

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION

PERMIT

Permit Number: 080772

PERMIT ISSUED

This is to certify that PROPRIETORS OF CUSTOM HOUSE WHARF ATTN: G. L. MAC

has permission to Interior Renovations to Update Fire Code

AT 86 COMMERCIAL ST

030 A001001

provided that the person or persons who obtain or accept this permit shall comply with all of the provisions of the Statutes of this 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 altered 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. Chris Cass

Health Dept. _____

Appeal Board _____

Other _____

Department Name

7/10/02 CL ML
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

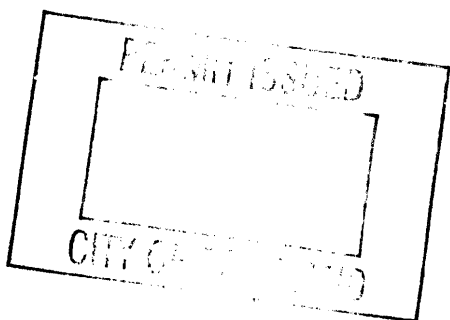
City of Portland, Maine - Building or Use Permit Application

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

| | | | | | |
|--|--|--|--|---|--|
| Permit No: 08-0772 | | Issue Date: 7/10/08 | | CBL: 030 A001001 | |
| Location of Construction: 86 COMMERCIAL ST | | Owner Name: PROPRIETORS OF CUSTOM HO | | Owner Address: 5 EASTERN PROMENADE | |
| Business Name: | | Contractor Name: | | Phone: 207-831-3521 | |
| Lessee/Buyer's Name | | Phone: | | Permit Type: Alterations - Commercial | |
| | | | | Zone: | |

| | | | | | |
|---|--|--|--|---|--|
| Past Use: Commercial Restaurant/PortHole | | Proposed Use: Commercial Restaurant/PortHole - Interior Renovations to Update Fire Codes | | Permit Fee: \$70.00 | |
| | | | | Cost of Work: \$5,000.00 | |
| | | | | CEO District: 1 | |
| Proposed Project Description: Interior Renovations to Update Fire Codes | | FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied See Conditions | | INSPECTION: Use Group: A 2 Type: 5B IBC-2003 | |
| | | Signature: Greg Cass | | Signature: 7/10/08 [Signature] | |
| | | 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: lmd | | Date Applied For: 06/27/2008 | | Zoning Approval | |
| <ol style="list-style-type: none">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 | |
| | | <input type="checkbox"/> Shoreland | | <input type="checkbox"/> Variance | |
| | | <input type="checkbox"/> Wetland | | <input type="checkbox"/> Miscellaneous | |
| | | <input type="checkbox"/> Flood Zone | | <input type="checkbox"/> Conditional Use | |
| | | <input type="checkbox"/> Subdivision | | <input type="checkbox"/> Interpretation | |
| | | <input type="checkbox"/> Site Plan <i>ok</i> | | <input type="checkbox"/> Approved | |
| | | Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> | | <input type="checkbox"/> Denied | |
| | | Date: 7/10/08 | | Date: | |
| | | | | Historic Preservation | |
| | | | | <input checked="" 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: 7/10/08 [Signature] | |

**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

City of Portland, Maine - Building or Use Permit

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

| | | |
|------------------------------|--|----------------------------|
| Permit No: 08-0772 | Date Applied For: 06/27/2008 | CBL: 030 A001001 |
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| Location of Construction: 86 COMMERCIAL ST | Owner Name: PROPRIETORS OF CUSTOM HO | Owner Address: 5 EASTERN PROMENADE | Phone: 207-831-3521 |
| Business Name: | Contractor Name: | Contractor Address: | Phone |
| Lessee/Buyer's Name | Phone: | Permit Type: Alterations - Commercial | |

| | |
|--|---|
| Proposed Use: Commercial Restaurant/PortHole - Interior Renovations to Update Fire Codes | Proposed Project Description: Interior Renovations to Update Fire Codes |
|--|---|

| | | | |
|---------------------|------------------------|------------------------------|--|
| Dept: Zoning | Status: Pending | Reviewer: Ann Machado | Approval Date: |
| Note: | | | Ok to Issue: <input type="checkbox"/> |

| | | | |
|-----------------------|---|-------------------------------|---|
| Dept: Building | Status: Approved with Conditions | Reviewer: Chris Hanson | Approval Date: 07/09/2008 |
| Note: | | | Ok to Issue: <input checked="" type="checkbox"/> |

