



090473
P.P.B. 1

Outdoor Dining 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.

<input type="checkbox"/> New Application for Outside Dining <input checked="" type="checkbox"/> Renewal Application for Outside Dining		
City Clerk signature for liquor license approval: _____ or Pending Council Date _____		
Location/Address of Outdoor Seating: <u>8 Milk St.</u>		
Total Square Footage of Proposed Seating Area ¹ <u>8459 Feet</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>02a</u> Block# <u>Boo1</u> Lot# <u>001</u>	Phone#: <u>749-7388</u>	Owner: <u>W.H. - LLC</u>
Applicant * must be owner or Lessee Name: <u>Joe Mcbonyl</u> Address: <u>8 Milk St</u> City, State & Zip: <u>Portland ME 04101</u>	Lessee/Buyer's Name: (If Applicable) <u>Joe Mcbonyl</u>	Annual Fee: \$80 Total Sq. Ft. _____ Sq. Ft. Fee: \$ _____ Total Fee: \$ _____
Current use: <u>Coffee Shop / cafe</u> Business name: <u>The Crooked Mile</u>		
Seating area dimensions: _____ How many chairs? <u>8</u> How many tables? <u>4</u> <input type="checkbox"/> Yes Alcohol is served. <input checked="" type="checkbox"/> No Alcohol being served.		
Who should we contact for the pre-inspection: <u>Joe Mcbonyl</u> Mailing address: <u>8 Milk St</u> Phone: <u>749-7388</u>		

MAY 20 2009

Please submit all of the information outlined in the Outdoor Dining Application Checklist. 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: [Handwritten Signature]

Date: 5-20-09

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee. **This is not a permit; you may not commence ANY work until the permit is issued.**



OUTDOOR DINING PERMIT CHECKLIST

Permits are required for expanding food service establishments to the outside on City Property. The annual fee is \$80.00 plus \$2.00 per square foot of dining area on streets, sidewalks or other public ways and \$80.00 plus \$6.00 per square foot of dining area in city parks. For purposes of fee calculation, the area abutting the buildings which border Monument Square and extending ten (10) feet from the facade of said buildings shall be considered a sidewalk. The ten (10) foot area shall be measured from that portion of the facade that protrudes furthest into the sidewalk. The area beyond the ten (10) foot sidewalk shall be considered park space.

Outdoor dining is permitted year round under the permit; however, furniture must be removed in inclement weather to allow for sidewalk snow removal. **The permit must be renewed each year.**

All of the following information is required and must be submitted. You will also be required to fill out an Outdoor Dining 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, including dimensions

(NOTE: there must be a minimum of four feet of open sidewalk from the outer boundary of the seating area to the curb, and a minimum of five feet on corners, and egress from the building must be maintained free of obstruction per the building code and NFPA Life Safety Code).

Additional Requirements:

- The permit holder is required to produce, at the time of submission, and maintain public liability insurance coverage in an amount of not less than four hundred thousand dollars (\$400,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured thereon.

All permits for outdoor dining are issued subject to the following conditions:

