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AGENDA
LIQUOR CONTROL ADJUDICATION BOARD
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI

OFFICE OF THE
COUNTY CLERK

DATE & TIME: DECEMBER 6, 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. 2018-25, PLEA: NO CONTEST

In the matter of the accusation against FABIANI'S WAILEA, LLC dba FABIANI'S WAILEA, Dispenser General License No. 446, 34 Wailea Gateway, Suite A-101, Wailea, Maui, Hawaii.

Count 1. On April 21, 2018, FABIANI'S WAILEA, LLC dba FABIANI'S WAILEA, a dispenser general licensee, did, through its employee(s), 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 April 21, 2018, FABIANI'S WAILEA, LLC dba FABIANI'S WAILEA, 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.

B. COMPLAINT AND ACCUSATION NO. 2018-26, PLEA: NO CONTEST

In the matter of the accusation against TANIZAKI, LTD. dba PUKALANI SUPERETTE, Retail General License No. 137, 15 Makawao Avenue, Pukalani, Maui, Hawaii.

Count 1. On April 19, 2018, TANIZAKI, LTD. dba PUKALANI SUPERETTE, a retail general licensee, did, through its

employee(s), 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 April 19, 2018, TANIZAKI, LTD. dba PUKALANI SUPERETTE, 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. 2018-28, PLEA: NOT GUILTY

In the matter of the accusation against HYATT CORPORATION dba HYATT REGENCY MAUI, Hotel License No. 287, 200 Nohea Kai Drive, Kaanapali, Maui, Hawaii.

- Count 1. On December 31, 2017, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel 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 2. On December 31, 2017, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel licensee, did, through its employee(s), fail to remove all empty glasses and containers by persons serving the customers 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 3. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY HOTEL, a hotel 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 4. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel 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 5. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel licensee, failed to prevent liquor consumption and/or service in restrooms, which is contrary to Section 08-101-99(a)(6) of the Rules of the Liquor Commission, County of Maui.
- Count 6. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel licensee, did, through its employee(s), permit dancing or entertainment in area(s) other than what was designated and approved by the director, contrary to Section 08-101-23(a) of the Rules of the Liquor Commission, County of Maui.
- Count 7. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel licensee, failed to comply with all conditions placed on any permit issued by the department or the commission, contrary to Section 08-101-27(c) of the Rules of the Liquor Commission, County of Maui.
- Count 8. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel licensee, did, through its employee(s), permit liquor to be removed from the premises of the licensee or permit any liquor to be removed by a patron from the designated area for liquor consumption regardless whether or not it was purchased, contrary to Section 08-101-60(b)(10) of the Rules of the Liquor Commission, County of Maui.
- Count 9. On January 1, 2018, HYATT CORPORATION dba HYATT REGENCY MAUI, a hotel licensee, failed to have sufficient lighting to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where liquor is sold, served, delivered, or consumed and or failed to have the exterior of the licensed

premises well and properly lighted, contrary to Section 08-101-92 of the Rules of the Liquor Commission, County of Maui.

II. ADJOURNMENT

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON FEBRUARY 7, 2019, 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.