- 1) Rated walls and ceiling assemblies must be approved by a design professional and a letter is required.
- 2) All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
- 3) This permit DOES NOT certify the use of the property or building. It only authorizes the construction activities.
- 4) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.
- 5) Separate permits are required for any electrical, plumbing, or HVAC systems.
Separate plans may need to be submitted for approval as a part of this process.

| | | | |
|-------------------|---|---------------------------------|---|
| Dept: Fire | Status: Approved with Conditions | Reviewer: Capt Greg Cass | Approval Date: 07/08/2008 |
| Note: | | | Ok to Issue: <input checked="" type="checkbox"/> |

- 1) Seating / egress diagram provided with this permit are not adequate. These need to be completed by a design professional. Along with the life safety code summary
- 2) Emergency lights are required to be tested at the electrical panel.
- 3) Emergency lights and exit signs are required
- 4) Occupancies with an occupant load of 100 persons or more require panic hardware on all doors serving as a means of egress.
- 5) All construction shall comply with NFPA 101

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

 X **Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling**

 X **Final inspection required at completion of work.**

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.

Signature of Applicant/Designee


Date

Signature of Inspections Official

Date

**TELEFAX
COVER SHEET**

VIA FACSIMILE



DAVID D. LEASURE
ARCHITECTURAL ASSOCIATES, INC.

821-3521

TO: Mr. Chris Hansen - CEO
Proprietors of Custom House Wharf
5 Eastern Prom
Portland, Maine 04101

DATE: June 27, 2008

NO. OF PAGES
INCL. COVER SHT. 3FAX NO. (207) 874-8716 (C. Hansen)
(207) 761-9686 (O. Kiethly)**SUBJECT: Porthole Tavern Restaurant / Comody Connection: 2 Hr. Floor assembly reference****MEMORANDUM:**

Hi Chris:

I met with Oliver Kiethly dba Cogee Entertainment today with regard to your comments and requests for information. Attached please find the U.L. listed floor assembly that I am referencing to extrapolate to the required 2 hr. floor/ceiling assembly.

The actual floor/ceiling assembly directly above the referenced restaurant/night clubs has 1x4 wood flooring over 2-1/2 tongue and groove wood decking which would give you a better fire rating than the L208 assembly listed. Assembly Design No. L208 is a 1-1/2 hr floor/ceiling assembly that when (1) layer of 5/8" Type X, Firecode GWB was secured to the bottom of the timber floor framing would, in my opinion, equal to or exceed a 2 hr. floor/ceiling assembly. I discussed this with Steve Dodge at the office of the State Fire Marshall and he concurred with this proposal.

Please note that the floor members must be cross braced and solid blocked at their endpoints to attain this rating. *

I am going on vacation next week but will be preparing some revised egress plans and details of the 2 hr. wall assembly required at the East end of the wharf area directly in front of the porthole Tavern and Comody Connection. Please feel free to contact me if you need any additional detail or information.

Best Regards,



DAVID D. LEASURE - ARCHITECTURAL ASSOCIATES INC.
1344 WASHINGTON AVENUE PORTLAND, MAINE 04103 (207) 797-8661

cc: Oliver Kiethly - Cogee Entertainment
File

This facsimile may constitutes a privileged communication or otherwise confidential material. If you receive this facsimile in error or any part of the transmission is not received, please contact the sender at (207) 797-8661.

Wpwin80/Data/Porthole_Rest_fax

Page 1 of 1

COMMERCIAL • RESIDENTIAL • PLANNING • CONSULTING
1344 WASHINGTON AVENUE PORTLAND, MAINE 04103 (207) 797-8661 FAX (207) 797-8533

FIRE RESISTANCE RATINGS: ANSI/UL 285 (BXUV)

HACKER INDUSTRIES INC. — Type Hacker Sound-Mat II.
Alternate Floor Mat Materials* — (Optional) — Floor mat material

THE RESISTANCE RATING STANDARD

Alternate Floor Mat Materials: (Optional) → Nom. 0.4 in. mat material loose laid over the subfloor. Maxxon Floorbond applied to the surface of the mat prior to the floor topping.

2008 FIRE RESISTANCE DIRECTORY VOLUME 1

FIRE RESISTANCE RATINGS - ANSI/UL 263 (BXUV)

flooring mixture shall be min 1-1/2 in.

MAXXON CORP — Type Inkasonic 9110

Flooring Members* — (Optional) — For use with floor mat materials, 3/8 in.

galvanized steel diamond mesh, 3.4 lbs/sq yd or Maxxon

Classified Crack Suppression Mat (CSM) loose laid over the

mat material. Floor topping mixture shall be min 1 in.