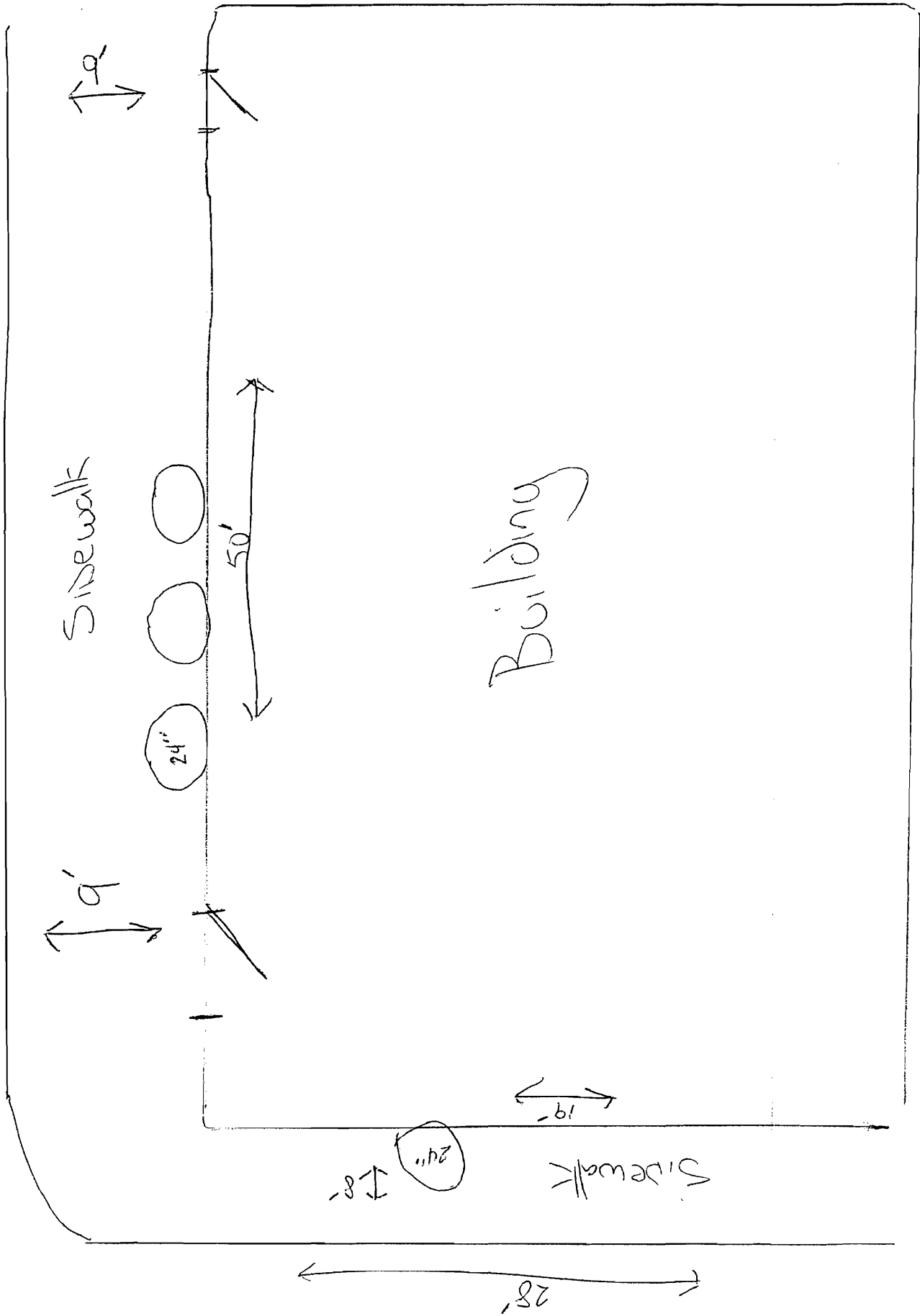
- The tables and chairs must be placed within the permitted area on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the tables and chairs are moved and located outside of the permitted outdoor seating area, they must be relocated to within the permitted area. Failure to contain the tables and chairs to the permitted area may result in a reduced permitted area or a revocation of the permit.

