

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

PERMIT ISSUED

Permit Number: 0604160000

CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

This is to certify that WELLIN & CO

has permission to Outside Seating- 8 Tables and 4 Chair

AT 85 EXCHANGE ST

L 032 D004001

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 when permission is procured before this building or part thereof is occupied or services closed-in. 4 YOUR 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
Health Dept
Appeal Board
Other Department Name

Handwritten signature and date 4/20/06
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: 00-0416	Issue Date: PERMIT ISSUED APR 2 2006	CBL: 032 0004001
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Location of Construction: 85 EXCHANGE ST	Owner Name: WELLIN & CO	Owner Address: PO BOX 533	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	Zone: B3

Past Use: Commercial/ O'Naturals	Proposed Use: O'Naturals/ Outside Seating- 8 Tables and 24 Chairs	Permit Fee:	Cost of Work:	CEO District:
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Proposed Project Description: Outside Seating- 8 Tables and 24 Chairs	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>N/A</i>	INSPECTION: Use Group: <i>City Ordinance</i> Type: Signature: <i>[Signature]</i>
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		Signature: _____ Date: _____

Permit Taken By: Idobson	Date Applied For: 03/29/2006	Zoning Approval		
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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"/> <i>OK w/land this app</i> Date: <i>4/10/06</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: _____	Historic Preservation Yes <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 <i>Any exterior work requires a separate review & approval thru Historic Preservation</i> Date: _____
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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>83 Exchange St</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot
Tax Assessor's Chart, Block & Lot		Owner: <u>Wellin & Co</u>
Chart# <u>32</u>	Block# <u>0</u>	Lot# <u>004</u>
Telephone: <u>329-8307</u>		
Lessee/Buyer's Name (If Applicable)	Owner's/Purchaser/Lessee Address <u>83 Exchange St Portland, ME 04101</u>	cost Of Work: \$ <u>N/A</u> Fee: \$75.00
Current use: <u>Restaurant</u> Business name: <u>O'Neals</u> If the location is currently vacant, what was prior use: _____ Approximately how long has it been vacant: _____ Proposed use: <u>outside seating</u> Project description: <u>Outside Seating</u> How many chairs? <u>27</u> How many tables? <u>8</u> Please contact the City Clerk's Office @ 874-8557 before you commence any serving of food or alcohol outside.		
Contractor's name: <u>N/A</u> Address & telephone: <u>47 Exchange St #305 Portland, ME 04101</u>		
Who should we contact when the permit is ready: <u>Jay Friedlander</u> Mailing address: _____ Phone: <u>329-8307</u>		

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:	Date: <u>3/22/06</u>
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This is not a permit, you may not co



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 15th 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:

- 17 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

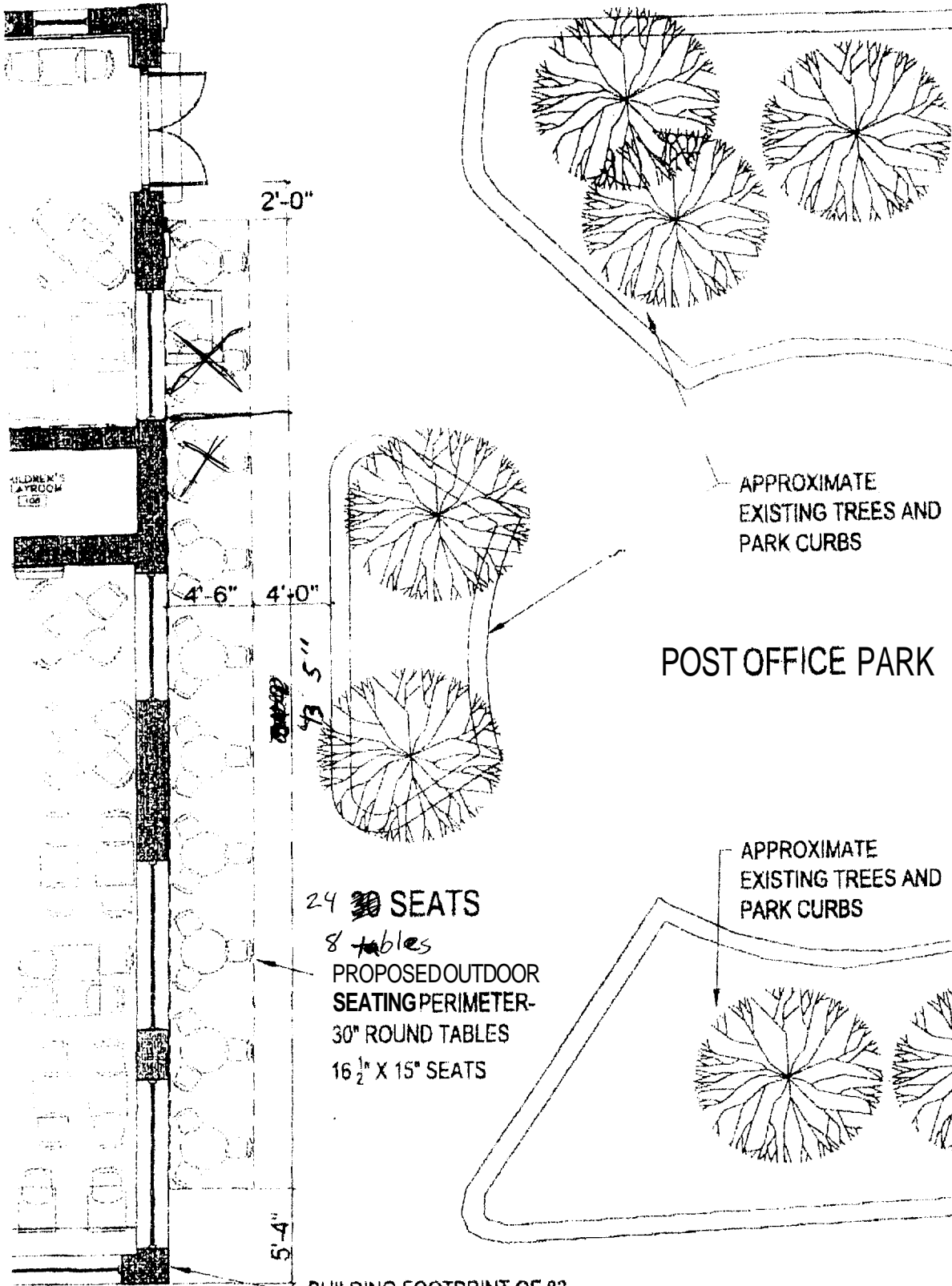
Additional requirements include:

- 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 rear of the building at the stated location: 83 Exchange St; in Portland, Maine, by the owner of the establishment being O'Neurals, doing business as: O'Neurals, 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: [Signature] Date: 3/22/06
Establishment owner



O'NATURALS

83 EXCHANGE STREET

PORTLAND MAINE

TFH ARCHITECTS
 100 COMMERCIAL ST
 PORTLAND, MAINE 04101
 TELEPHONE 207 776
 ARCHITECTURE PLAN

CONSULTANTS:

DATE: 04/

PROJECT No.

DRAWN BY:

CHECKED BY:

SCALE: 1/8" = 1'-0"

SHEET TITLE:
 OUTSIDE
 SEATING
 PLAN

1 OUTDOOR SEATING PLAN

ALL DIMENSIONS ARE

SK26

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/27/2006

PRODUCER (914) 761-9000 FAX (914)761-3749
SKCG Group, Inc.
123 Main St., 14th Fl
White Plains, NY 10601

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED **O'Natural's Inc.**
c/o Mac McCabe
44 Exchange Street, Suite 305
Portland, ME 04101

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Contintental Casualty	20443C
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR ADD'L LTR INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> ANY AUTO <input type="checkbox"/> PROJ <input type="checkbox"/> LOC	C1098613699	11/21/2005	11/21/2006	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> ANY AUTO <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 200,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AUTO ONLY: ACC \$ EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$
	OTHER				

LOCATIONS: **1** / LES / EXC USIONS AL BY EN ORS IMENT / SPECIAL PR ISIONS
 ol er is here y named as ad iona 1 sured with epects to: "Outdoor Seating".

City of Portland
389 Congress Street
Portland, ME 04101

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Thomas Kozera/DANI

Thomas R. Kozera

IMPORTANT

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing *insurer(s)*, authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

City of Portland, Maine - Building or Use Permit

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

Permit No: 06-0416	Date Applied For: 03/29/2006	CBL: 032 D004001
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Location of Construction: 85 EXCHANGE ST	Owner Name: WELLIN & CO	Owner Address: PO BOX 533	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	

O'Naturals/ Outside Seating- 8 Tables and 24 Chairs	Outside Seating- 8 Tables and 24 Chairs
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 04/11/2006
Note: **Ok to Issue:**

- 1) This permit is good for this year & covers the time period from April 15th - September 30th..
- 2) ANY exterior work requires a separate review and approval thru Historic Preservation
- 3) 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 with Conditions **Reviewer:** Tammy Munson **Approval Date:** 04/20/2006
Note: **Ok to Issue:**

- 1) The table must NOT block any means of egress from any buildings.