MAXXON CORP — Type Crack Suppression Mat (CSM)

System No. 7

Flooring — Floor Topping Mixture* — Compressive strength

1000 psi min. Thickness to be 1 in. min. Refer to manufacturer's

accompanying the material for specific mix design.

ACCUCUSTOM GYPSUM PLASTERWORKS LLC — Accu-

Floor Mat Material* — (Optional) — Floor mat material nomi-

6 mil thick loose laid over the subfloor. Floor topping shall

be min 1 in.

ACCUCUSTOM GYPSUM PLASTERWORKS LLC — Type

AccuQuiet RSM 20, Type AccuQuiet RSM 32, Type AccuQuiet

RSM 44, Type AccuQuiet RSM 64, and Type AccuQuiet RSM

64

System No. 8

Flooring — Floor Topping Mixture* — Compressive strength

1000 psi min. Thickness to be 3/4 in. min. Refer to manufacturer's

accompanying the material for specific mix design.

MAXXON CORP — Maxi 493

System No. 9

Flooring — Floor Topping Mixture* — Compressive strength

1000 psi min. Thickness to be 3/4 in. min. Refer to manufacturer's

accompanying the material for specific mix design.

ACCUCUSTOM GYPSUM PLASTERWORKS LLC — Gyp-Cement Commercial Floor

Commercial — (resin, 0.010 in. thick.

Flooring Members* — (Optional) — 1/2 in. plywood wood

structural grade C1D1, face grain of plywood to be per-

pendicular to joists with joints staggered.

System No. 10

Flooring — Floor Topping Mixture* — Compressive strength

1000 psi min. Thickness to be 3/4 in. min. Refer to manufacturer's

accompanying the material for specific mix design.

ARMSTRONG WORLD INDUSTRIES INC — Types AFG, AFGP, AFGP

GLRP (consisting of main runners, 4 ft cross tees

and steel straps) for use with 24 by 48 in. Type P or PC lay-in

panels.

ARMSTRONG WORLD INDUSTRIES INC — Types AFG, AFGP, AFGP

GLRP (consisting of main runners, 4 ft cross tees

and steel straps) for use with 24 by 48 in. Type P or PC lay-in

panels.

CHICAGO METALLIC CORP — Types 250, 260, 1250, 1260, 1850,

1860

Flooring Members* — Main runners, nom. 10 or 12 ft long,

4 ft cross tees, nom. 1 ft long installed perpendicular to main

runners, 2 ft OC. When nom. 2 by 2 ft lay-in panels are used,

cross tees installed perpendicular to 4 ft cross tees at

4 ft OC. Border panels supported at walls by min.

1/2 in. thick painted steel angle with 7/8 in. legs or min. 0.016 in.

thick steel channel with a 1 by 1-9/16 by 1/2 in. profile.

ARMSTRONG WORLD INDUSTRIES INC — Types DX1, DX1A, DX1Z, DX1ZA, SDXL, SDX1A,

SDX1Z

ARMSTRONG WORLD INDUSTRIES INC — Types DX1, DX1A, DX1Z, DX1ZA,

SDXL, SDX1A, SDX1Z

Flooring Members* — Metal pans — (Not shown) (Optional) —

galvanized metal pans in various colors and finishes, installed

parallel to cross tees or main runners and spaced 4 or 6 in. O.C.

Edges of the metal pans engage and interlock with the verti-

cal edges of the corresponding grid adapters with tabs 4 or 6 in. O.C.

Flange joints of the metal pans shall occur adjacent to

main runners or cross tees. The metal pans shall each be supported by

main runners or cross tees.

CHICAGO METALLIC CORP — Type 1650.

Flooring Members* — Grid adapter — (Not shown) (Optional)

— Type 1650 metal pans (See Item 7A), Angle shaped

adapter with return flange, installed parallel to cross tees or

main runners. The 48 or 24 in. long adapters are intended

to be used with cross tees or main runners, respectively.

CHICAGO METALLIC CORP — Type 1650.

Flooring Members* — Filler strips — (Not shown) (Optional) —

— Type 1650 metal pans. Filler strips are 0.018 to 0.024 in.

FIRE RESISTANCE RATINGS - ANSI/UL 263 (BXUV)

thick, steel or aluminum 19/32 or 5/8 in. deep by 3/4 in. wide, laid

between the metal pans.

CHICAGO METALLIC CORP — Type 1650.

