

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING DEPARTMENT

PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED
 Permit Number: 050272
MAR 25 2005
CITY OF PORTLAND

This is to certify that One Monument Way Llc / Applicant

has permission to Outdoor seating for 16 seats

AT 34 City Ctr

027 F011001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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 written permission procured before this building or part thereof is altered or closed-in. **HEAVY 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. *A. Binney*

Health Dept. _____

Appeal Board _____

Other _____

DepartmentName

Jamie Bourke 3/24/05
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit

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

Permit No: 05-0272	Date Applied For: 0311612005	CBL: 027 F011001
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Location of Construction: 34 City Ctr	Owner Name: One Monument Way Llc	Owner Address: One Monument Way	Phone:
Business Name:	Contractor Name: Applicant	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	

Commercial outdoor seating for 16 seats	Proposed Project Description: Outdoor seating for 16 seats
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Dept: Zoning **Status:** Approved **Reviewer:** Marge Schmuckal **Approval Date:** 03/21/2005
Note: **Ok to Issue:**

1) All outdoor seating is subject to adjustment at any time from the City's traffic engineer who ensures that the City sidewalk is open and cleared for pedestrian use.

Dept: Building **Status:** Approved **Reviewer:** Jeanine Bourke **Approval Date:** 03/24/2005
Note: **Ok to Issue:**

Dept: Fire **Status:** Approved **Reviewer:** Lt. MacDougal **Approval Date:** 03/21/2005
Note: **Ok to Issue:**

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: One Monument way (outdoor)

Total Square Footage of Proposed Structure <u>6x8 + 4x8</u>	Square Footage of Lot
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Tax Assessor's Chart, Block & lot Number Chart# <u>27</u> Block# <u>F</u> Lot# <u>011</u>	Owner: <u>One Monument way LLC</u>	Telephone#: <u>773-0225</u>
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Lessee/Buyer's Name (If Applicable) <u>Binger's Inc</u>	Owner's/Purchaser/Lessee Address: <u>One Monument way LLC</u>	Cost Of Work: <u>\$0</u> Fee: <u>\$75.00</u>
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rw jo
16

RECEIVED

Contractor's Name, Address & Telephone:

Applicants Name, Address & Telephone:

Who should we contact when the permit is ready: TRINIA'S

Telephone: 772-7333 J.D.

If you would like the permit mailed, what mailing address should we use:

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED.

AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

Certification

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: <u>[Signature]</u>	Date: <u>3/16/05</u>
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Inspection Services
Michael J. Nugent, Manager



Department of Urban Development
Joseph Gray, Jr. Director

CITY OF PORTLAND

OUTSIDE 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 after obtained is covered from April 15" thru September 30" of that same year. **This is a permit that you must renew every year prior to commencing the activity.**

The following will have to be included as **part** of your submissions. Please note that you will also **fill** out a standard building permit. We have deleted many of the unnecessary requirements that are related to a structural building permit hoping to make the process easier for the applicant.

A plot plan showing the following:

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

The tables and chairs shall 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 establishment shall comply with the request of the Municipality to relocate the chairs and tables to a more suitable location.

The establishment shall keep the sidewalk area where the tables **and** chairs are located neat and free from litter and debris.

The establishment shall 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. The City **will** be named as **an** additional insured thereon if the chairs and tables **on** City property.

No food shall be prepared outside. If alcohol is to be served, we need to be notified. State law requires that the area be segregated from the rest of the public. **Please contact the Licensing Department at 207-874-8557 before you commence any serving of alcohol outside.**

If the establishment is to be **on** City Property **an** indemnifying statement shall be signed by the establishment (owner). Please read the attached and sign.

