

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

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

Permit No: 01-1074	Issue Date:	CBL: 267 A007001
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Location of Construction: 132 Riverside St	Owner Name: Webber Petroleum Co	Owner Address: Po Box 929	Phone:
Business Name: n/a	Contractor Name: Barlo Signs	Contractor Address: 155 Maine Mall Road South Portland	Phone: 2078429002
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Signs - Permanent	Zone: B-4

Past Use: Commercial / Oil Company	Proposed Use: Commercial / Oil Company; Installation of (1) 99.73 sq. ft box sign on existing poles.	Permit Fee:	Cost of Work: \$0.00	CEO District: 3
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Proposed Project Description:  
Install 99.73 sq. ft. box sign

FIRE DEPT:  Approved  Denied

INSPECTION:  
Use Group: *Sign*

**BOCA PERMIT ISSUED WITH REQUIREMENTS**

Signature: *[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: gg	Date Applied For: 08/31/2001	<b>Zoning Approval</b>
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<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>9/7/01</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 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>Needs permission from D.A.</i>		

*APPROVED FOR REVIEW UNDER SECS. 14-368.5g + 14-826 OF SITE PLAN ORDINANCE 9/10/01 DCA*

**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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE


01 1074  
THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

Sign Permit Pre-Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

NOTE\*\*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 (include Portion of Building): <del>#150</del> 132 Riverside Dr @ Exit 8		
Total Square Footage of Proposed Structure 7'2" x 13'11" (99.73 <sup>sq ft</sup> ) Square Footage of Lot		
Tax Assessor's Chart, Block & Lot Number Chart# 267 Block# A Lot# 009	Owner: Webber Oil Co 700 Main St	Telephone#:
Owner's Address: 700 Main St Bangor ME 04402	Lessee/Buyer's Name (If Applicable)	Total Sq. Ft. of Sign Fee 99.73 <sup>sq ft</sup> \$ 30.00
Proposed Project Description: (Please be as specific as possible) Installation of (1) 99.73 <sup>sq ft</sup> Box Sign on existing poles Jennison		
Contractor's Name, Address & Telephone: Barlow Signs 158 Greeley St Hudson Rec'd By		
Current Use: Gas Station	Proposed Use: Sign NH 03051 For Tim Hortons	

Signature of applicant: 	Date: 8/30/01
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Signage Permit Fee: \$30.00 plus .20 per square foot of signage

Barlow Signs  
UL # E-92151

**SIGNAGE PRE-APPLICATION**

PLEASE ANSWER ALL QUESTIONS

ADDRESS: 132 Riverside Drive ZONE: \_\_\_\_\_

OWNER: Tim Hortons / Webber Oil

APPLICANT: Jenn Robichaud

ASSESSOR NO. \_\_\_\_\_

SINGLE TENANT LOT? YES \_\_\_\_\_ NO

MULTI TENANT LOT? YES  NO \_\_\_\_\_

FREESTANDING SIGN? YES  NO \_\_\_\_\_

DIMENSIONS 7'2" x 13'11"

(ex. pole sign. . .)

MORE THAN ONE SIGN? YES \_\_\_\_\_ NO  DIMENSIONS \_\_\_\_\_

BLDG. WALL SIGN? YES \_\_\_\_\_ NO  DIMENSIONS \_\_\_\_\_

(attached to bldg)

MORE THAN ONE SIGN? YES \_\_\_\_\_ NO  DIMENSIONS \_\_\_\_\_

LIST ALL EXISTING SIGNAGE AND THEIR DIMENSIONS: (1) 9' x 16' illuminated ground sign

LOT FRONTAGE (FEET): 200

BLDG FRONTAGE (FEET): 65'

AWNING YES \_\_\_\_\_ NO  IS AWNING BACKLIT? YES \_\_\_\_\_ NO \_\_\_\_\_

HEIGHT OF AWNING: \_\_\_\_\_

IS THERE ANY COMMUNICATION, MESSAGE, TRADEMARK OR SYMBOL ON IT? \_\_\_\_\_

\*\*\* TENANT BLDG. FRONTAGE (IN FEET) 65'

\*\*\* REQUIRED INFORMATION

AREA FOR COMPUTATION

**A SITE SKETCH AND BUILDING SKETCH SHOWING EXACTLY WHERE EXISTING AND NEW SIGNAGE IS LOCATED MUST BE PROVIDED. SKETCHES AND/OR PICTURES OF PROPOSED ARE ALSO REQUIRED.**

SIGNATURE OF APPLICANT: Jenn Robichaud DATE: 8/30/01

**BUILDING PERMIT REPORT**

DATE: 4 September 2001 ADDRESS: 132 Riverside Street CBL: 267-A-007

REASON FOR PERMIT: Signage

BUILDING OWNER: Webber Petroleum Co.

