

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING DEPARTMENT

PERMIT

Permit Number: 090333

Please Read Application And Notes, If Any, Attached

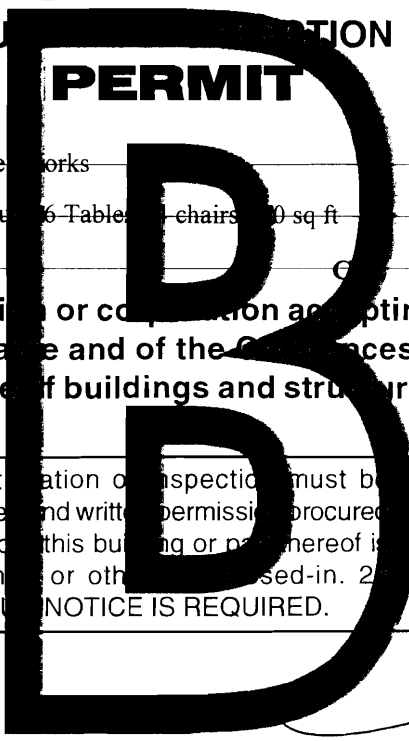
This is to certify that CITY OF PORTLAND /Bage works
has permission to Outside Dining Permit to include 6 Tables 12 chairs 10 sq ft
AT 96 FEDERAL ST 032 H004001

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 lathed or otherwise dressed-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. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

[Signature]
4/23/09
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

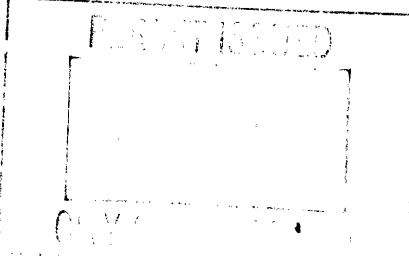
| | | |
|-----------------------|-------------|---------------------|
| Permit No: 09-0333 | Issue Date: | CBL: 032 H004001 |
|-----------------------|-------------|---------------------|

| | | | |
|--|---------------------------------|-----------------------------------|------------------------|
| Location of Construction: 96 FEDERAL ST | Owner Name: CITY OF PORTLAND | Owner Address: 389 CONGRESS ST | Phone: 207-879-2425 |
| Business Name: | Contractor Name: Bagel Works | Contractor Address: | Phone: |
| Lessee/Buyer's Name | Phone: | Permit Type: Outdoor Seating | Zone: B-3 |

| | | | | |
|---|---|---|---|--------------------|
| Past Use: Commercial Restaurant/Bagel Works | Proposed Use: Commercial Restaurant/Bagel Works - Outside Dining Permit to include 6 Tables, 24 chairs 150 sq ft | Permit Fee: \$380.00 | Cost of Work: \$80.00 | CEO District: 1 |
| Proposed Project Description: Outside Dining Permit to include 6 Tables, 24 chairs 150 sq ft | | FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i> | INSPECTION: Use Group: <i>U</i> Type: <i>Outdoor Dining</i> <i>City Ordinance</i> | |
| | | Signature: | Signature: | |

| | |
|---|------------------------------|
| PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) | |
| Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input checked="" type="checkbox"/> Denied | Signature: _____ Date: _____ |

| | | |
|-------------------------|---------------------------------|------------------------|
| Permit Taken By: lmd | Date Applied For: 04/16/2009 | Zoning Approval |
|-------------------------|---------------------------------|------------------------|

| | | | |
|---|--|---|---|
| <p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</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> | <p>Special Zone or Reviews</p> <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"/> Date: <i>4/23/09</i> | <p>Zoning Appeal</p> <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: _____ | <p>Historic Preservation</p> <input checked="" type="checkbox"/> Not in District or Landmark <input checked="" type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions Denied <i>4/23/09</i> |
| |  | <p>CERTIFIC.</p> <p><i>ref + message w/ Crissy</i></p> | |

I hereby certify that I am the owner of record of the named property, or that I have been authorized by the owner to make this application as his authorized jurisdiction. In addition, if a permit for work described in the application is issued, shall have the authority to enter all areas covered by such permit at any reasonable such permit.