Acoustical Materials* — 24 by 24 or 48 in. lay-in panels. Border

supported by min 0.016 in. thick (26 gauge) painted steel angle with

in. legs; or min 0.016 in. thick (26 gauge) painted steel channel, 1

in. deep with 1 in. bottom flange and 3/4 in. top flange. (S-sur-

face perforations).

ARMSTRONG WORLD INDUSTRIES INC — Types 5/8 in.

(S) 24 x 24 or 48 in., or 5/8 in. PC (S) 24 x 48 in.

Hold-Down Clips — (Not Shown) — 1/2 in. wide, 0.021 in. thick,

spring steel. Two clips placed over cross tees 12 in. from each main

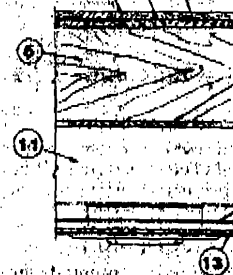
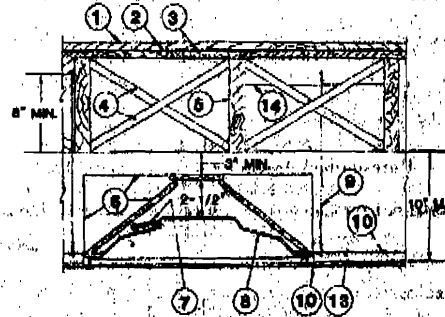
*Bearing the UL Classification Mark

Design No. L209

Unrestrained Assembly Rating — 1 Hr.

Finish Rating — 14 Min.

Load Restricted for Canadian Applications — See Guide BXUV



1. Finish Flooring — 1 by 4 in. T&G; laid perpendicular to joists. 19/32 in. plywood wood structural panels, min grade "Underlayment". Face grain of plywood to be perpendicular to joists with joints staggered.

- 1A. Alternate Finish Flooring — The alternate finish flooring may be one of the following:

System No. 1

Floor Topping Mixture* — Foam concentrate mixed 40:1 by volume with water and expanded at 100 psi through a foam nozzle. Mix rate of 1.4 cu ft of preformed foam to 94 lbs Type I Portland Cement and 300 lbs of sand with approximately 5.5 gal of water. Cast density of Floor Topping Mixture 100 (+ or -) 5 pcf. Min compressive strength 1000 psi. Thickness 1-1/2 in.

ELASTIZELL CORP OF AMERICA — Type FF

System No. 2

Floor Topping Mixture* — Foam concentrate mixed 40:1 by volume with water and expanded at 100 psi through a foam nozzle. Mix rate of 1.4 cu ft of preformed foam to 94 lbs Type I Portland Cement and 312.5 lbs of sand, with approximately 5.5 gal of water. Cast density of Floor Topping Mixture 100 (+ or -) 5 pcf. Min compressive strength 1000 psi. Thickness 1 in.

LITE-CRETE INC — Type 1.

System No. 3

Floor Topping mixture* — 6.8 gal of water to 80 lbs of floor topping mixture to 1 cu ft of sand. Min compressive strength 1000 psi. Thickness 1 in.

HACKER INDUSTRIES INC — Firm-Fill Gypsum Concrete, Firm-Fill 2010, Firm-Fill 4010, Firm-Fill High-Strength Gypsum Span Radiant and Firm-Fill 3310.

Floor Mat Materials* — (Optional) — Floor mat material nom 6 mil thick adhered to subfloor with Hacker Floor Primer. Primer to be



General Building 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>86 Canaan ST (Parthole Patch)</u> | | |
| Total Square Footage of Proposed Structure/Area | | Square Footage of Lot |
| Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>D30 A 001</u> | Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>Oliver Keithly</u> Address <u>96 Crossman Drive</u> City, State & Zip <u>S. Portland me</u> | Telephone: <u>207-831-3521</u> |
| Lessee/DBA (If Applicable) <u>JUN 27 2008</u> | Owner (if different from Applicant) Name <u>Parthos of Custom Housewood</u> Address <u>86 Canaan ST.</u> City, State & Zip <u>Portland me 04101</u> | Cost Of Work: \$ <u>5000</u> C of O Fee: \$ _____ Total Fee: \$ _____ |
| Current legal use (i.e. single family) <u>AZ / RESIDENT</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Same</u> Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>Drainage workway connected to the (sewers)</u> <u>② Upward concrete curbing to the Dr.ing</u> <u>③ Patch Street Rock above curbing</u> | | |
| Contractor's name: <u>J/N / self</u> Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: _____ Telephone: _____ Mailing address: _____ | | |

Please submit all of the information outlined on the applicable 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 or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division 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: _____