PERMIT APPLICANT: \_\_\_\_\_ CONTRACTOR Barlo Signs

USE GROUP: \_\_\_\_\_ CONSTRUCTION TYPE: \_\_\_\_\_ CONSTRUCTION COST: \_\_\_\_\_ PERMIT FEES: \$30.00

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)  
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: \*1, \*37

- X1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) **"ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."**
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete and masonry. Concrete Sections 1908.9-19.8.10/ Masonry Sections 2111.3-2111.4.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42". In occupancies in Use Group A, B, H-4, I-1, I-2, M, R, public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. Handrails shall be a minimum of 34" but not more than 38". Exception: Handrails that form part of a guard shall have a height not less than 36 inches (914 mm) and not more than 42 inches (1067 mm). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7) **R-3 (ONE & TWO FAMILY DWELLINGS) GUARD HEIGHT IS 36" MINIMUM.**
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
16. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
17. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

20. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
  - In the immediate vicinity of bedrooms
  - In all bedrooms
  - In each story within a dwelling unit, including basements
21. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
25. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
26. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
29. All requirements must be met before a final Certificate of Occupancy is issued.
30. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).
31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
32. Please read and implement the attached Land Use Zoning report requirements.
33. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
34. Bridging shall comply with Section 2305.16.
35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
36. All flashing shall comply with Section 1406.3.10.
- \*37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

*(see attached)*

*[Signature]*  
 P. [Name], Building Inspector  
 L. McDeegan, PFD  
 Marge Schmuckal, Zoning Administrator  
 Michael Nugent, Inspection Service Manager

PSH 10/00

\*\*This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval

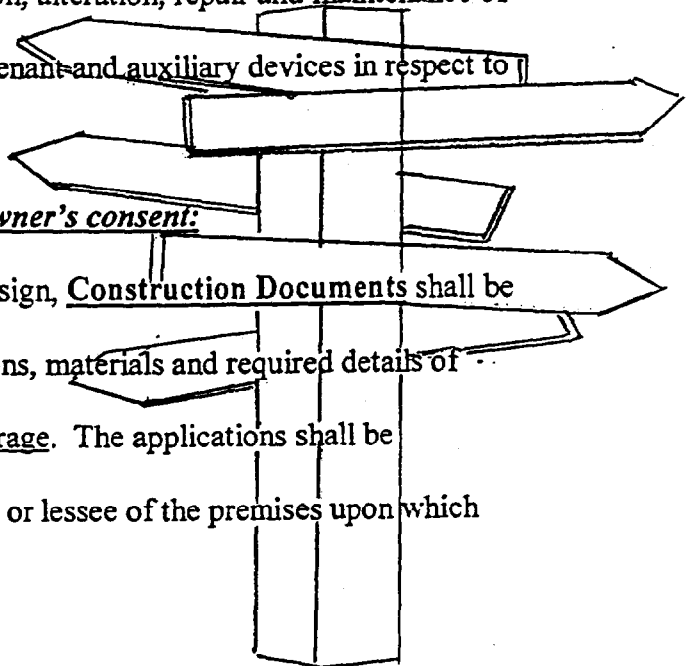
**...THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. ( You Shall Call for Inspections )**

**\*\*\*\*ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

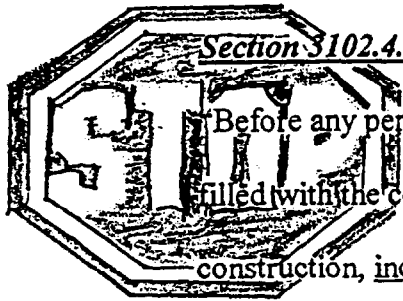
**\*\*\*\*\*CERTIFICATE OF OCCUPANCY FEE \$50.00**

# SIGN PERMITS

The provisions of Section 3102.0 of the City's Building Code "The BOCA National Building Code/1999" shall govern the construction, alteration, repair and maintenance of outdoor signs together with the associated appurtenant and auxiliary devices in respect to structural and fire safety.



