

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

OFFICE OF THE  
COUNTY CLERK

2018 JUL 17 AM 9:12

RECEIVED

DATE & TIME: AUGUST 2, 2018, 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. 2018-16, PLEA: NO CONTEST**

**In the matter of the accusation against LAHAINA BREWERY, INC. dba KOHOLĀ BREWERY, Brewpub General License No. 396, 910 Honoapiilani Highway, Unit #55, Lahaina, Maui, Hawaii.**

- Count 1. On March 28, 2018, LAHAINA BREWERY, INC. dba KOHOLĀ BREWERY, a brewpub general licensee, did fail to provide any information, documents, books, or records requested by the commission, board, or the department, contrary to Section 08-101-60(b)(14) of the Rules of the Liquor Commission, County of Maui.
  
- Count 2. On March 28, 2018, LAHAINA BREWERY, INC. dba KOHOLĀ BREWERY, a brewpub general licensee, failed to have available on the licensed premises a time sheet showing in English the legal first name and surname of all employees, including and not limited to managers, assistant managers, and employees approved by the director, when such employee is on duty, contrary to Section 08-101-70(f) of the Rules of the Liquor Commission, County of Maui.
  
- Count 3. On March 28, 2018, LAHAINA BREWERY, INC. dba KOHOLĀ BREWERY, a brewpub general licensee, did fail to exercise due care to ensure that no person or employee actively engaged in the sale or serving of liquor, or while on duty, be permitted to consume any alcoholic beverages, contrary to Section 08-101-80(a)(b) of the Rules of the Liquor Commission, County of Maui.

**B. COMPLAINT AND ACCUSATION NO. 2018-17, PLEA: NOT GUILTY**

**In the matter of the accusation against DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, Dispenser General License No. 383, 844 Front Street, Lahaina, Maui, Hawaii.**

- Count 1. On October 31, 2017, at approximately 10:24 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), fail to ensure that aisles or walkways were cleared of any congestion or blockage which would prevent any person from moving freely within any aisle or walkway, or entry to or exit for the premises, contrary to Section 08-101-90(b) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On October 31, 2017, at approximately 10:24 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), allow liquor consumption and/or service within the areas for dancing, music and entertainment, contrary to Section 08-101-99(a)(7) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On October 31, 2017, at approximately 10:24 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, to wit, by permitting smoking on the licensee's premises in violation of H.R.S. Section 328J-3(4), which is contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui.
- Count 4. On October 31, 2017, at approximately 10:24 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), serve more than two drinks of any liquor at one time to an individual, contrary to Section 08-101-84(b) of the Rules of the Liquor Commission, County of Maui.

- Count 5. On October 31, 2017, at approximately 10:24 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), permit dancing or entertainment in areas not designated or approved by the Director, contrary to Section 08-101-23(a) of the Rules of the Liquor Commission, County of Maui.
- Count 6. On October 31, 2017, at approximately 10:24 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), permit a person to display a portion of the female breast below the top of the areola, contrary to Section 08-101-23(f)(3) of the Rules of the Liquor Commission, County of Maui.
- Count 7. On October 31, 2017, at approximately 11:43 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), fail to remove all empty glasses and containers by persons serving the customers at the time of and before serving another drink, contrary to Section 08-101-84(e) of the Rules of the Liquor Commission, County of Maui.
- Count 8. On October 31, 2017, at approximately 11:43 p.m., DIRTY MONKEY LAHAINA LLC dba THE DIRTY MONKEY, a dispenser general licensee, did, through its employee(s), permit a person to display a portion of the female breast below the top of the areola, contrary to Section 08-101-23(f)(3) of the Rules of the Liquor Commission, County of Maui.

**C. COMPLAINT AND ACCUSATION NO. 2018-18, PLEA: NOT GUILTY**

**In the matter of the accusation against WAI GROUP LLC dba WAI BAR, Dispenser General License No. 174, 45 N. Market Street, Unit B, Wailuku, Maui, Hawaii**

- Count 1. On February 4, 2018, WAI GROUP LLC dba WAI BAR, a dispenser general licensee, did fail to ensure that aisles or walkways were cleared of any congestion or blockage which would prevent any person from moving freely within any aisle or

walkway, contrary to Section 08-101-90(b) of the Rules of the Liquor Commission, County of Maui.

- Count 2. On February 4, 2018, WAI GROUP LLC dba WAI BAR, a dispenser general licensee, did allow liquor consumption and/or service on areas for dancing, music and entertainment, contrary to Section 08-101-99(a)(7) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On February 4, 2018, WAI GROUP LLC dba WAI BAR, a dispenser general licensee, permitted dancing or entertainment in areas not designated and approved by the director, contrary to Section 08-101-23(a) of the Rules of the Liquor Commission, County of Maui.
- Count 4. On February 4, 2018, WAI GROUP LLC dba WAI BAR, a dispenser general licensee, failed to have available on the licensed premises, a time sheet showing in English the legal first name and surname of all employees, including and not limited to managers assistant manager, and employees approved by the director, when such employee is on duty, contrary to Section 08-101-70(f) of the Rules of the Liquor Commission, County of Maui.
- Count 5. On February 4, 2018, WAI GROUP LLC dba WAI BAR, a dispenser general licensee, failed to remove all empty glasses and containers at the time of or before serving another drink, contrary to Section 08-101-84(e) of the Rules of the Liquor Commission, County of Maui.
- Count 6. On February 4, 2018, WAI GROUP LLC dba WAI BAR, a dispenser general licensee, modified the licensed premises other than what was submitted to the commission at the time of application, to wit, by promoting and utilizing the "outdoor arcade lounge" area, which is contrary to Section 08-101-98(b) of the Rules of the Liquor Commission, County of Maui.

## II. ADJOURNMENT

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON SEPTEMBER 6, 2018, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL

AGENDA  
August 2, 2018  
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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.