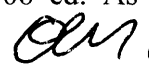
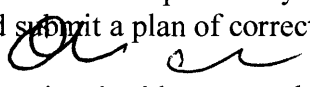
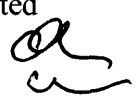
Date: 6/27

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

CONSENT AGREEMENT/COMPLIANCE ORDER
Porthole/Comedy Connection
86 Commercial Street

This document constitutes an agreement between Oliver Keithly and the City of Portland, by and through its certified Code Enforcement Officer, Chris Hanson (hereafter referred to as "City") for purposes of enforcing and resolving violations of the NFPA 101 "Life Safety Code" and the IBC 2003 "Building Code" adopted by the City of Portland.

Keithly agrees as follows:

- 1) Cogee Entertainment has been approved by the City for 250 outside seats associated with License #587 for Porthole Restaurant and Comedy Connection, Order #298-07/08, per the City Council.
- 2) Keithly will submit a revised outside Life Safety Plan by a licensed design professional and a Life Safety Evaluation as required by Capt. Gregory Cass, Portland Fire Department, per ~~NFPA 101.13.4.1.1 2006 ed. As adopted by the City.~~ 
- 3) Keithly will submit a Life Safety Plan to the State of Maine State Fire Marshall's Office. Keithly will address all deficiencies previously noted by that agency (dated December 4, 2007) and submit a plan of correction.
Note sent 10/25/07 
- 4) Keithly will obtain all necessary permits associated with proposed work on plans received by the City and revisions noted on the plan dated January 30, 2008 and received on March 21, 2008. *(Phase 1)* 
- 5) Keithly will submit a letter from a licensed engineer station the Pier will support live load with 250 plus people dancing.

Based on the above agreement, the Code Enforcement Officer for the City of Portland orders Oliver Keithley to comply with this agreement as outlined no later than July 3, 2008 for paragraphs 4 and 5, and no later than July 25, 2008 for paragraphs 2 and 3.

Dated: 6/27/08



Oliver Keithley

John Elias Baldacci
Governor



**Maine Department of Public Safety
State Fire Marshal's Office
52 State House Station
Augusta, Maine 04333-0052**



Anne H. Jordan
Commissioner
Chief John C. Dean
State Fire Marshal
Fax 207-287-6251

Phone 207-626-3880

Statement of Deficiencies and Plan of Corrections

Facility Name: Comedy Connection/The Porthole/Harbor's Edge
Location: 16 Custom House Wharf
Portland, Maine 04101
Facility Type: Assembly (dance license)
Telephone : (207) 774-5554
Resource ID : File # 64773

Owner Name: Cogee Management & Entertainment, Inc.
Address: 16 Custom House Wharf
Portland, Maine 04101

During an inspection of your facility a certified State Inspector has found the following violations.

In this right hand column you are required to indicate how and when you will have these violations corrected. Complete this information and return this "Plan of Correction" to the above address within 10 days of receipt of this statement.

Inspected an existing assembly occupancy for the purpose of issuing a dance license.

The facility is divided into three distinct areas with no fire separation between them. (All assembly use spaces).

The Harbor's Edge (capacity 171 with tables and chairs, 366 without tables and chairs-concentrated use)

The Comedy Club (capacity 73 with tables and chairs, 157 without tables and chairs-concentrated use)

The Porthole Restaurant (capacity 61 with tables and chairs-fixed seating)

1. Full evaluation and letter of compliance by a licensed master electrician for the electrical system for the entire building. Numerous violations of NFPA 70 *The National Electrical Code* observed.

2. Supervised automatic fire sprinkler system to be installed for the entire building. (No later than 5 years from the date of the inspection, or at a date before 5 years from the date of the inspection determined by the Office of the State Fire Marshal if there is found to be a lack of substantial compliance with the *Life Safety Code* or any other standard adopted by this office).

3. Letter of compliance for the fire alarm system from the manufacturer/installer that the fire alarm system is adequate and provides coverage for the entire building.