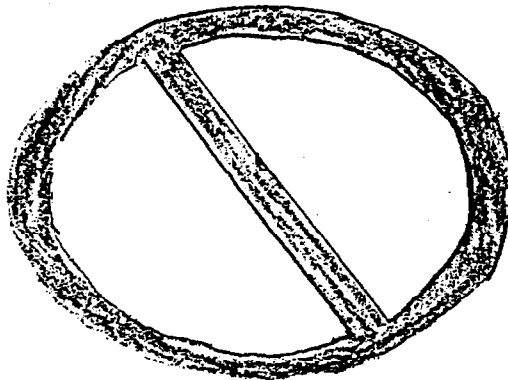
**Section 3102.4.4 construction documents and owner's consent:**



Before any permit is issued for the erection of a sign, Construction Documents shall be filled with the code official showing the dimensions, materials and required details of construction, including loads, stresses, and anchorage. The applications shall be accompanied by the written contract of the owner or lessee of the premises upon which the sign is to be erected."

**NO PERMIT CAN OR WILL BE ISSUED UNLESS THIS INFORMATION IS SUBMITTED AND APPROVED BY THIS OFFICE.**

PSH MAY 28, 2000



# CHAPTER 31

## SPECIAL CONSTRUCTION

### SECTION 3101.0 GENERAL

**3101.1 Scope:** In addition to the general requirements of this code governing the design and construction of all structures, the provisions of this chapter shall control the special structures and construction features as herein provided.

### SECTION 3102.0 SIGNS

**3102.1 General:** The provisions of this section shall govern the construction, *alteration*, repair and maintenance of outdoor *signs* together with the associated appurtenant and auxiliary devices in respect to structural and fire safety. Section 2609.0 shall govern approved light-transmitting *plastic* interior wall *signs*. Section 402.13 shall govern approved *plastic* signs in covered mall buildings.

**3102.2 Definitions:** The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

**Sign:** Any fabricated sign or outdoor display structure, including its structure; consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminating device, which is constructed, attached, erected, fastened or manufactured in any manner so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, and displayed in any manner out of doors for recognized advertising purposes.

**Closed sign:** A *sign* in which more than 50 percent of the entire area is solid or tightly enclosed or covered.

**Ground sign:** A *sign* supported by uprights or braces in or upon the ground surface.

**Marquee sign:** A *sign* attached to or hung from a marquee, canopy or other covered structure, projecting from and supported by the building and extending beyond the building wall, building line or *street lot line*.

**Open sign:** A *sign* in which at least 50 percent of the enclosed area is uncovered or open to the transmission of wind.

**Portable sign:** A *sign*, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

**Projecting sign:** A display *sign* which is attached directly to the building wall, and which extends more than 15 inches (381 mm) from the face of the wall.

**Roof sign:** A *sign* which is erected, constructed and maintained above the roof of the building.

**Temporary sign:** A *sign* constructed of cloth, fabric or other lightweight temporary material with or without a structural frame intended for a limited period of display; including decoration displays for holidays or public demonstrations.

**Wall sign:** A *sign* which is painted on or attached directly to a fence or on the surface of masonry, concrete, frame or other approved building walls, and which extends not more than 15 inches (381 mm) from the face of the fence or wall.

**3102.3 Zoning law:** Where more restrictive in respect to location, purpose, size or height of *signs*, the limitations of *zoning* laws that affect required light and *ventilation* requirements and occupancy of land shall take precedence over the regulations of this code.

**3102.4 Permits and construction documents:** Permits for *signs* shall be required as specified in Sections 3102.4.1 and 3102.4.2 except as provided for in Section 3102.4.3. *Construction documents* shall be prepared and filed in accordance with Sections 3102.4.4 and 3102.4.5.

**3102.4.1 New signs:** A new *sign* shall not hereafter be erected, constructed, *altered* or maintained except as provided for herein, and until a permit has been issued by the code official.

