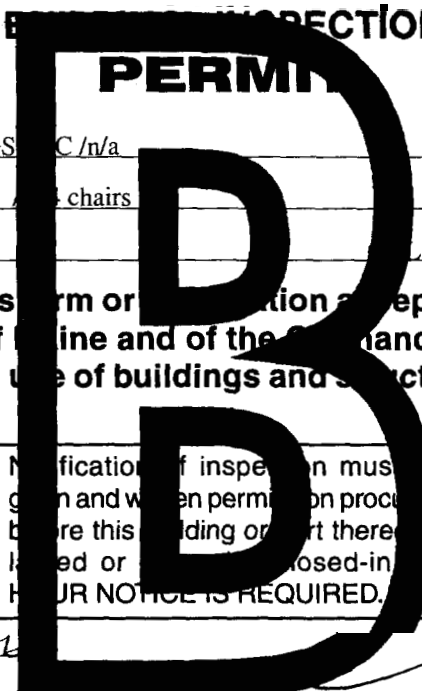


DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

PERMIT ISSUED

Please Read Application And Notes, If Any, Attached



Permit Number: 060424
APR 25 2006

This is to certify that VENTURE III HOLDINGS C/n/a

has permission to Outdoor Seating 6 tables / chairs

AT 18 MONUMENT SQ 027 F005001

CITY OF PORTLAND

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission is procured before this building or part thereof is opened or closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. Case 4-12-06

Health Board

Other Department Name

[Handwritten signature]
4/21/06

Director - Building & Inspection Service

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 06-0424	Issue Date: 03/30/06	CBL: 027 F005001
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18 MONUMENT SQ	VENTURE III HOLDINGS LLC	199 ELDERBERRY DR
Business Name:	Contractor Name: n/a	Contractor Address: n/a Portland
Lessee/Buyer's Name	Phone:	Permit Type: <u>CITY</u> Outdoor Seating
Past Use: Commercial	Proposed Use: Commercial Outdoor Seating 6 tables /24 chairs	Permit Fee: Cost of Work: CEO District: \$0.00 1
Proposed Project Description: Outdoor Seating 6 tables / 24 chairs		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group <u>C3</u> Type: <u>City Ordinance</u>
		Signature: <u>[Signature]</u> PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: Date:

Permit Taken By: dmartin	Date Applied For: 03/30/2006	Zoning Approval		
<p>1.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</p>		Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Denied Date: <u>3/11/06</u>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved Date:	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:

CERTIFICATION

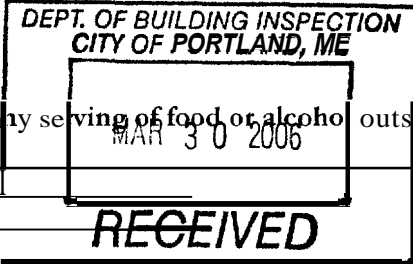
I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



Outdoor Seating Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>18 Monument Square Portland, M 04101</u>		
Total Square Footage of Proposed Structure <u>outside seating 324 sq ft.</u>	Square Footage of Lot <u>outside seating 324 sq ft.</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>027</u> Block# <u>F</u> Lot# <u>005</u>	Owner: <u>Venture III Holdings, LLC</u>	Telephone: <u>(207) 772-2626</u>
Lessee/Buyer's Name (If Applicable)	Owner's/Purchaser/Lessee Address <u>199 Elderberry Drive South Portland, ME 04106</u>	cost Of Work: \$ _____ Fee: \$75.00
Current use: <u>restaurant</u> Business name: <u>Shays Grill Pub</u> If the location is currently vacant, what was prior use: _____ Approximately how long has it been vacant: _____ Proposed use: <u>outside seating for 6 tables with 24 chairs enclosed with chains</u> Project description: <u>Outside Seating</u> How many chairs? <u>24</u> How many tables? <u>6</u> Please contact the City Clerk's Office @ 874-8557 before you commence any serving of food or alcohol outside.		
Contractor's name: _____ Address & telephone: _____		

Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: A McEaney | Date: 3/29/06

This is not a permit; you may not commence ANY work until the permit is issued.



