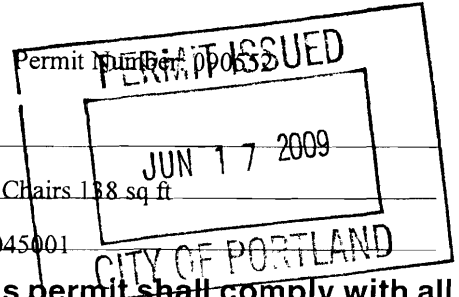


DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

**CITY OF PORTLAND**

BUILDING DEPARTMENT

Please Read  
Application And  
Notes, If Any,  
Attached

**PERMIT**This is to certify that 54D - 18 LLC /The Empire Dining and Dancehas permission to Outside Seating - "Empire Dining and Dance" Outside Seating 5 Tables & 10 Chairs 138 sq ftAT 575 CONGRESS ST

CB 037 A045001

provided that the person or persons, firm or corporation acquiring 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 worked-in. 24 HOURS 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

Director - Building &amp; Inspection Services

**PENALTY FOR REMOVING THIS CARD**

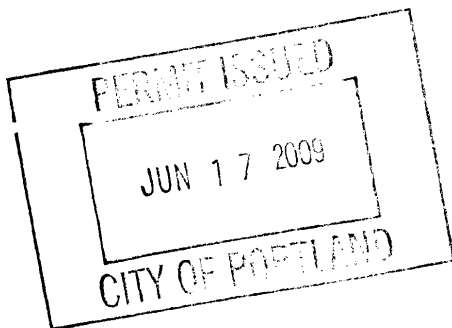
**City of Portland, Maine - Building or Use Permit Application**

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

<b>Permit No:</b> 09-0552		<b>Issue Date:</b>		<b>CBL:</b> 037 A045001	
<b>Location of Construction:</b> 575 CONGRESS ST		<b>Owner Name:</b> 54D - 18 LLC		<b>Owner Address:</b> 559 CONGRESS ST	
<b>Business Name:</b>		<b>Contractor Name:</b> The Empire Dine and Dance		<b>Phone:</b>	
<b>Lessee/Buyer's Name</b>		<b>Phone:</b>		<b>Permit Type:</b> Outdoor Seating	
				<b>Zone:</b> B3C	

<b>Past Use:</b> Restaurant - "The Empire Dine and Dance"		<b>Proposed Use:</b> Outside Seating - "Empire Dine and Dance" - Outside seating 5 tables & 10 Chairs 138 sq ft		<b>Permit Fee:</b> \$356.00	
				<b>Cost of Work:</b> \$356.00	
				<b>CEO District:</b> 1	
<b>Proposed Project Description:</b> Outside Seating - "Empire Dine and Dance" - Outside seating 5 tables & 10 Chairs 138 sq ft		<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied Signature: <i>N/A</i>		<b>INSPECTION:</b> Use Group: <i>U</i> Type: <i>Outdoor Seating</i> Signature: <i>[Signature]</i>	
		<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>			
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____			

<b>Permit Taken By:</b> Ldobson		<b>Date Applied For:</b> 06/04/2009		<b>Zoning Approval</b>	
<ol style="list-style-type: none"><li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li><li>Building permits do not include plumbing, septic or electrical work.</li><li>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..</li></ol>		<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>6/17/09</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 Landmark <input checked="" 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 Date: <i>6/17/09</i>			

**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

<b>Permit No:</b> 09-0552	<b>Date Applied For:</b> 06/04/2009	<b>CBL:</b> 037 A045001
------------------------------	--	----------------------------

<b>Location of Construction:</b> 575 CONGRESS ST	<b>Owner Name:</b> 54D - 18 LLC	<b>Owner Address:</b> 559 CONGRESS ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> The Empire Dine and Dance	<b>Contractor Address:</b>	<b>Phone</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Outdoor Seating	

<b>Proposed Use:</b> Outside Seating - "Empire Dine and Dance" - Outside seating 5 tables & 10 Chairs 138 sq ft	<b>Proposed Project Description:</b> Outside Seating - "Empire Dine and Dance" - Outside seating 5 tables & 10 Chairs 138 sq ft
--	--

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Tammy Munson      **Approval Date:** 06/17/2009**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:** 06/17/2009**Note:**      **Ok to Issue:** ☒

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

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
Portland, Maine 04101

**INVOICE FOR PERMIT FEES**

<b>Application No:</b>	9-0552	<b>Applicant:</b>	54D - 18 LLC
<b>Project Name:</b>	Outside Seating - "Empire Dine and	<b>Location:</b>	575 CONGRESS ST
<b>CBL:</b>	037 A045001	<b>Development Type:</b>	
<b>Invoice Date:</b>	06/16/2009		

