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LC Watch

Maui's Footloose Rule

by By Anthony Pignataro

write the author

October 05, 2006

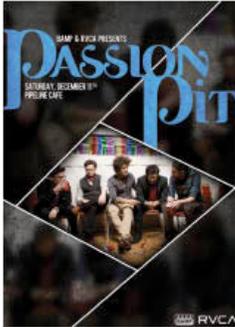
The prohibition on dancing in bars and restaurants is unquestionably one of the Maui County Department of Liquor Control's most questionable rules. Most cities and counties are content to let fire departments patrol such places and decide capacity size and so forth.

But on Maui, it's the LC that decides if and where a person can dance at a nightclub—usually, in a taped-off zone specially designated for such purpose. Any dancing anywhere else in the club—next to a table, at the bar, in the line streaming into the ladies' room—whether by one person or a dozen, is a violation and could bring heavy fines on the club's owner. But what act or series of acts constitute dancing remain a mystery.

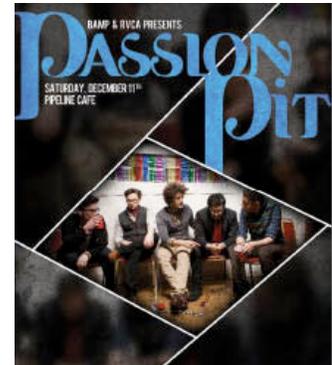
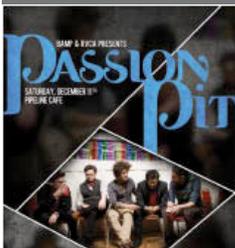
"I have asked on a number of occasions what the parameters for dancing are," Anthony Simmons of "Maui Dance Advocates" emailed me recently on this issue. "[I]s tapping your toe dancing; is swaying back and forth dancing? I have yet to get an actual response."

There might be hope for Simmons and the alleged legions of island residents who sympathize with him. On Oct. 11, the Maui County Liquor Commission will actually discuss the subject at the end of the usual monthly hearing. Now this is not a public rule change hearing, like that held last month on the issue of carding old people, but a mere discussion prompted by a curious undated letter sent to the LC's Board of Adjudication.

"The [Liquor Commission's rules] says that dancing is prohibited without a



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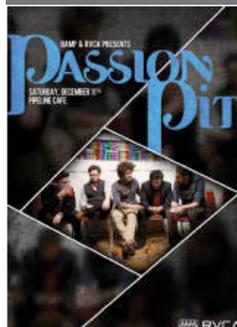
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regulated dance floor, but it does not specify what dancing is," Olinda resident Ramoda Anand wrote. He identified himself as a 21-year-old MCC student confined to a wheelchair by Cerebral Palsy. In response, LC Director Franklyn Silva—at Adjudication Board prompting—replied on Sept. 8 that the Liquor Commission would take up his "request" at their Oct. 11 hearing.

Commission hearings start at 9 a.m., and take place in Room 107 of the David K. Trask building, located at 2145 Kaohu Street in Wailuku. No word on whether they'll allow dancing during the hearing.



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