**3102.4.2 Alterations:** A *sign* shall not be enlarged or relocated unless such *sign* conforms to the provisions of this section for new *signs*, or until a proper permit has been secured. The changing of movable parts of an approved *sign* that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an *alteration*, provided that the conditions of the original approval and the requirements of this section are not violated.

**3102.4.3 Permit exemptions:** A permit shall not be required for the *signs* specified in Sections 3102.4.3.1 through 3102.4.3.5. Such exceptions, however, shall not be construed to relieve the owner of the *sign* from responsibility for the *sign's* erection and maintenance in a safe manner.

**3102.4.3.1 Wall signs:** A permit shall not be required for a *sign* painted on the surface of a fence or approved building wall, or any nonilluminated wall *sign* on a

**3102.8 Roof signs:** Roof *signs* shall comply with Sections 3102.8.1 through 3102.8.4.

**3102.8.1 Materials:** All roof *signs* shall be constructed entirely of metal or other approved noncombustible material except as provided for in Section 3102.6.4. Provisions shall be made for electric grounding of all metallic parts. Where combustible materials are permitted in letters or other ornamental features, all wiring and tubing shall be kept free and insulated therefrom.

**3102.8.2 Bottom clearance:** There shall be a clear space of not less than 6 feet (1829 mm) between the lowest part of the *sign* and the roof level, except for necessary structural supports.

**3102.8.3 Closed signs:** A closed roof *sign* shall not be erected to a height greater than 50 feet (15240 mm) above the roof of buildings of Types 1 and 2 construction, nor more than 35 feet (10668 mm) above the roof of buildings of Types 3, 4 and 5 construction.

**3102.8.4 Open signs:** An open roof *sign* shall not exceed a height of 100 feet (30480 mm) above the roof of buildings of Types 1 and 2 construction; and not more than 60 feet (18288 mm) above the roof of buildings of Types 3, 4 and 5 construction.

**3102.9 Wall signs:** Wall *signs* shall comply with Sections 3102.9.1 and 3102.9.2.

**3102.9.1 Materials:** Wall *signs* which have an area exceeding 40 square feet (3.72 m<sup>2</sup>) shall be constructed of metal or other approved noncombustible material, except for nailing rails and as provided for in Section 3102.6.4.

**3102.9.2 Extension:** Wall *signs* shall not be erected to extend above the top of the wall, nor to extend beyond the ends of the wall to which the *signs* are attached unless such *signs* conform to all of the requirements for roof *signs*, projecting *signs* or ground *signs*.

**3102.10 Projecting signs:** Projecting *signs* shall comply with Sections 3102.10.1 through 3102.10.4.

**3102.10.1 Materials:** Projecting *signs* shall be constructed entirely of metal or other approved noncombustible material except as provided for in Section 3102.6.4.

**3102.10.2 Maximum projection:** A projecting *sign* shall not extend beyond a vertical plane that is 2 feet (610 mm) inside the curb line.

**3102.10.3 Clearance:** A vertical clearance of not less than 8 feet (2438 mm) shall be provided below all parts of projecting *signs*.

**3102.10.4 Additional loads:** Projecting *sign* structures which will be used to support an individual on a ladder or other servicing device — whether or not specifically designed for the servicing device — shall be capable of supporting the anticipated additional *load*, but not less than a 100-pound (445 N) concentrated horizontal *load* and a 300-pound (1334 N) concentrated vertical *load* applied at the point of assumed or most eccentric *loading*. The building component to which the

projecting *sign* is attached shall also be designed to support the additional *loads*.

**3102.11 Marquee signs:** Marquee *signs* shall comply with Sections 3102.11.1 through 3102.11.3.

**3102.11.1 Materials:** Marquee *signs* shall be constructed entirely of metal or other approved noncombustible material except as provided for in Section 3102.6.4.

**3102.11.2 Attachment:** Marquee *signs* shall be attached to approved marquees that are constructed in accordance with Section 3203.11.