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

City of Portland, Maine - Building or Use Permit

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

| | | |
|------------------------------|--|----------------------------|
| Permit No: 09-0333 | Date Applied For: 04/16/2009 | CBL: 032 H004001 |
|------------------------------|--|----------------------------|

| | | | |
|---|--|--|-------------------------------|
| Location of Construction: 96 FEDERAL ST | Owner Name: CITY OF PORTLAND | Owner Address: 389 CONGRESS ST | Phone: 207-879-2425 |
| Business Name: | Contractor Name: Bagel Works | Contractor Address: | Phone: |
| Lessee/Buyer's Name | Phone: | Permit Type: Outdoor Seating | |

| | |
|---|---|
| Proposed Use: Commercial Restaurant/Bagel Works - Outside Dining Permit to include 6 Tables,24 chairs 150 sq ft | Proposed Project Description: Outside Dining Permit to include 6 Tables,24 chairs 150 sq ft |
|---|---|

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 04/23/2009

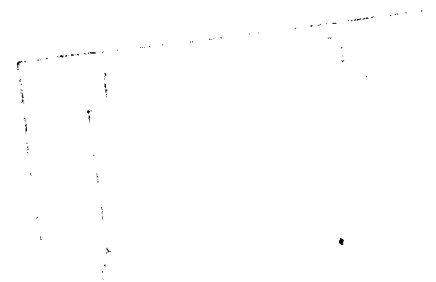
Note: **Ok to Issue:**

- 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 with Conditions **Reviewer:** Tammy Munson **Approval Date:** 04/23/2009

Note: **Ok to Issue:**

- 1) The tables and chairs must not block any means of egress of any building, even during storage.
- 2) This permit approves outside seating only. Any alcohol or entertainment in this space requires licensing approvals from the City Clerk.
- 3) The outside dining permit is approved for the area delineated at the inspection and stated on the permit, and must be kept on site.
THIS PERMIT MUST BE RENEWED ANNUALLY



CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
389 Congress Street
Portland, Maine 04101

INVOICE FOR PERMIT FEES

| | | | |
|------------------------|------------------------------------|--------------------------|------------------|
| Application No: | 9-0333 | Applicant: | CITY OF PORTLAND |
| Project Name: | Outside Dining Permit to include 6 | Location: | 96 FEDERAL ST |
| CBL: | 032 H004001 | Development Type: | |
| Invoice Date: | 04/16/2009 | | |

| | | | | | | | | | |
|-------------------------|---|-------------------------|---|---------------------|---|------------------------|---|------------------|-------------------------|
| Previous Balance | - | Payment Received | + | Current Fees | - | Current Payment | = | Total Due | Payment Due Date |
| \$0.00 | | \$0.00 | | \$380.00 | | \$80.00 | | \$300.00 | On Receipt |

First Billing

| | |
|-------------------------|---------------|
| Previous Balance | \$0.00 |
|-------------------------|---------------|

| Fee Description | Qty | Fee/Deposit Charge |
|--------------------------|--------------------------------|--------------------|
| Outside Seating Sidewalk | 150 | \$300.00 |
| Outside Seating | 1 | \$80.00 |
| | | \$380.00 |
| | Total Current Fees: | + \$380.00 |
| | Total Current Payments: | - \$80.00 |
| | Amount Due Now: | \$300.00 |