*NOTE: Oliver will have
12/2/07 David Leasure submit
occupancy plan for
Comedy Connection.*

GPI to Oliver

Date of Inspection: 10/18/2007
Inspector: Mark Stevens/Sue Dion
Date Sent : 25 October, 2007

Owner/Occupant Signature:
Date:

John Elias Baldacci
Governor



**Maine Department of Public Safety
State Fire Marshal's Office
52 State House Station
Augusta, Maine 04333-0052**



Anne H. Jordan
Commissioner
Chief John C. Dean
State Fire Marshal
Fax 207-287-6251

Phone 207-626-3880

Statement of Deficiencies and Plan of Corrections

| | |
|---|---|
| Facility Name: Comedy Connection/The Porthole/Harbor's Edge Location: 16 Custom House Wharf Portland, Maine 04101 Facility Type: Assembly (dance license) Telephone : (207) 774-5554 Resource ID : File # 64773 | Owner Name: Cogee Management & Entertainment, Inc. Address: 16 Custom House Wharf Portland, Maine 04101 |
| During an inspection of your facility a certified State Inspector has found the following violations. | In this right hand column you are required to indicate how and when you will have these violations corrected. Complete this information and return this "Plan of Correction" to the above address within 10 days of receipt of this statement. |
| <p>4. Remove any storage from the second floor of the building. (Incidental business use may remain on the second floor with adequate protection of exits from the second floor, see item #5.)</p> <p>5. a. Provide fire separation for the stairwell leading from the first floor (Harbor's Edge kitchen area) to the second floor. Fire separation to be rated at no less than one hour fire resistive rating with no less than a 45 minute rated fire door assembly.</p> <p>b. Second means of egress required for business space above the Comedy Connection.</p> <p>6. Emergency lighting units to be tested as follows:</p> <p>Testing of required emergency lighting systems shall be conducted as follows:</p> <p>(1) Functional testing shall be conducted at 30-day intervals for not less than 30 seconds.</p> <p>(2) Functional testing shall be conducted annually for not less than 1½ hours if the emergency lighting system is battery powered.</p> <p>(3) The emergency lighting equipment shall be fully operational for the duration of the tests required by 7.9.3.1.1(1) and 7.9.3.1.1(2).</p> <p>(4) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction.</p> <p>7. All curtains, decorations, props and scenery</p> | |

Date of Inspection: 10/18/2007

Owner/Occupant Signature:

Inspector: Mark Stevens/Sue Dion

Date:

Date Sent : 25 October, 2007

John Elias Baldacci
Governor



**Maine Department of Public Safety
State Fire Marshal's Office
52 State House Station
Augusta, Maine 04333-0052**



Anne H. Jordan
Commissioner
Chief John C. Dean
State Fire Marshal
Fax 207-287-6251

Phone 207-626-3880

Statement of Deficiencies and Plan of Corrections

| | |
|--|--|
| Facility Name: Comedy Connection/The Porthole/Harbor's Edge Location: 16 Custom House Wharf Portland, Maine 04101 Facility Type: Assembly (dance license) Telephone : (207) 774-5554 Resource ID : File # 64773 | Owner Name: Cogee Management & Entertainment, Inc. Address: 16 Custom House Wharf Portland, Maine 04101 |
| During an inspection of your facility a certified State Inspector has found the following violations. | In this right hand column you are required to indicate how and when you will have these violations corrected. Complete this information and return this "Plan of Correction" to the above address within 10 days of receipt of this statement. |

used must be fire retardant (treated or manufactured as fire retardant). Proof of fire retardency is required to be maintained by the facility.

8. Fire extinguishers to be inspected by staff once every month. Inspections need to be recorded on the back of the extinguisher tag.

- (a) Location in designated place
- (b) No obstruction to access or visibility
- (c) Operating instructions on nameplate legible and facing outward
- (d) Safety seals and tamper indicators not broken or missing
- (e) Fullness determined by weighing or "hefting"
- (f) Examination for obvious physical damage, corrosion, leakage, or clogged nozzle
- (g) Pressure gauge reading or indicator in the operable range or position

9. Emergency lighting to be adequate to allow for a level of 1-foot candle (10.8 lux) at floor level along the path of egress.

10. Use of extension cords to be eliminated in the facility.

11. Secure compressed gas tanks in the (back storage room of the Comedy Connection area and in the Porthole Restaurant). Tanks should be secured to prevent them from falling over.

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Location: 16 Custom House Wharf
Portland, Maine 04101
Facility Type: Assembly (dance license)
Telephone : (207) 774-5554
Resource ID : File # 64773

Owner Name: Cogee Management & Entertainment, Inc.
Address: 16 Custom House Wharf
Portland, Maine 04101

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12. Exit doors in the facility are to remain unlocked whenever the building is occupied by the public or by employees.

13. Hasp locks or bolt latches are not permitted on any exit doors. Any door marked with an exit must be secured with door hardware that opens with one motion and without special tools or knowledge. Any exit serving a room with an occupant load greater than 100 persons can be secured only with panic or fire exit hardware.