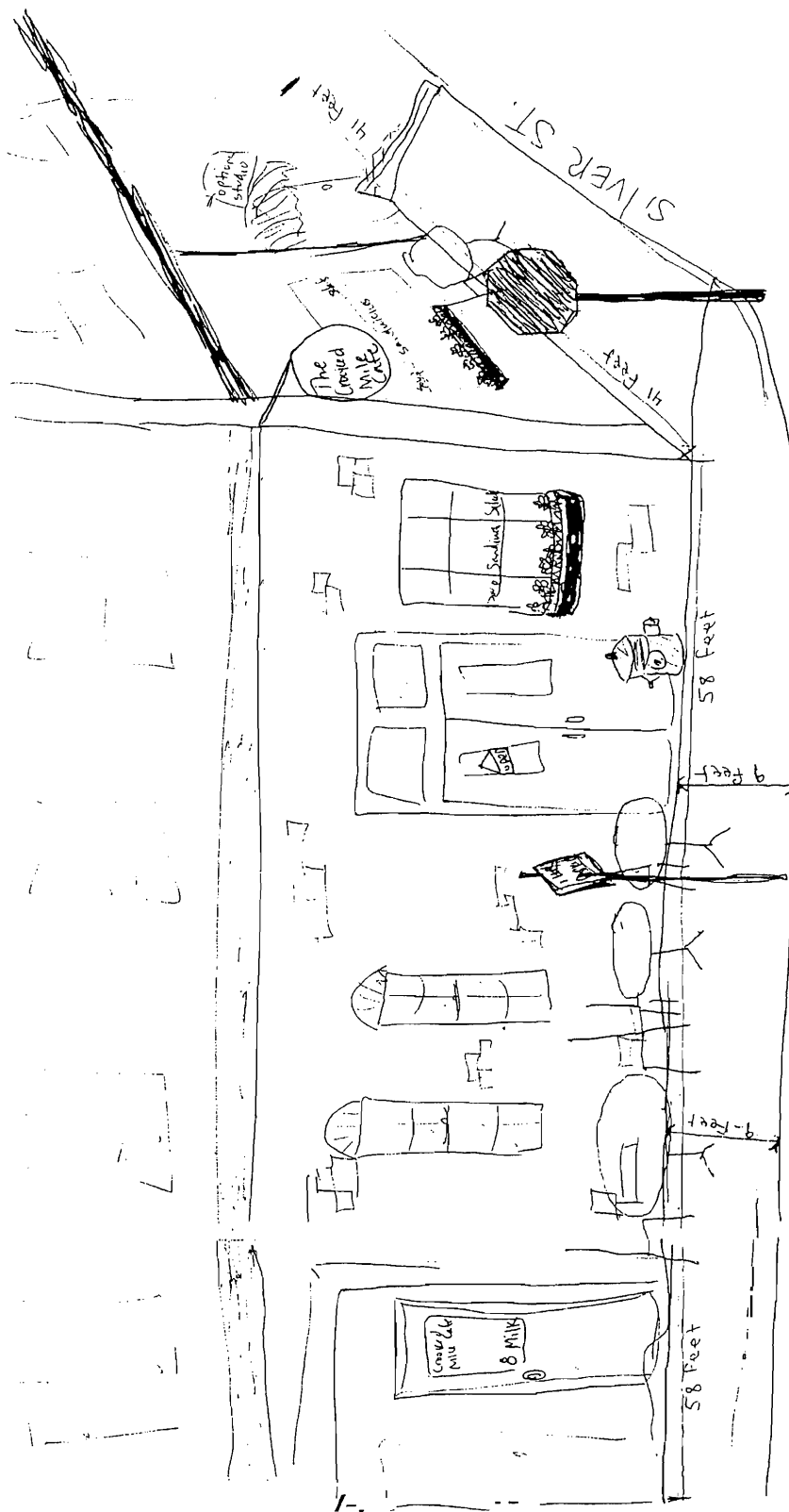
- The permit holder is responsible for keeping the outdoor seating area clean. The sidewalk area where the tables and chairs are located must be kept neat and free from liter and debris.
- No food shall be prepared outside.
- If alcohol is to be served, the permit holder must notify the City's Business Licensing Office in room 203 of City Hall or by telephone at 874-8557 and obtain approval for the service of alcohol outdoors. Additionally, State law requires that any outdoor area serving alcohol be segregated from the rest of the public.
- All tables and chairs shall be removed prior to a predicted snowfall and while any snow or ice exists within the designated outdoor seating area or within four feet from the boundaries thereof. The City will not be responsible for damage to any tables, chairs or other property that is not properly removed when the City is engaged in sidewalk maintenance activities.
- The permit holder shall comply with all applicable rules and regulations implemented by the city regarding outdoor dining.

Failure to comply with any of the above conditions will result in revocation or non-renewal of the permit.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, 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 or park space, 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: *Joseph McLaughlin* Date: May 20 09
 Printed name Joseph McLaughlin
 Establishment The Cookies n' Pie
 Location 8 mile St Portland 04101





building = 41 x 58 feet
 sidewalk = 9 feet wide

MILK ST.
 2 chairs at each table - total 8
 3 tables on the MILK ST side - 24 inches wide
 1 table on the SILVER ST. side "

RENEWAL



EFFECTIVE DATE: 03/24/2009

Policy Number: BOP8011151	Prior Policy: 8011151
Billing Type: DIRECT BILL	
Coverage Is Provided In PEERLESS INSURANCE COMPANY - A STOCK COMPANY	
Named Insured and Mailing Address: EGBERT INC DBA THE CROOKED MILE 8 MILK ST PORTLAND ME 04101	Agent: HOLDEN AGENCY PO BOX 10610 1085 BRIGHTON AVE PORTLAND ME 04104 Agent Code: 0310128 Agent Phone: (207)-775-3793

**COMMERCIAL PROTECTOR COVERAGE FORM DECLARATIONS
BUSINESSOWNERS COVERAGE FORM DECLARATIONS**

In return for the payment of premium, and subject to all the terms of this policy, we agree with you to provide the insurance as stated in this policy.

POLICY PERIOD: From: 03/24/2009 To: 03/24/2010 at 12:01 AM Standard Time at your mailing address shown above.

