

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600 • HONOLULU, HAWAII 96813-5249
PHONE: (808) 768-7300 • FAX: (808) 591-2700 • TOLL-FREE PHONE: 1-800-838-9976 (select "4")
E-mail address: liquor@honolulu.gov • INTERNET: www.honolulu.gov/liq

MUFI HANNEMANN
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CO-VICE CHAIR

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COMMISSIONER

DEWEY KIM, JR.
ADMINISTRATOR

Media Contact:
David Sayre
221-5025
sayrepr@aol.com

Commission revokes liquor license for Café Xyloh

- Commission also fines Sushi Ten Waikele, Smith's Union Bar, Bay Drive Market, Keolu Market, Pearl City Market, Foodland Super Market, Ltd. No. 3, and Paz Liquor & Grocery for selling, serving or furnishing liquor to a minor -

HONOLULU (March 9, 2009) – The Honolulu Liquor Commission (HLC) took the following action at its 32nd meeting of the fiscal year on March 5, 2009.

- The Commission revoked the license of **Café Xyloh** for two additional violations of Section 281-78(b)(1)(A), HRS (selling, serving or furnishing liquor to a minor). The licensee currently is serving a 30-day license suspension for similar violations. In a related matter, the Commission denied a Motion for Reconsideration of Decision and Order for LCV Nos. 2009-0011, 2009-0014, 2009-0017, and 2009-0035. In addition, the Commission heard **Café Xyloh's** presentation of a written business and security plan in accordance with Findings of Fact, Conclusions of Law, Decision and Order, adopted on Feb. 19, 2009.
- **Sushi Ten Waikele** (no contest), **Smith's Union Bar** (no contest), **Bay Drive Market** (admitted to the allegations), **Keolu Market** (admitted to the allegations), and **Pearl City Market** (admitted to the allegations) each were fined \$1,000 for violation of Section 281-78(b)(1)(A), HRS (selling, serving or furnishing liquor to a minor).
- **Foodland Super Market, Ltd. No. 3** (no contest) and **Paz Liquor & Grocery** (no contest) each were fined \$1,000 for violation of Section 281-78(b)(1)(A), HRS (selling, serving or furnishing liquor to a minor). The Commission suspended \$250 of each fine provided the licensees receive no similar violation within one year.
- **Club Romantei** (no contest) was fined a total of \$500 for two violations of Rule 3082-38.5(a) (non-registered employee) and fined \$250 for violation of Rule 3082-38.5(e) (licensee failed to ensure that its employee have his/her certificate of registration for the licensed premises readily available for inspection while on duty).

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During the public hearings portion of the meeting, the Commission:

- Approved the application from **SEASIDE 364, LLC (dba Matteo's Italian Restaurant)** for a Restaurant General license (Cat. No. 2 – Live entertainment or Recorded Music and Dancing) at 364 Seaside Ave. (lobby level of **Marine Surf Waikiki**). In a related matter, the Commission found there was good cause shown and did not rescind an earlier Commission action granting a Dispenser General license for applicant **Seaside 364, LLC (dba MSW Café)** on May 18, 2006.
- Approved applications from **Target Corporation (dba Target Store T-2410 and Target Store T-2411)** for Retail General licenses at 4380 Lawehana St. and at 4450 Kapolei Parkway, Suite 100.

During the preliminary hearings and license application, and requests portion of the meeting, the Commission:

- Approved the application from **Village Roadshow Theme Parks USA Inc.** for the transfer of the business and Dispenser General license (Cat. No. 3 – Live entertainment or Recorded Music and Dancing) of **The Waters of Kapolei, L.L.C. (dba Hawaiian Waters Adventure Park)** at 400 Farrington Hwy. The Commission requested the applicant meet with HLC enforcement staff to review its security plan prior to the public hearing. The Commission also approved a Temporary Dispenser General license and required that any special events be discussed with HLC enforcement staff prior to the event.
- Approved the application from **Hard Rock Café International (STP), Inc. (dba Hard Rock Café)** for a Restaurant General license (Cat. No. 2 – Live entertainment or Recorded Music and Dancing) at 280 Beach Walk.
- Approved the request from **F.L. Inc. (dba Don Ho's Island Grill)** to temporarily extend its licensed premises from 3 p.m. to 10 p.m. on March 21, 2009.
- Approved the request from **Waikiki Shore Beach Shop, a General Partnership (dba Waikiki Shore Beach Shop)** for notification of conversion to **Waikiki Shore Beach Shop LLC, a limited liability company**, and for a notification of change of ownership interest.

During the other business portion of the meeting, the Commission:

- Found good cause to be shown and did not rescind application No. 46 from **Genius Lounge Inc.** at 346 Lewers St. for a Restaurant General license (Cat. No. 2 – Live entertainment or Recorded Music and Dancing). The Commission had granted the application on Aug. 30, 2007, but the license was not yet issued. In addition, the Commission requested a progress report in five months.
- Heard a weekly report on administrative matters from the Liquor Administrator.
- Heard from Chair Enomoto that he had appointed Commissioner Gregg Hammer as co-vice chair of the Commission.

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The Honolulu Liquor Commission aims to promote our community's health, safety and welfare by effectively and fairly administering and enforcing Hawaii's liquor laws. For more information about the Commission, please visit www.honolulu.gov/liq.

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