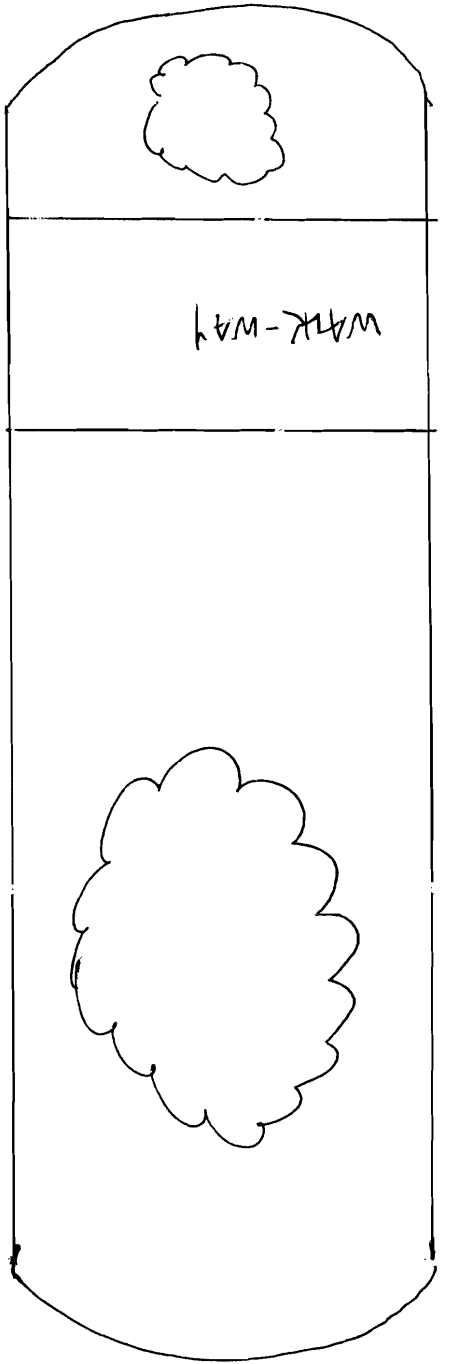
Detach and remit with payment

Bill to: CITY OF PORTLAND
389 CONGRESS ST
PORTLAND, ME 04101

CBL 032 H004001
Application No: 9-0333
Invoice Date: 04/16/2009
Invoice No: 34265
Total Amt Due: \$300.00
Payment Amount:

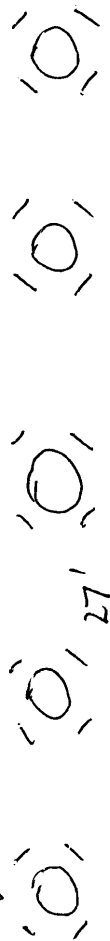
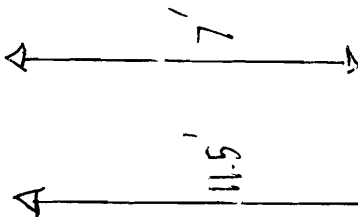
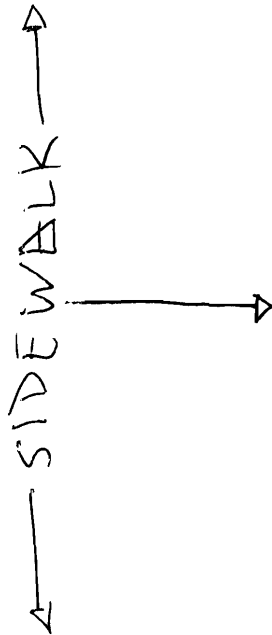
Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