Outdoor Seating/ Dining On Private and/or City Property

Permits are required for expanding eating facilities (tables and chairs) to the outside whether it is on private and/or City Property. The fee is based on the cost of work (which in most cases would be less than \$1,000 or, a fee of \$75.00). The permit is good for one year and covers the time period April 15* thru September 30th of that same year. **The permit must be renewed each year prior to commencing the activity.**

All of the following information is required and must be submitted. You will also be required to fill out an Outdoor Seating Permit Application.

A plot plan is required and must include:

- A drawing of the lot, where the building sits on the lot along with the lot and building dimensions
- The dimensional setback from the sidewalk to the building
- The location of the street, and if it's a corner lot, the intersecting streets
- The sidewalk along with its width and curbing location
- The location of the table and chair placement

Additional requirements include:

- The tables and chairs need to be placed on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the placement of the tables and chairs creates a public safety hazard, the municipality may require them to be removed or relocated to a more suitable location.
- The sidewalk area where the tables and chairs are located must be kept neat and free from litter and debris.
- You are required to produce and maintain public liability insurance coverage in an amount of not less than three hundred thousand (\$300,000) combine single limit for bodily injury, death and property damage. If the tables and chairs are on City property, the City will need to be named as additional insured.
- No food shall be prepared outside.
- If alcohol is to be served, you will need to notify the City's Business Licensing Office in room 203 of City Hall or call 874-8557. Additionally, State law requires that any outdoor area serving alcohol be segregated from the rest of the public.
- If the seating area is located on City Property, the owner of the establishment will need to sign the following indemnifying statement.

Conditions for Sidewalk Occupancy Permit

Written consent and agreement relating to occupancy of the City of Portland sidewalk in the front, side, and or rear of the building at the stated location: 18 Monument Squa; in Portland, Maine, by the owner of the establishment being: McGonigals, Inc., doing business as: Shays Grill Pub, hereby, to the fullest extent permitted by law, shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against **all claims**, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signed and acknowledged: C. McEneaney Date: 3/27/06
Establishment owner



SCOTTSDALE INSURANCE COMPANY

**COMMERCIAL GENERAL LIABILITY COVERAGE PART
SUPPLEMENTAL DECLARATIONS**

CPS0690688

Effective Date

05/20/2005
12:01 A.M., Standard Time

Insured MCGONIGAL'S INC. DBA SHAY'S

Agent No.

34001

Item 1. Limits of Insurance

Coverage	Limit of Liability
Aggregate Limits of Liability	Products/Completed Operations Aggregate \$ <u>2,000,000</u> General Aggregate (other than Products/Completed Operations) \$ <u>2,000,000</u>
Coverage A - Bodily Injury and Property Damage Liability	any one occurrence subject to the Products/Completed Operations and General Aggregate Limits of Liability \$ <u>1,000,000</u>
Damage to Premises Rented to You Limit	any one premises subject to the Coverage A occurrence and the General Aggregate Limits of Liability \$ <u>100,000</u>
Coverage B - Personal and Advertising Injury Liability	any one person or organization subject to the General Aggregate Limits of Liability \$ <u>1,000,000</u>
Coverage C - Medical Payments	any one person subject to the Coverage A occurrence and the General Aggregate Limits \$ <u>5,000</u>

Item 2. Description of Business

Form of Business:

- Individual
 Partnership
 Joint Venture
 Trust
 Limited Liability Company
 Organization including a corporation (other than Partnership, Joint Venture or Limited Liability Company)

Location of All Premises You Own, Rent or Occupy:

SAME AS MAILING

Item 3. Forms and Endorsements

Form(s) and Endorsement(s) made a part of this policy at time of issue:

See Schedule of Forms and Endorsements

Item 4. Premiums

Coverage Part Premium:	\$ 2,875
Other Premium:	\$
Total Premium:	\$ 2,875

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD