

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 070529

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED	
MAY 25 2007	
CITY OF PORTLAND	

This is to certify that 87 MARGINAL WAY LLC

has permission to Outdoor seating 6 tables & 2 chairs

AT 87 MARGINAL WAY

034 D007001

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the State of Oregon 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 procured before this building or part thereof is leased or otherwise closed-in. 24 HOUR NOTIFICATION 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

3/25/07 *Charles L. ...*
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: 07-0529	Issue Date: 5-25-07	CBL: 034 D007001
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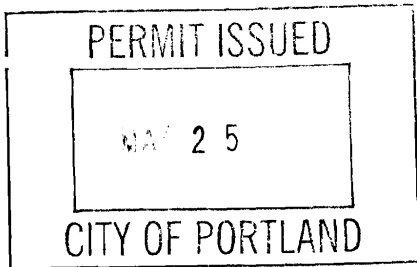
Location of Construction: 87 MARGINAL WAY	Owner Name: 87 MARGINAL WAY LLC	Owner Address: PO BOX 7525	Phone:
Business Name:	Contractor Name: n/a	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	Zone: B-7

Past Use: Commercial / Wild Oats	Proposed Use: Commercial / Wild Oats outdoor seating 6 tables & 21 chairs	Permit Fee:	Cost of Work: \$80.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: B Type: Seating	

Proposed Project Description: Outdoor seating 6 tables & 21 chairs	Signature:	Signature: 5/25/07 [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: dmartin	Date Applied For: 05/09/2007	Zoning Approval
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<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 <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p>Date: 5/24/07</p>	<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 <p>Date:</p>	<p>Historic Preservation</p> <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 <p>Date:</p>
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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

City of Portland, Maine - Building or Use Permit

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

Permit No: 07-0529	Date Applied For: 05/09/2007	CBL: 034 D007001
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Location of Construction: 87 MARGINAL WAY	Owner Name: 87 MARGINAL WAY LLC	Owner Address: PO BOX 7525	Phone:
Business Name:	Contractor Name: n/ a	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	

Proposed Use: Commercial / Wild Oats outdoor seating 6 tables & 21 chairs	Proposed Project Description: Outdoor seating 6 tables & 21 chairs
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Dept: Zoning **Status:** Approved **Reviewer:** Marge Schmuckal **Approval Date:** 05/21/2007
Note: **Ok to Issue:**

Dept: Building **Status:** Approved with Conditions **Reviewer:** Chris Hanson **Approval Date:** 05/25/2007
Note: **Ok to Issue:**

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



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>WILD OATS 87 MARGINAL WAY PORTLAND ME 04101</u>		
Total Square Footage of Proposed Structure <u>160</u>	Square Footage of Lot <u>101987</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>034</u> Block# <u>10007</u> Lot# <u>001</u>	Owner: <u>DTCK TRUCK PROPERTY MNGT,</u>	Telephone: <u>201 843 8030</u> <u>ext 11</u>
Lessee/Buyer's Name (If Applicable) <u>WILD OATS MARKETS INC</u>	Owner's/Purchaser/Lessee Address <u>3375 MITCHELL LANE</u> <u>BOULDER CO 80301</u>	Cost Of Work: \$ <u>0</u> Fee: \$80.00
Current use: <u>RETAIL GROCERY STORE</u> Business name: <u>WILD OATS</u> If the location is currently vacant, what was prior use: <u>NA</u> Approximately how long has it been vacant: <u>NA</u> Proposed use: <u>OUTSIDE DINING FOR CUSTOMERS & EMPLOYEES</u> Project description: Outside Seating How many chairs? <u>21</u> How many tables? <u>6</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: _____		
Who should we contact when the permit is ready: <u>MICHAEL CUDDY</u>		
Mailing address: <u>87 MARGINAL WAY</u> <u>PORTLAND ME 04101</u>		Phone: <u>699 2626</u>

Please submit all of the information outlined in the Outdoor Seating 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 of applicant: <u>[Signature]</u>	Date: <u>5/9/07</u>
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This is not a permit; you may not commence ANY work until the permit is issued.



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 \$80.00. 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:

- 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 liter and debris.
- You are required to produce and maintain public liability insurance coverage in an amount of not less than three hundred thousand (\$400,000) 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 or rear of the building at the stated location: 57 MARGINAL WAY; in Portland, Maine, by the owner of the establishment being: WILD OATS, doing business as: WILD OATS, 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: 5/9/07
Establishment owner