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$356.00		\$80.00		\$276.00	On Receipt

**First Billing**

**Previous Balance**

**\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Outside Seating Sidewalk	138	\$276.00
Outside Seating	1	\$80.00
		<hr/> \$356.00
<b>Total Current Fees:</b>		<b>+ \$356.00</b>
<b>Total Current Payments:</b>		<b>- \$80.00</b>
<b>Amount Due Now:</b>		<b>\$276.00</b>

-----  
Detach and remit with payment

**Bill to:** 54D - 18 LLC  
559 CONGRESS ST  
PORTLAND, ME 04101

CBL 037 A045001  
**Application No:** 9-0552  
**Invoice Date:** 06/16/2009  
**Invoice No:** 34818  
**Total Amt Due:** \$276.00  
**Payment Amount:**

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

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
Portland, Maine 04101

**INVOICE FOR PERMIT FEES**

<b>Application No:</b>	9-0552	<b>Applicant:</b>	54D - 18 LLC
<b>Project Name:</b>	Outside Seating - "Empire Dine and	<b>Location:</b>	575 CONGRESS ST
<b>CBL:</b>	037 A045001	<b>Development Type:</b>	
<b>Invoice Date:</b>	06/16/2009		

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$356.00		\$80.00		\$276.00	On Receipt

**First Billing**

**Previous Balance**

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Fee Description	Qty	Fee/Deposit Charge
Outside Seating Sidewalk	138	\$276.00
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Amount Due Now:		<hr/> \$276.00

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Detach and remit with payment

**Bill to:** 54D - 18 LLC  
559 CONGRESS ST  
PORTLAND, ME 04101

CBL 037 A045001  
**Application No:** 9-0552  
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**Total Amt Due:** \$276.00  
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Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.



## 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.

<input type="checkbox"/> New Application for Outside Dining <input checked="" type="checkbox"/> <b>Renewal</b> Application for Outside Dining		
City Clerk signature for liquor license approval: <u>AM OK 6.3.09</u> or Pending Council Date _____		
Location/Address of Outdoor Seating: _____		
Total Square Footage of Proposed Seating Area <sup>1</sup> <u>138</u>		Square Footage of Lot _____
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>037 A045001</u>	Phone#: <u>207-939-5221</u>	Owner: <u>Todd Doyle + Bill Umbel</u> <u>575 Congress St. Portland ME</u>
Applicant * <b>must be owner or Lessee</b> Name: <u>Todd Doyle + Bill Umbel</u> Address: <u>575 Congress St.</u> City, State & Zip: <u>Portland ME 04101</u>	Lessee/Buyer's Name: (If Applicable) _____	Annual Fee: <u>\$80</u> Total Sq. Ft. <u>138</u> Sq. Ft. Fee: <u>\$ 276.<sup>00</sup></u> Total Fee: <u>\$ 356.<sup>00</sup></u>
Current use: <u>Outside Seating 5 tables and 10 chairs</u>		
Business name: <u>575 LLC (DAA) Empire Dine + Dance</u>		
Seating area dimensions: <u>10x6 / 13x6</u>		
How many chairs? <u>10</u> How many tables? <u>5</u>		
<input checked="" type="checkbox"/> Yes Alcohol is served. <input type="checkbox"/> No Alcohol being served.		
Who should we contact for the pre-inspection: <u>Todd Doyle</u>		
Mailing address: <u>575 Congress St. Portland ME 04101</u> Phone: <u>207-939-5221</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](http://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: 01 Jun 09

<sup>1</sup> 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. **This is not a permit; you may not commence ANY work until the permit is issued.**

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/04/2009

<b>PRODUCER</b> <b>Marsh Agency</b> <b>560 Brighton Avenue</b>  <b>Portland ME 04102</b>	<b>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.</b>												
<b>INSURED</b> <b>Empire Dine &amp; Dance</b> <b>575 Congress Street</b>  <b>Portland ME 04101</b>	<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: <b>Navigators Specialty Ins Co</b></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: <b>Navigators Specialty Ins Co</b>		INSURER B:		INSURER C:		INSURER D:		INSURER E:	
INSURERS AFFORDING COVERAGE	NAIC #												
INSURER A: <b>Navigators Specialty Ins Co</b>													
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	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	CH07PKG010291-00	12/07/2008	12/07/2009	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ <b>5,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>2,000,000</b>
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AGG \$
		<b>EXCESS / UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

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

Outdoor seating for Empire Dine &amp; Dance

City of Portland as additional insured

## CERTIFICATE HOLDER

City of Portland  
 City Clerk  
 Fax 874-8716

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 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

**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).

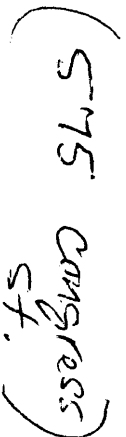
**DISCLAIMER**

This Certificate of Insurance 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.



