

**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 482 Congress St.		Owner: J. H. Brown & Sons		Phone: 774-5988		Permit No: 980391	
Owner Address: 482 Congress St.		Lessee/Buyer's Name: Ecoy Kitchen		Phone: 871-9048		Business Name:	
Contractor Name:		Address:		Phone:		Permit Issued: <b>PERMIT ISSUED</b> APR 21 1998 CITY OF PORTLAND	
Past Use: restaurant		Proposed Use: restaurant		<b>COST OF WORK:</b> \$ <b>PERMIT FEE:</b> \$ <b>FIRE DEPT.</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied <b>INSPECTION:</b> Use Group: Type: Signature: Signature:		Zone: CBL: 37-T-3 Zoning Approval: Special Zone or Reviews: <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"/>	
Proposed Project Description: outdoor cafe & temp				<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b> Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/> Signature: Date:			
Permit Taken By: Judy Laplante		Date Applied For: 4/16/98					

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..

**PERMIT ISSUED WITH REQUIREMENTS**

**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 provisions of the code(s) applicable to such permit

482 Congress St. 871-9048

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

CEO DISTRICT 2

LAND USE - ZONING REPORT

ADDRESS: 482 Congress St DATE: 4/17/98

REASON FOR PERMIT: outside dining

BUILDING OWNER: J. B. Berman & Sons C-B-L

PERMIT APPLICANT: \_\_\_\_\_

APPROVED: with conditions DENIED: \_\_\_\_\_

#9. #10

CONDITION(S) OF APPROVAL

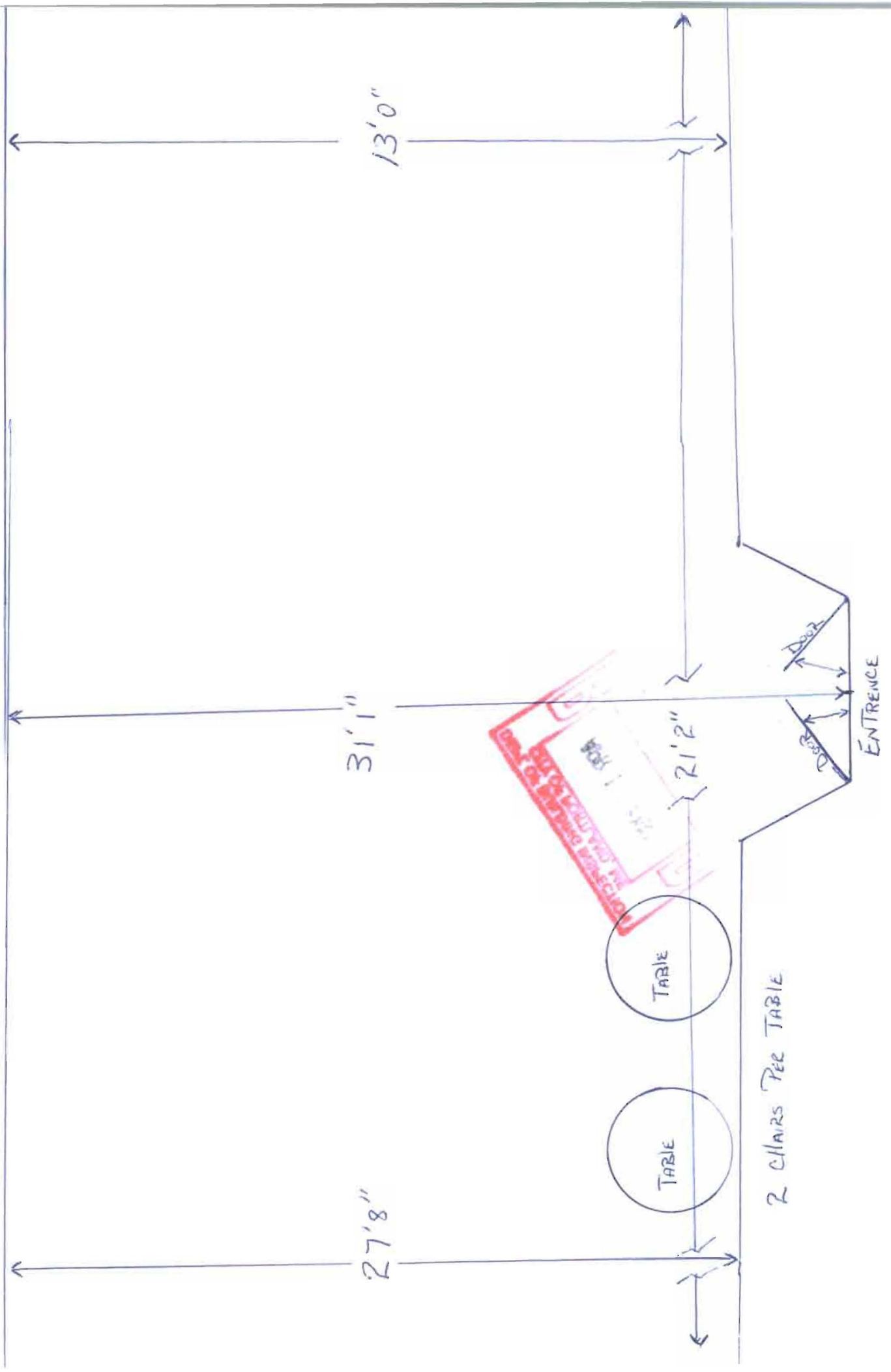
1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing \_\_\_\_\_ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on \_\_\_\_\_ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of \_\_\_\_\_ units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.

9. Other requirements of condition you shall abide by all the outside dining regulations as submitted to you including public liability coverage.  
Also the City's traffic Engineer has the right to have you relocate any tables and/or chairs if the public safety is at risk.

Marge Schmuckal Marge Schmuckal, Zoning Administrator,  
 Asst. Chief of Code Enforcement

10. Any conflict with the outdoor <sup>farmers</sup> market sales shall be resolved thru the City Clerk's office.

482 1/2 CONGRESS ST. "KOEY KITCHEN" RESTAURANT





Inspection Services  
Samuel P. Hoffses  
Chief



Planning and Urban Development  
Joseph E. 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 \$25.00 fee). The time period covered is from April 15th thru September 30th. This is a yearly renewable permit.

1. In order to apply the applicant must submit plans showing where the tables and chairs would be located (showing footage distances from the establishment, other chairs, exiting, curbing, how much sidewalk footage is available, etc). 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 in the sole opinion of the Traffic Engineer, the placement of the tables and chairs creates a public safety hazard, the establishment shall comply with the Traffic Engineer's request to relocate the tables and chairs 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.
2. The establishment shall procure and maintain public liability insurance coverage in an amount of not less than three hundred thousand (\$300,000) combined single limit for bodily injury, death and property damage. And if the tables and chairs are on City property, the City of Portland shall be named as an additional insured thereon.
3. If the establishment is to be on City Property an indemnifying statement shall be signed by the establishment owner (see attached).
4. 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. We need to know how that is to be accomplished.

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:

Sidewalk

in Portland, Maine, by the owner of the establishment being:

J.P. Brown + Sons

doing business as: Kozy Kitchen

hereby, to the fullest extent permitted by law, shall defend, indemnify and hold harmless the City, 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: Brian Long Establishment Owner Christina M. Jones

Dated: 4-15-98