TEMPLE STREET



WALK-WAY

WALK-WAY

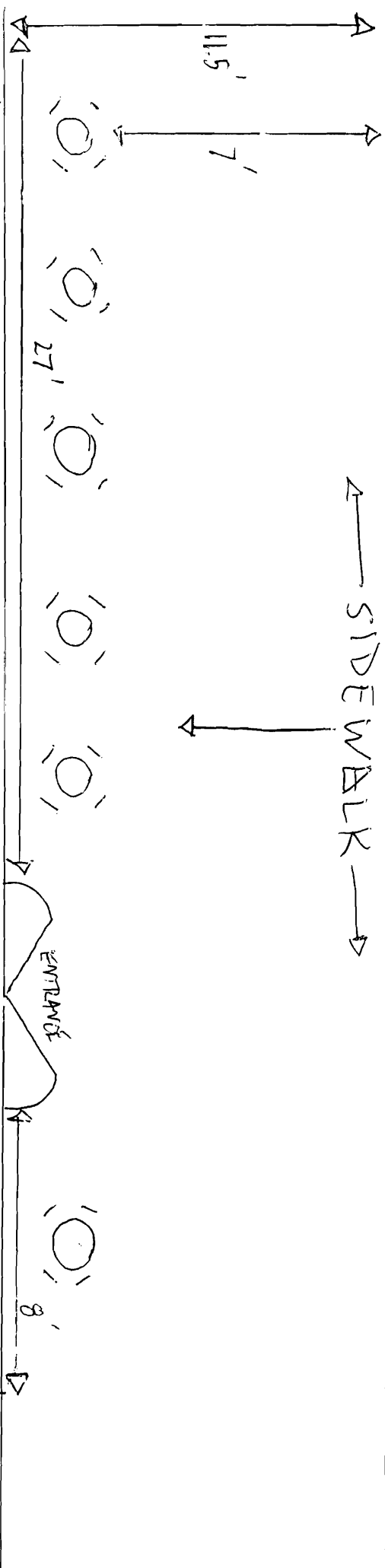
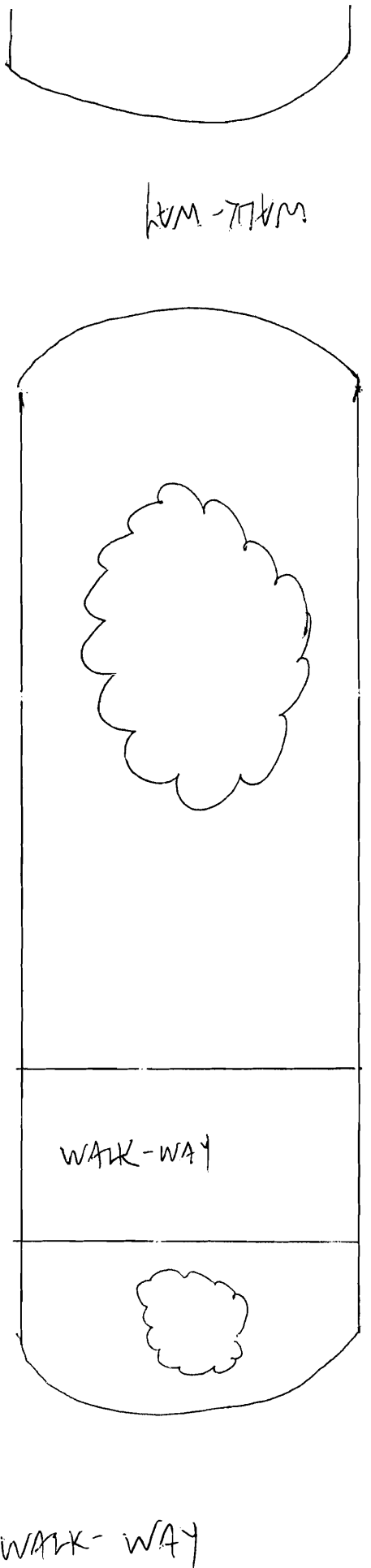


MORRISON'S
CAMPER
HOUSE

WORKS CAFE
1960 SQ. FT.

ENTRANCE
STORE FRONT

TEMPLE STREET



ROBERTSON'S
FARMER
HOUSE

WORKS CAFE
1900 SQ. FT.

