6, 2016 at approximately 1:05 a.m., JUBE ENTERPRISES INC. dba PARADISE GRILL K.B., a dispenser general licensee, did, through its employee, sell, serve, or furnish liquor to a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On August 6, 2016 at approximately 1:05 a.m., JUBE ENTERPRISES INC. dba PARADISE GRILL K.B., a dispenser general licensee, did, through its employee(s), fail to properly check the identification of a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-61(c) of the Rules of the Liquor Commission, County of Maui.

**D. COMPLAINT AND ACCUSATION NO. 2017-6, PLEA: NOT GUILTY**

**In the matter of the accusation against AUMAKUA HOLDINGS INC. dba MAUI BREWING CO., Brewpub License No. 431, 605 Lipoa Parkway, Kihei, Maui, Hawaii.**

- Count 1. On June 20, 2015 between the approximate times of 12:00 p.m. and 5:00 p.m., AUMAKUA HOLDINGS INC. dba MAUI BREWING CO., a brewpub licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by a patron, who was at the time under the influence of liquor, drugs, or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(B) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(B) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On June 20, 2015 between the approximate times of 12:00 p.m. and 5:00 p.m., AUMAKUA HOLDINGS INC. dba MAUI BREWING CO., a brewpub licensee, did, through its employee(s), knowingly permit a patron, who was at the time under the influence of liquor, drugs, or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, to be or remain in or on the licensed premises, contrary to Section 281-78(b)(5) of the Hawaii Revised Statutes and Section 08-101-60(b)(5) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On June 20, 2015 between the approximate times of 12:00 p.m. and 5:00 p.m., AUMAKUA HOLDINGS INC. dba MAUI BREWING CO., a brewpub licensee, did, through its employee(s), fail to exercise due care, as defined in Section 08-101-5 of the Rules of the Liquor Commission, in determining whether a patron was under the influence of liquor, drugs, or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(11) of the Rules of the Liquor Commission, County of Maui.

**E. COMPLAINT AND ACCUSATION NO. 2017-7, PLEA: NOT GUILTY**

**In the matter of the accusation against BCHT CORPORATION dba STOPWATCH SPORTSBAR AND GRILL, Dispenser General License No. 144, 1127 Makawao Avenue, Makawao, Maui, Hawaii.**

- Count 1. On July 22, 2016 at approximately 10:50 p.m., BCHT CORPORATION dba STOPWATCH SPORTSBAR AND GRILL, a dispenser general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by a patron, who was at the time under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(B) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(B) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On July 22, 2016 at approximately 10:50 p.m., BCHT CORPORATION dba STOPWATCH SPORTSBAR AND GRILL, a dispenser general licensee, did, through its employee(s), knowingly permit a patron, who was at the time under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, to be or remain in or on the licensed premises, contrary to Section 281-78(b)(5) of the Hawaii Revised Statutes and Section 08-101-60(b)(5) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On July 22, 2016 at approximately 10:50 p.m., BCHT CORPORATION dba STOPWATCH SPORTSBAR AND GRILL, a dispenser general licensee, did, through its employee(s), fail to exercise due care, as defined in Section 08-101-5 of the Rules of the Liquor Commission, in determining whether a patron was under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(11) of the Rules of the Liquor Commission, County of Maui.
- Count 4. On July 22, 2016 at approximately 10:50 p.m., BCHT CORPORATION dba STOPWATCH SPORTSBAR AND GRILL, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules

applicable to the business of the licensee by allowing patrons to smoke cigarettes within 20 feet of its entrance, contrary to Section 281-38 of the Hawaii Revised Statutes and Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui.

- Count 5. On July 22, 2016 at approximately 10:50 p.m., BCHT CORPORATION dba STOPWATCH SPORTSBAR AND GRILL, a dispenser general licensee did, through it's employee, provide more than two drinks of any liquor to individual patrons at one time, contrary to Section 08-101-84(b) of the Rules of the Liquor Commission, County of Maui.

## **II. ADJOURNMENT**

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON JANUARY 5, 2017, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 108, WAILUKU, MAUI, HAWAII.

If you require an auxiliary aid or accommodation due to a disability, please contact the Director three working days prior to the scheduled hearing. The request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, or by calling 243-7753.