

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read  
Application And  
Notes, If Any,  
Attached

BUILDING DEPARTMENT

## PERMIT

Permit Number 51555  
**PERMIT ISSUED**  
MAY - 9 2005  
CITY OF PORTLAND

This is to certify that FORE & WHARF LLC / Applicant  
has permission to outdoor seating 3 tables and 12 chairs  
AT 446 FORE ST

City of Portland 032 R008001

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 work in progress must be reported before this building or part thereof is closed 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. \_\_\_\_\_  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

*Janice Bouke* 5/5/05  
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 ISSUED**

Permit No: 05-0435	Issue Date: MAY - 9 2005	CBL: RC08001
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<b>Location of Construction:</b> 446 FORE ST	<b>Owner Name:</b> FORE & WHARF LLC	<b>Owner Address:</b> 6 WEBBER WAY	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Applicant	<b>Contractor Address:</b> Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Outdoor Seating	<b>Zone:</b> B-3

<b>Past Use:</b> Commercial Diggers Restaurant	<b>Proposed Use:</b> Restaurant/ outdoor seating 3 tables and 12 chairs	<b>Permit Fee:</b> \$75.00	<b>Cost of Work:</b> \$75.00	<b>CEO District:</b> 1
outdoor seating 3 tables and 12 chairs		<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTION:</b> Use Group A 2 Type: outdoor seating	
		Signature:	Signature: <i>AMB 5/5/05</i>	
<b>PEDESTRIAN ACTIVITIES DISTRICT (P. D.)</b>				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
		Signature:	Date:	

<b>Permit Taken By:</b> Idobson	<b>Date Applied For:</b> 04/20/2005	<b>Zoning Approval</b>		
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 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..	<b>Special Zone or Reviews</b> <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>OK 4/20/05</i>	<b>Zoning Appeal</b> <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:	<b>Historic Preservation</b> <input type="checkbox"/> Not in District or Landmarl <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied TO D.A. Date: <i>D. Andrews 5/2/05</i>
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**CERTIFICATION**

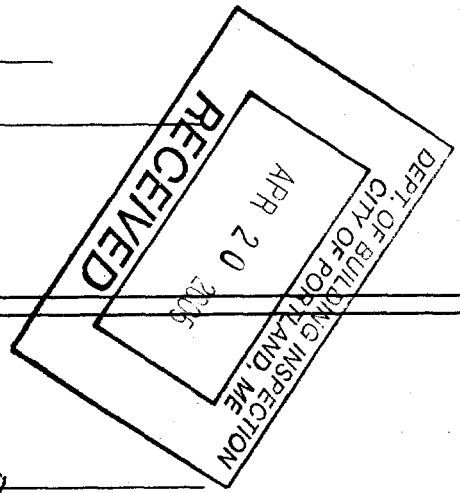
I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, 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>Diggers 446 Forest. Portland ME 04101</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Number  Chart# <u>2</u> Block# <u>R</u> Lot# <u>8</u>	Owner: <u>International Business Group</u>	Telephone#: <u>—</u>
<u>Diggers</u>	Owner's/Purchaser/Lessee Address: <u>446 Forest. Portland, ME 04101</u>	Cost Of Work: \$ Fee: <u>\$75.00</u>
Current use: <u>Outside patio on wharf st. / Reapplying for same use.</u> If the location is currently vacant, what was prior use: <u>same use</u> Approximately how long has it been vacant: <u>—</u> Proposed use: <u>outside seating / dining</u> Project description: <u>outside seating</u> <p style="text-align: center;"><u>2</u></p>		
Contractor's Name, Address & Telephone: <u>NA</u>		
Who should we contact when the permit is ready: <u>Thomas Manning</u> Telephone: <u>(781) 389-3679</u> If you would like the permit mailed, what mailing address should we use: <u>Po Box 7212, Portland, ME 04112</u>		



IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED.  
 AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

Certification

*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: *Thomas Manning*      Date: 4/20/05

Inspection Services  
Michael J. Nugent, Manager



Department of Urban Development  
Joseph Gray, Jr. Director

## CITY OF PORTLAND

### OUTSIDE 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 after obtained is covered from April 15" thru September 30" of that same year. This is a **permit that you must renew every year prior to commencing the activity.**

The following will have to be included **as** part of your submissions. Please note that you will also fill out a standard building permit. We have deleted many of the unnecessary requirements that are related to a structural building permit hoping to make the process easier for the applicant.

A plot plan showing the following:

- A drawing of the lot and where the building sits on the lot along with the lot and building dimensions
- Show the dimensional setback from the sidewalk to the building
  - The location of the street, and if it's a corner lot intersecting streets
- Show the sidewalk on the drawing along with its width and location of curbing
- **Show** the location of the table and chair placement

The tables and chairs shall 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 establishment shall comply with the request of the Municipality to relocate the chairs and tables to a more suitable location.

The establishment shall keep the sidewalk area where the tables and chairs are located neat and free from litter and debris.

The establishment shall 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. The City **will** be named as an additional insured thereon if the chairs and tables on City property.

**No food shall be prepared outside.** If alcohol is to be served, we need to be notified. State law requires that the area be segregated from the rest of the public. **Please contact the Licensing Department at 207-874-8557 before you commence any serving of alcohol outside.**

If the establishment is to be on City Property **an** indemnifying statement shall be signed by the establishment (owner). Please read the attached and sign.