← SIDEWALK →

ENTRANCE

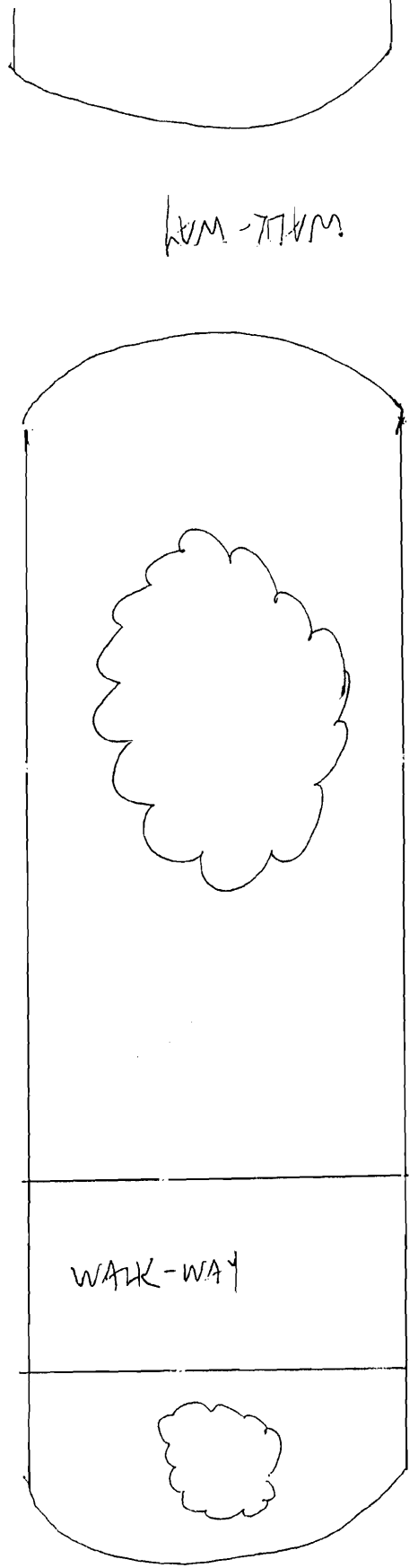
ENTRANCE
STREET FRONT

WALK-WAY

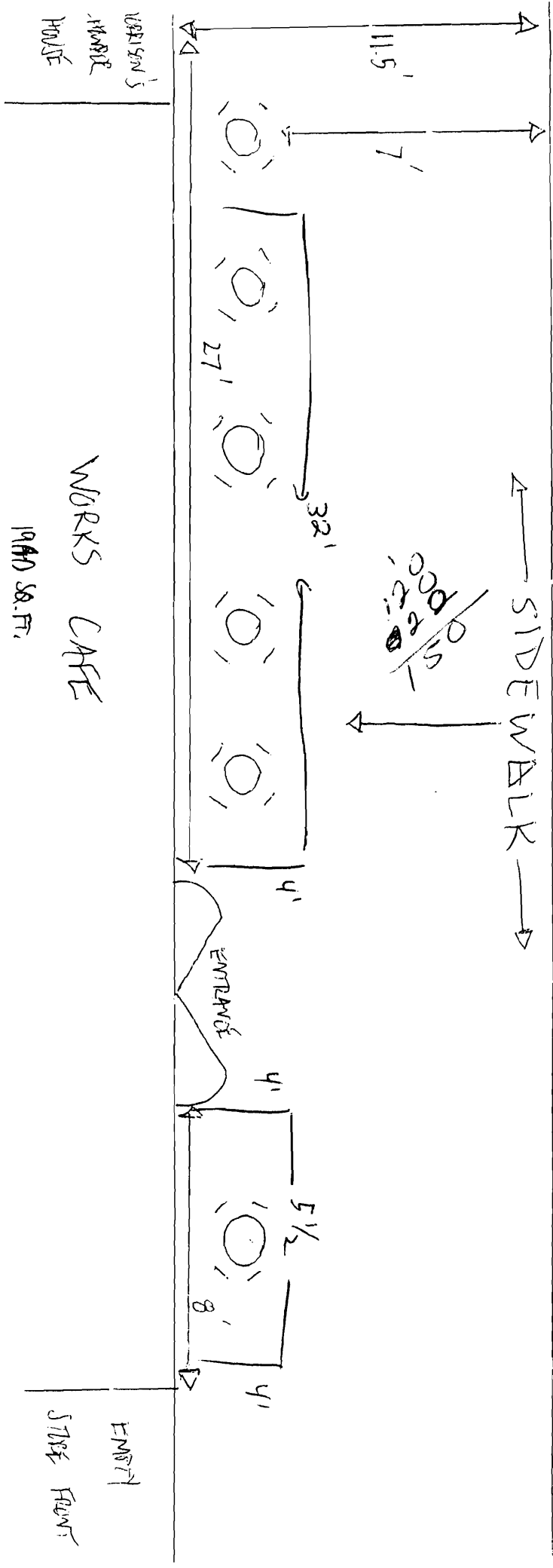
WALK-WAY

WALK-WAY

TEMPLE STREET



WALK-WAY



SIDE WALK

PSY

11.5'

7'

32'

27'

4'

4'

5 1/2'

8'

4'

ENTRANCE

HOUSE
OPEN SPACES
WORKS CAFE

WORKS CAFE

1940 SQ. FT.

ENTRANCE
STORE FRONT



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.