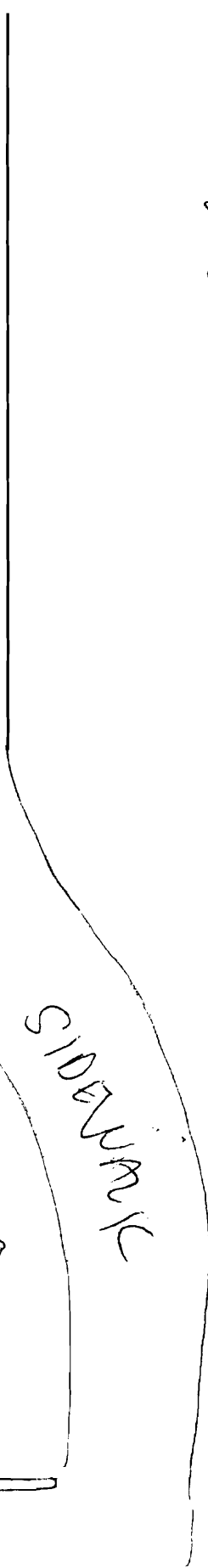
MARGINAL WAY

DRIVEWAY
PARKING
LANE

ISLAND

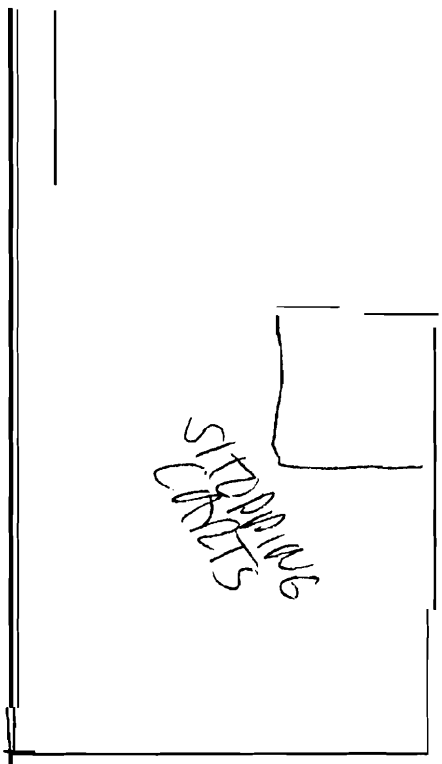
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PARKING
LOT

ISLAND

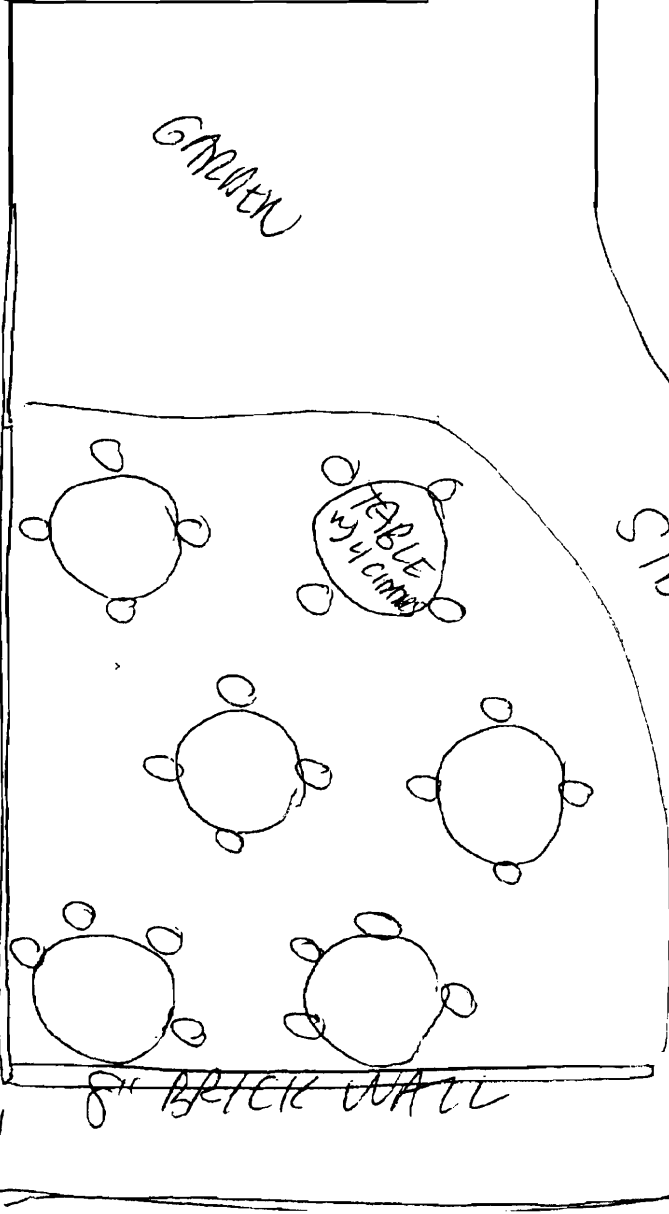


SIDEWALK

SIDEWALK



STAIRING
CORNERS



GARDEN

TABLE
W/ CHAIRS

8" BRICK WALL

EXTRA
SPACE
TO
STORE

WIND BARS

FRONT
DOOR