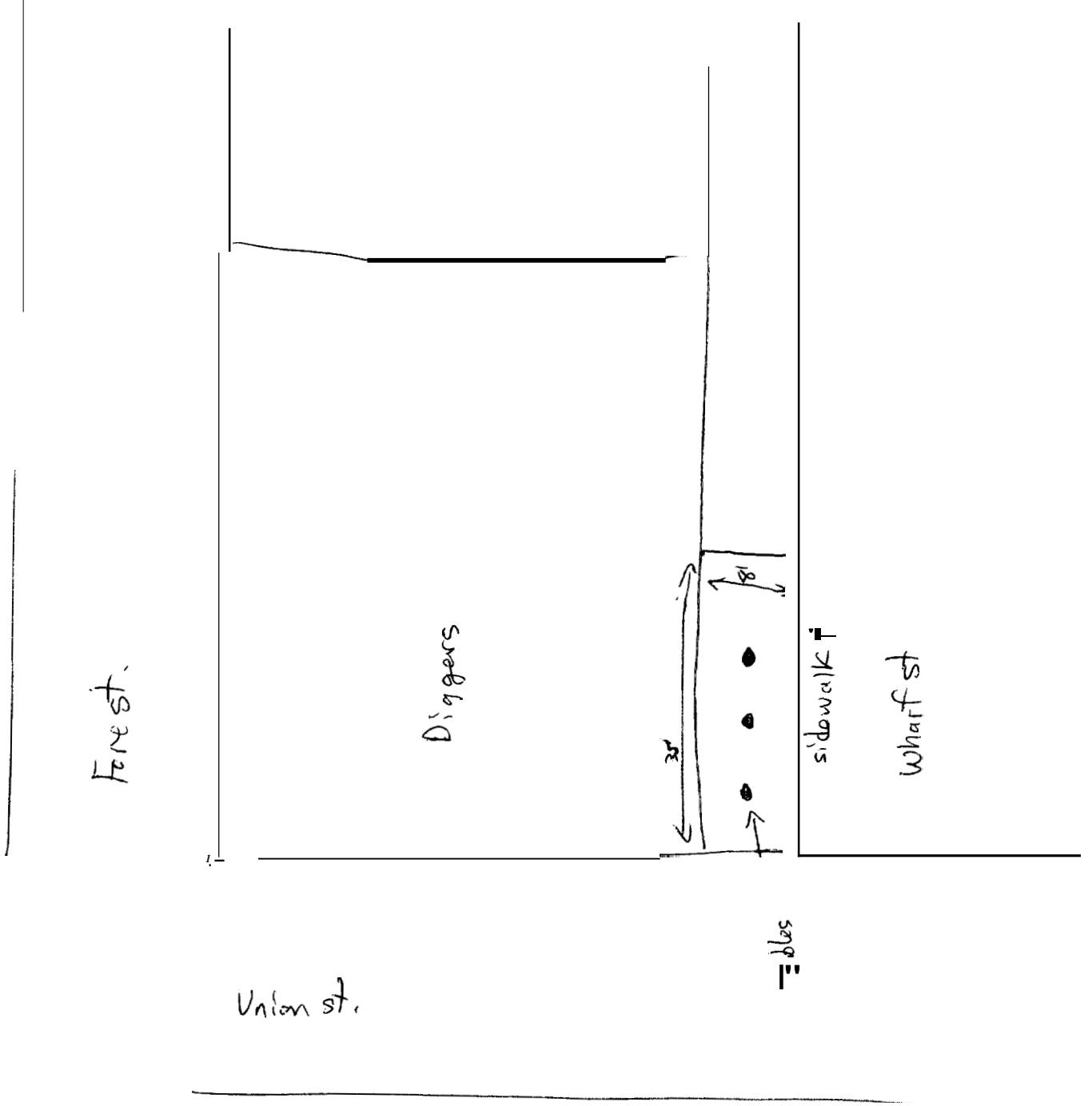
C/B/L: \_\_\_\_\_

## CONDITIONS FOR SIDEWALK OCCUPANCY PERMIT

Written consent and agreement relating to occupancy of the City of Portland sidewalk in the front, side, and or rear of the building at the stated location: 440-446 Forest; in Portland, Maine, by the owner of the establishment being: International Business Group, doing business as: Diggers, 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 therefrom, 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], President of International Business Group  
Establishment owner

Date: 4.20/05



**City of Portland, Maine - Building or Use Permit**

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

<b>Permit No:</b> 05-0435	<b>Date Applied For:</b> 0412012005	<b>CBL:</b> 032 ROO8001
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<b>Location of Construction:</b> 446 FORE ST	<b>Owner Name:</b> FORE & WHARF LLC	<b>Owner Address:</b> 6 WEBBER WAY	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Applicant	<b>Contractor Address:</b> Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b>	

<b>Proposed Use:</b> Restaurant/ outdoor seating 3 tables and 12 chairs	<b>Proposed Project Description:</b> outdoor seating 3 tables and 12 chairs
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**Dept:** Historical      **Status:** Approved with Conditions      **Reviewer:** Deborah Andrews      **Approval Date:** 05/02/2005

**Note:** **Ok to Issue:**

- 1) \* Installation must conform with the Historic Preservation Board's "Design Standards for Outdoor Cafe Installations on Wharf Street"--see copy attached.

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 04/20/2005

**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.
- 2) ANY exterior work requires a separate review and approval thru Historic Preservation
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept:** Building      **Status:** Pending      **Reviewer:**      **Approval Date:**

**Note:** **Ok to Issue:**