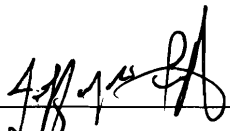
All permits for outdoor dining are issued subject to the following conditions:

- 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 litter 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:  Date: 4.16.09
 Printed name JEFFREY FIELD
 Establishment WARD'S TAVERN
 Location 15 TEMPLE ST.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/22/09

| | |
|--|---|
| PRODUCER Clark-Mortenson Agency, Inc. P.O. Box 606 Keene, NH 03431 | 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 Bagel Works Inc. 120 Main Street Keene, NH 03431 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURERS AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: The Hartford</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table> | INSURERS AFFORDING COVERAGE | NAIC # | INSURER A: The Hartford | | INSURER B: | | INSURER C: | | INSURER D: | | INSURER E: | |
|--|--|-----------------------------|--------|--------------------------------|--|------------|--|------------|--|------------|--|------------|--|
| INSURERS AFFORDING COVERAGE | NAIC # | | | | | | | | | | | | |
| INSURER A: The Hartford | | | | | | | | | | | | | |
| 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.

| NSR ADD'L LTR | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | | | | | | | | |
|-----------------------------|--|---------------|----------------------------------|-----------------------------------|---|----------------------|-------|--------------------|------------------|----------------------------|------------------|-----------------------------|------------------|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC | 04SBAUL0129 | 01/29/09 | 01/29/10 | EACH OCCURRENCE: \$1,000,000 DAMAGE TO RENTED PREMISES (EA OCCURRENCE): \$1,000,000 MED EXP (Any one person): \$10,000 PERSONAL & ADV INJURY: \$1,000,000 GENERAL AGGREGATE: \$2,000,000 PRODUCTS - COMP/OP AGG: \$2,000,000 | | | | | | | | |
| A | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | 04UECIY0949 | 01/29/09 | 01/29/10 | COMBINED SINGLE LIMIT (EA accident): \$1,000,000 BODILY INJURY (Per person): \$ BODILY INJURY (Per accident): \$ PROPERTY DAMAGE (Per accident): \$ | | | | | | | | |
| | GARAGE LIABILITY <input type="checkbox"/> ANY AUTO | | | | AUTO ONLY - EA ACCIDENT: \$ OTHER THAN AUTO ONLY: EA ACC: \$ AGG: \$ | | | | | | | | |
| A | EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION: \$10,000 | 04SBAUL0129 | 01/29/09 | 01/29/10 | EACH OCCURRENCE: \$1,000,000 AGGREGATE: \$1,000,000 \$ \$ | | | | | | | | |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED If yes, describe under SPECIAL PROVISIONS below | 04WECNN9094 | 01/29/09 | 01/29/10 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W/ STATU-TORY LIMITS</td> <td style="width: 50%;">OTHER</td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$500,000</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$500,000</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$500,000</td> </tr> </table> | W/ STATU-TORY LIMITS | OTHER | E.L. EACH ACCIDENT | \$500,000 | E.L. DISEASE - EA EMPLOYEE | \$500,000 | E.L. DISEASE - POLICY LIMIT | \$500,000 |
| W/ STATU-TORY LIMITS | OTHER | | | | | | | | | | | | |
| E.L. EACH ACCIDENT | \$500,000 | | | | | | | | | | | | |
| E.L. DISEASE - EA EMPLOYEE | \$500,000 | | | | | | | | | | | | |
| E.L. DISEASE - POLICY LIMIT | \$500,000 | | | | | | | | | | | | |
| | OTHER | | | | | | | | | | | | |

DESCRIPTION OF OPERATIONS / LOCATIONS, VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Workers Compensation protection applies to the states of NH, ME, VT
President, Richard French, is excluded from Workers Compensation protection
Certificate holder is listed as additional insured for general liability.
Loc# 4 - 15 Temple Street; Portland, ME

| | |
|--|---|
| CERTIFICATE HOLDER City of Portland 389 Congress Street Portland, ME 04101 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>N/A</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE |
|--|---|