14. The provisions of item #13 will apply to both doors in each pair of doors located in the Porthole Restaurant. A single door in the Porthole Restaurant is not wide enough to be considered an egress compliant door. In an existing facility an egress compliant door must be a minimum of 28 (twenty eight) inches in clear opening width.

15. The gas stove in the Porthole Restaurant must be adequately protected to prevent against contact with the stove by patrons or employees resulting in burns.

16. The hood system in the kitchen of the Porthole Restaurant needs to be cleaned to bare metal at frequent intervals. (Significant accumulation of grease observed).

17. Complete evaluation of the hood system in the Porthole Restaurant to be conducted by a competent service company to determine hood system compliance with NFPA 96.

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21 June 2008

Mr. Ken Macgowan
18 Custom House Wharf
Portland, ME 04101

Re: East Side Bents 13-47

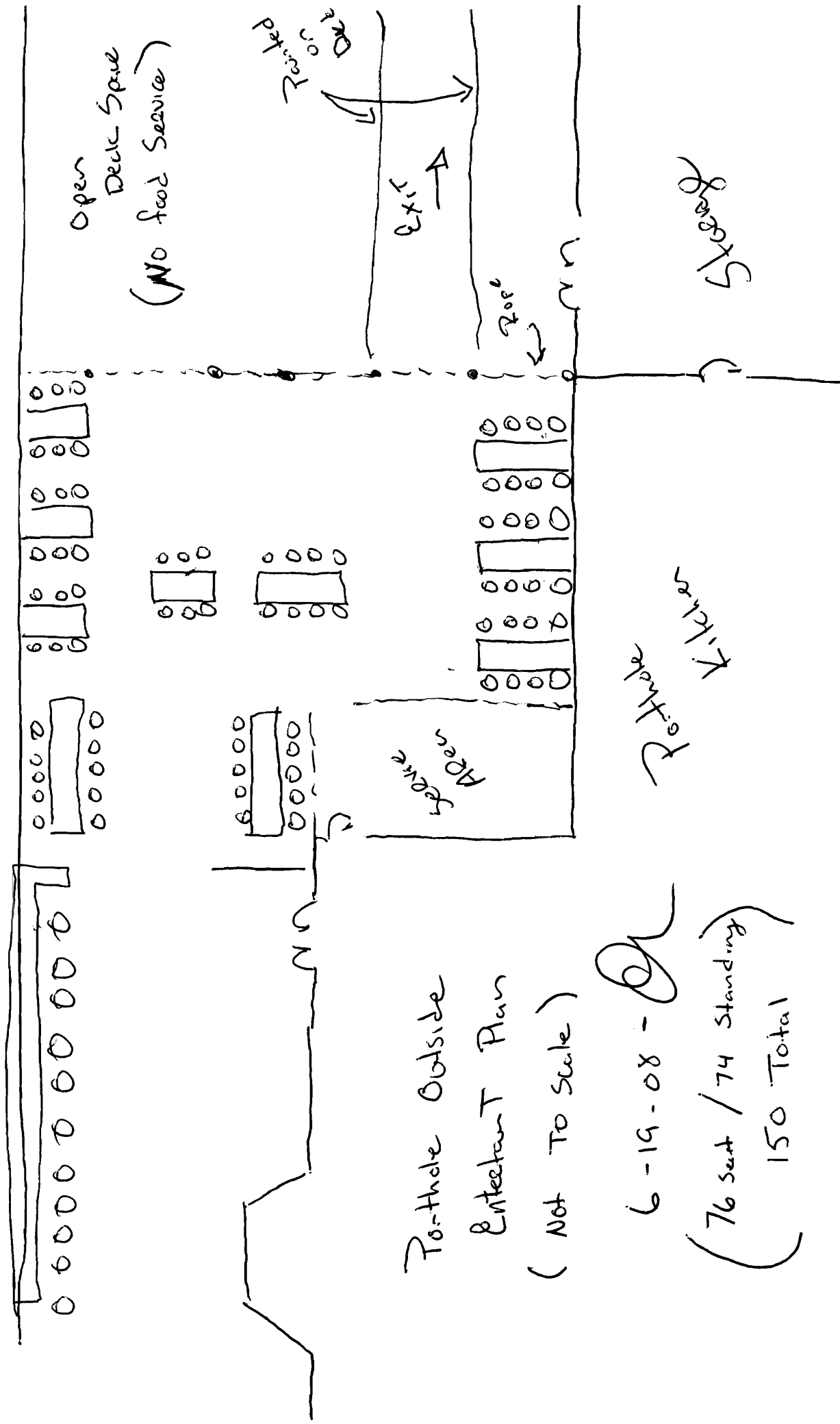
Dear Ken:

I have examined east side bents 13-47 exterior of the building line and find them to be adequate for use by the public at licensed capacity.