10x 6

Received / confirmed JGR





# 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: 01 Jun 09

Printed name \_\_\_\_\_

Todd Doyle

Establishment \_\_\_\_\_

Empire Live + Dance

Location \_\_\_\_\_

575 Congress St Portland ME

Google maps

Address **575** Congress St

Address is approximate

**Save trees. Go green!**

Download Google Maps on your  
phone at [google.com/gmm](http://google.com/gmm)



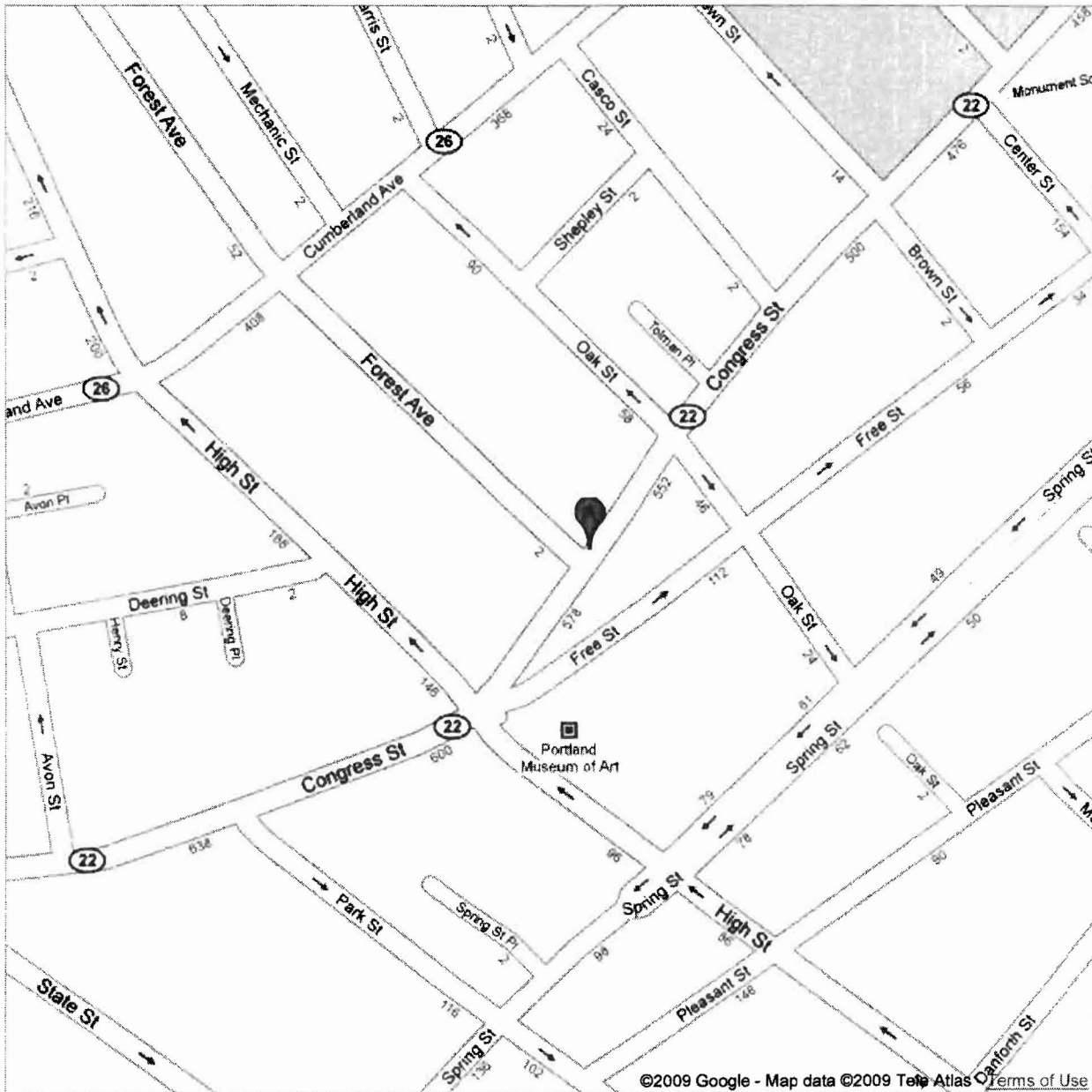
Google maps

Address **575 Congress St**  
**Portland, ME 04101**

Get Google Maps on your phone



Text the word "GMAPS" to 466453



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