



PORTLAND MAINE

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Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

NOTICE OF VIOLATION

June 9, 2008

Zarras Monument Coffee House
24 Monument Square
Portland, Maine 04101

RE: 24 Monument Square
CBL: 027-F003

Hand Delivery

Dear 22 Monument Square LLC:

An inspection at the above referenced address revealed outdoor dining being conducted with out benefit of a permit. A permit is required for this activity under section 25-26 of the City of Portland Code of Ordinances.

Section 25-26 states: DIVISION 2. PERMIT Required

(a) No person shall place or cause to be placed in or on, or shall suspend over any street, way or public place in the city any article or thing whatsoever, including but not limited to portable sidewalk signs, except under a duly authorized permit therefor issued pursuant to the provisions of this division.

Except during declared festivals or other approved events that require a sidewalk occupancy permit under this section, this section shall not apply to a table or other structures used by (1) street artists to create or sell works of art or (2) individuals who set up a table and/or chairs in compliance with chapter 19, article II, sec. 19-24 subparagraph (a)(1),(2),(5) and (6), to engage in an activity other than commercial speech, protected by the first amendment to the United States and Maine Constitution including but not limited to the distribution of political or religious literature, or the gatherings of signatures on petitions.

(b) No person shall expand a food service establishment to the outside on any street, way or public place in the city except under a duly authorized outdoor dining permit issued pursuant to the provisions of this division. (Code 1968, § 703.7; Ord. No. 370-78, 7-5-78; Ord. No. 353-84, § 1, 4-23-84; Ord. No. 57-05/06, 9-19-05; Ord. No. 93-07/08, 3-3-08)

This is a **STOP WORK ORDER** pursuant to Section 114.1 of the International 2003 Building Code. All outside dining activity at the above referenced property must **STOP IMMEDIATELY and all outside table and chairs must be removed.**

You may resume outside dining activity only after issuance of the appropriate permit and the subsequent lifting of this order. Outside Dining Applications are available in this office, Room 315 at Portland City Hall, from 8:00 a.m. to 4:00 p.m. weekdays except holidays.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection and \$75.00 fee will be assessed. If there are any subsequent inspections, \$75.00 fee will be assessed for each inspection.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision within 10 days of the date of this letter pursuant to Chapter 6 Section 112 of the City of Portland Code of Ordinances. Please feel free to contact me at 874-8707, if you wish to discuss the matter or have any questions.

Sincerely,

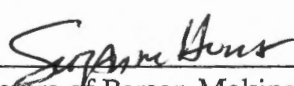
Suzanne Hunt
Code Enforcement Officer

**City of Portland
Inspection Services
RETURN OF SERVICE**

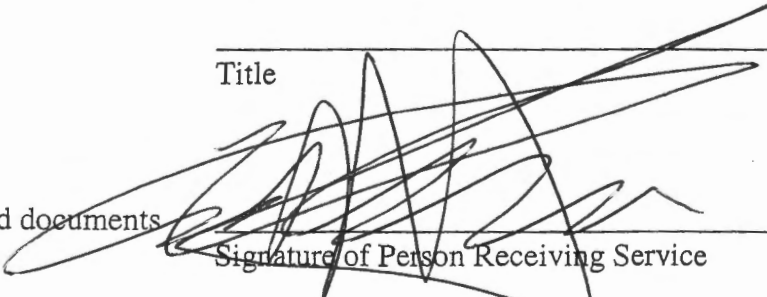
On the 10th day of June, 2008, I made service of the
Zarras Monument Coffee House upon _____
at 24 Monument SQ

- By delivering a copy in hand.
- By leaving copies at the individual's dwelling house or usual place of abode with a person of suitable age or discretion who resides therein and whose name is _____
- By delivering a copy to an agent authorized to receive service of process, and whose name is _____
- By (describe other manner of service) _____

DATED: June 10- 2008


Signature of Person Making Service

Title

I have received the above-referenced documents _____

Signature of Person Receiving Service

- Refused to Sign
- Unable to Sign