Very truly yours,
TEC ASSOCIATES

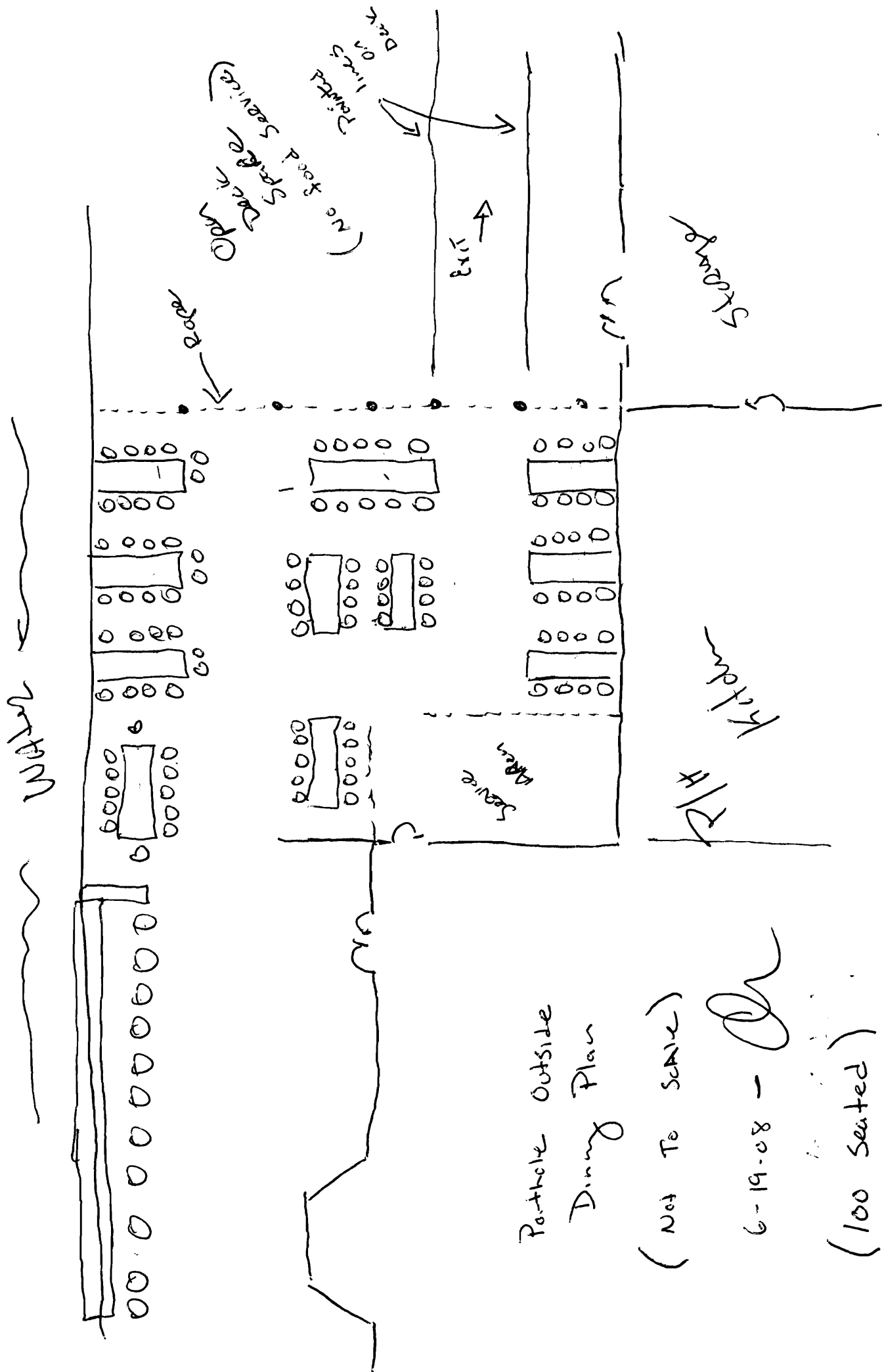

Wayne W. Duffett, P.E.

3. 2. 2.



For-hole Outside
Entertainment Plan
(Not To Scale)

6-19-08 - Q
(76 sent / 74 standing)
150 Total



Porthole Outside
Dining Plan

(Not To Scale)

6-19-08 - *[Signature]*

(100 Seated)