FORM OF BUSINESS: CORPORATION

BUSINESS DESCRIPTION: COFFEE SHOP

DESCRIPTION OF PREMISES

Prem. No.	Bldg. No.	Location Occupancy, Construction/Fire Protection
001	001	8 MILK ST PORTLAND ME 04101 DELICATESSENS - NO FRYING ON PREMISES JOISTED MASONRY

PROPERTY COVERAGE (Business Income is included as an Additional Coverage not subject to the limits below, please refer to your policy and endorsements for coverage details and limitations)

Prem. No.	Bldg. No.	Coverage	Limits of Insurance
001	001	BUSINESS PERSONAL PROPERTY	\$ 23,877

DEDUCTIBLE: \$ 250 In Any One Occurrence

AUTOMATIC INCREASE: Building Coverage Shall Be Increased Annually.
Personal Property Coverage Shall Be Increased 2% Annually.

MORTGAGE HOLDERS: NONE

PROPERTY OPTIONAL COVERAGES

Coverage	Additional Limits of Insurance
COMMERCIAL PROTECTOR COVERAGE EXTENSION PLUS	INCLUDED

44-98 (06/04)

Forming a part of

Policy Number: BOP 8011151

Coverage Is Provided In PEERLESS INSURANCE COMPANY - A STOCK COMPANY

Named Insured:

EGBERT INC DBA THE CROOKED
MILE

Agent:

HOLDEN AGENCY

Agent Code: 0310128

Agent Phone: (207)-775-3793

DECLARATIONS EXTENSION

THE FOLLOWING IS ADDITIONAL INSURED - GRANTOR OF
FRANCHISE:

CITY OF PORTLAND
389 PORTLAND ST
PORTLAND, ME 04103

Date Issued:02/10/2009



Outdoor Dining 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 Outdoor Seating: <u>37 Silver St / 8 mile St</u>		
Total Square Footage of Proposed Seating Area ¹ <u>32</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>029</u> Block# <u>B001</u> Lot# <u>001</u>	Owner: <u>W.H. + - LLC</u>	Telephone: <u>749-7388</u>
Lessee/Buyer's Name (If Applicable) <u>Joe McCony</u>	Applicant * <u>must</u> be owner or Lessee Name <u>Joseph McCony</u> Address <u>8 mile St</u> City, State & Zip <u>04101</u>	Annual Fee: <u>\$80</u> Sq Ft Fee: <u>8459FT</u> \$ _____ Total Fee: \$ _____
Current use: <u>Coffee shop / cafe</u>		
Business name: <u>The Crooked Mile</u>		
Seating area dimensions: _____		
How many chairs? <u>8</u> How many tables? <u>4</u>		
Alcohol to be served outside? circle one : YES <input type="radio"/> NO <input checked="" type="radio"/>		
Who should we contact for the pre-inspection: <u>Joe McCony</u>		
Mailing address: <u>8 mile St Portland</u> Phone: <u>749-7388</u>		

3x28'
Asse
SMH

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit.

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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.

Joe McCony
Signature of Applicant

5-15-88
Date

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City of Portland, Maine - Building or Use Permit Application

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

Permit No: 08-0537	Issue Date:	CBL: 029 B001001
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Location of Construction: 37 SILVER ST	Owner Name: WITT-T LLC	Owner Address: 378 LAKESIDE DR	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	Zone: B-3

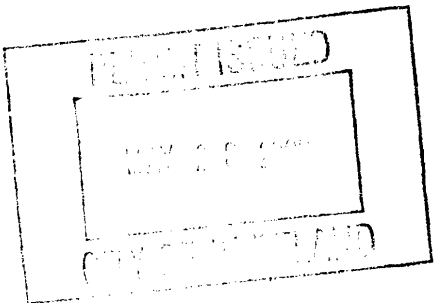
Past Use: Commercial - The Crooked Mile	Proposed Use: Commercial - The Crooked Mile - Outside seating 4 Tables & 8 Chairs 84 Square feet	Permit Fee: \$248.00	Cost of Work: \$0.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>A2</i> Type: <i>Outdoor Dining</i>	

Proposed Project Description: Outside seating 4 Tables & 8 Chairs, 84 Square feet.	Signature:	Signature: <i>JMB 5/27/08</i>
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: Idobson	Date Applied For: 05/20/2008	Zoning Approval
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does Not Require Review
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
Maj <input type="checkbox"/> Minor <input type="checkbox"/> MMT <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>5/27/08</i>	Date: _____	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