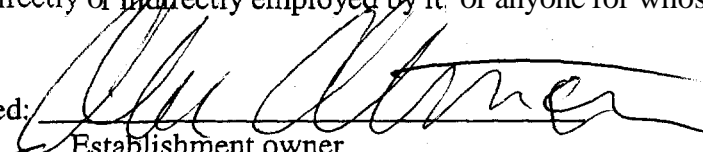


C/B/L: _____

CONDITIONS FOR SIDEWALK OCCUPANCY PERMIT

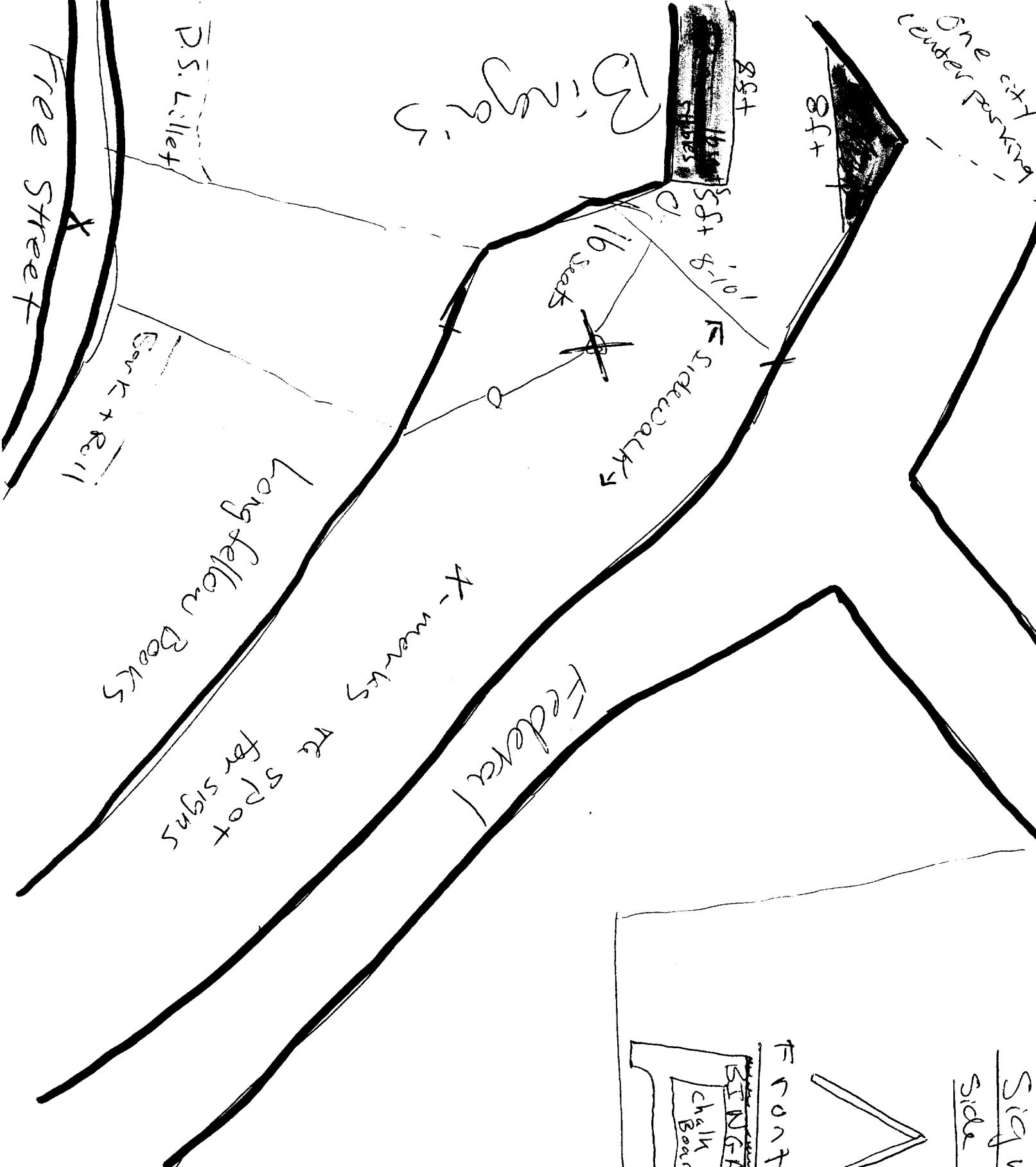
Written consent and agreement relating to occupancy of the City of Portland sidewalk in the front, side, and or rear of the building at the stated location: One Monument way, Binger's; in Portland, Maine, by the owner of the establishment being: Binger's Inc., doing business as: Binger's, hereby, to 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 therefrom, 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:

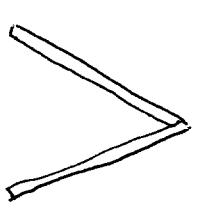

Establishment owner

Date:

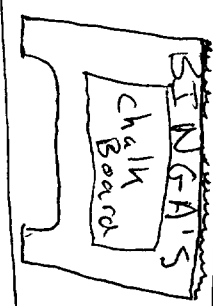
3/16/04



Singa's
Side views



FRONT VIEW



Roped off Area
for 16 Seats

ONE MONUMENT WAY, LLC
One Monument Way
Portland, Maine 04101
Telephone (207)773-0225
Facsimile (207)773-8832

March 14,2005

City of Portland
389 Congress Street
Portland, ME 04101

Dear Sir or Madam,

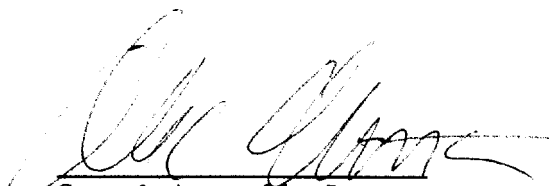
This letter is to confirm that Kim Volk of One Monument Way, LLC ("Lessor"), the owner of the building located at 6-15 Monument Square and 9-17 Free Street and referred to as One Monument Way, does hereby give permission to Alec Altman and J. D. Way of Bingers, Inc. dba Binga's ("Lessee"), to have two sidewalk signs and have outdoor seating next to the building as long as it does not obstruct pedestrian foot traffic entering and leaving the One City Center Parking Garage, in a manner consistent with the City's recommendation.

Lessor reserves the right to approve sign design before installation.

Sincerely,



Kim Volk



Seen & Agreed by Lessee

By: Alec Altman
Binger's Inc. dba Binga's
Its: President