

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION PERMIT

Permit Number: 080461

This is to certify that OLD PORT RETAIL HOLDINGS LLChas permission to outside seating 4 Tables & 8 chairsAT 436 FORE ST

L 032 R007001

provided that the person or persons who perform or supervise the construction accepting this permit shall comply with all of the provisions of the Statutes of the 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 opened or service is 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

AUG 8 2008

Department Name

CITY OF PORTLAND

PENALTY FOR REMOVING THIS CARD

James Burke 5/14/08
Director - Building & Inspection Services

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 08-0461		Issue Date:		CBL: 032 R007001	
Location of Construction: 436 FORE ST		Owner Name: OLD PORT RETAIL HOLDINGS		Owner Address: 101 RICHARDSON ST	
Business Name:		Contractor Name:		Contractor Address:	
Lessee/Buyer's Name		Phone:		Permit Type: Outdoor Seating	
Past Use: Restaurant "51 Wharf"		Proposed Use: Restaurant "51 Wharf" - outside seating 4 Tables & 8 Chairs <i>120 SQ FT</i>		Zone: <i>B-3</i>	
Proposed Project Description: outside seating 4 Tables & 8 Chairs <i>120 SQ FT</i>		Permit Fee: \$320.00		Cost of Work: \$320.00	
		CEO District: 1		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
		INSPECTION: Use Group: <i>A2</i> Type: <i>outdoor seating</i>		Signature: <i>5/14/08 gmb</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.):		Signature:	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		Date:	
Permit Taken By: Idobson		Date Applied For: 05/06/2008		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"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Major <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>5/10/08</i>		<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:	
<div style="border: 1px solid black; padding: 5px; text-align: center;">PERMIT ISSUED <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">AUG 8 2008</div>CITY OF PORTLAND</div>					

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 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>436 Fore St / (51 Wharf St)</u>		
Total Square Footage of Proposed Seating Area ¹		Square Footage of Lot (C) <u>603-817-1120</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot#	Owner: <u>Old Port Retail Holdings LLC</u>	Telephone: <u>207-774-1151</u>
Lessee/Buyer's Name (If Applicable) <u>51 Wharf Restaurant & Ultra Lounge</u> <u>51 Wharf St</u> <u>Portland, ME 04101</u>	Applicant must be owner or Lessee Name Address City, State & Zip	Annual Fee: <u>\$80</u> Sq Ft Fee: <u>120</u> <u>SMIT / OK</u> \$ Total Fee: \$
Current use: <u>Restaurant</u>		
Business name: <u>51 Wharf Restaurant & Ultra Lounge</u>		
Seating area dimensions: <u>4x12 & 4x5</u> <u>permitted</u> <u>(5'x16) + (5x8)</u>		
How many chairs? <u>8</u> How many tables? <u>4</u>		
Alcohol to be served outside? circle one: <u>YES</u> NO		
Who should we contact for the pre-inspection:		
Mailing address: <u>51 Wharf St, Portland, ME 04101</u> Phone: <u>207-774-1151</u> <u>603-817-1120</u>		

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]
Signature of Applicant

4/3/08
Date

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

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.

City of Portland, Maine - Building or Use Permit

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

Permit No: 08-0461	Date Applied For: 05/06/2008	CBL: 032 R007001
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Location of Construction: 436 FORE ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	

Proposed Use: Restaurant "51 Wharf" - outside seating 4 Tables & 8 Chairs 120 sq ft	Proposed Project Description: outside seating 4 Tables & 8 Chairs 120 sq ft
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Dept: Zoning **Status:** Approved **Reviewer:** Marge Schmuckal **Approval Date:** 05/08/2008
Note: **Ok to Issue:** ☒

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 05/14/2008
Note: **Ok to Issue:** ☒

- 1) 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
- 2) This permit approves outside seating only. Any food, alcohol or entertainment in this space requires licensing approvals from the City Clerk.
- 3) The tables and chairs must not block any means of egress of any building.

Comments:

5/8/2008-mes: returned to the front staff.

Corran Mailed 4/12/08

PAID
7/22/08

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

CK 1165530

Will mail
Permit.

INVOICE FOR PERMIT FEES

Application No:	8-0461	Applicant:	OLD PORT RETAIL HOLDINGS L
Project Name:	outside seating 4 Tables & 8 Chairs	Location:	436 FORE ST
CBL:	032 R007001	Development Type:	
Invoice Date:	05/08/2008		

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due		Payment Due Date
\$0.00		\$0.00		\$320.00		\$0.00		\$320.00		On Receipt

First Billing

Previous Balance

\$0.00

Fee Description	Qty	Fee/Deposit Charge
Outside Seating Sidewalk	120	\$240.00
Outside Seating	1	\$80.00
		\$320.00
Total Current Fees:		+ \$320.00
Total Current Payments:		- \$0.00
Amount Due Now:		\$320.00

Detach and remit with payment

Bill to: OLD PORT RETAIL HOLDINGS LLC
101 RICHARDSON ST
BROOKLYN, NY 11211

CBL 032 R007001
Application No: 8-0461
Invoice Date: 05/08/2008
Invoice No: 31029
Total Amt Due: \$320.00
Payment Amount:

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



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. 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: 5/5/08

Printed name

Tanner Hergut

Establishment _____

Location _____

S1 Wharf St
(436 Fore St)