**3102.11.3 Dimensions:** Marquee *signs* shall not project beyond the perimeter of the marquee.

**3102.12 Temporary signs:** Temporary *signs* shall comply with Sections 3102.12.1 through 3102.12.4.

**3102.12.1 Banner and cloth signs:** Temporary *signs* and banners which are attached to or suspended from a building, and which are constructed of cloth or other combustible material, shall be constructed in an approved manner and shall be securely supported. Such *signs* and banners shall be removed as soon as torn or damaged, and not later than 60 days after erection. Permits for temporary *signs* that are suspended from or attached to a canopy or marquee shall be limited to a period of ten days.

**3102.12.2 Maximum size:** Temporary *signs* of combustible construction shall not be more than 10 feet (3048 mm) in one dimension nor more than 500 square feet (46.5 m<sup>2</sup>) in area.

**3102.12.3 Supports:** Where more than 100 square feet (9.3 m<sup>2</sup>) in area, temporary *signs* and banners shall be constructed and fastened to supports that are capable of withstanding the design *loads* listed in Section 1608.0.

**3102.12.4 Special permits:** Temporary *signs* used for holidays, public demonstrations or promotions of civic welfare or charitable purposes, which extend across streets or other public spaces shall be subject to special approval of the authority having jurisdiction.

**3102.13 Illuminated signs:** Illuminated *signs* shall comply with Sections 3102.13.1 through 3102.13.3.

**3102.13.1 Certificates:** All electrically illuminated *signs* shall be certified as to electric wiring and devices by the agency having jurisdiction, and all wiring and accessory electrical equipment shall conform to the requirements of NFPA 70 listed in Chapter 35.

**3102.13.2 Additional permits:** Electrical permits shall be issued for the erection or maintenance of illuminated *signs*.

**3102.13.3 Relettering signs:** The requirements of this section shall not apply to the relettering of illuminated *signs*, except where such relettering requires a change of wiring or piping of the *sign*.

**3102.14 Portable signs:** Portable *signs* shall conform to all requirements for ground, roof, projecting, flat and temporary *signs* where such *signs* are used in a similar capacity. The requirements of this section shall not be construed to require portable *signs* to have connections to surfaces, tie-downs or



**MARSH USA INC.**

**CERTIFICATE OF INSURANCE**

CERTIFICATE NUMBER  
CLE-000528645-01

**PRODUCER**  
MARSH USA INC.  
216-937-1700  
200 PUBLIC SQUARE  
SUITE 1100  
CLEVELAND, OH 44114-1824

51145 -00000-CAS-2000      7489

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER OTHER THAN THOSE PROVIDED IN THE POLICY. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES DESCRIBED HEREIN.

**COMPANIES AFFORDING COVERAGE**

- COMPANY  
**A** PACIFIC EMPLOYERS INSURANCE COMPANY
- COMPANY  
**B** N/A
- COMPANY  
**C**
- COMPANY  
**D**

**INSURED**  
THE THD GROUP  
ATTN: KRISTEN WARNER  
RISK MANAGEMENT DEPARTMENT  
4288 WEST DUBLIN-GRANVILLE ROAD  
DUBLIN, OH 43017

**COVERAGE**  
THIS IS TO CERTIFY THAT POLICIES OF INSURANCE DESCRIBED HEREIN HAVE BEEN ISSUED TO THE INSURED NAMED HEREIN FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THE CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, CONDITIONS AND EXCLUSIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	XSL G1989234-7	01/01/01	01/01/02	GENERAL AGGREGATE \$ 9,500,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG \$ 4,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				PERSONAL & ADV INJURY \$ 2,000,000
	OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE \$ 2,000,000
					FIRE DAMAGE (Any one fire) \$ 50,000
					MED EXP (Any one person) \$ NIL
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE \$
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: \$
					EACH ACCIDENT \$
	EXCESS LIABILITY				AGGREGATE \$
	<input type="checkbox"/> UMBRELLA FORM				EACH OCCURRENCE \$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM				AGGREGATE \$
	WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY				WC STATUTORY LIMITS OTH-ER: \$
	<input type="checkbox"/> THE PROPRIETOR/PARTNER/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				EL EACH ACCIDENT \$
					EL DISEASE-POLICY LIMIT \$
					EL DISEASE-EACH EMPLOYEE \$
	OTHER				

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS (LIMITS MAY BE SUBJECT TO DEDUCTIBLES OR RETENTIONS)**  
WEBBER OIL COMPANY IS(ARE) INCLUDED AS ADDITIONAL INSURED(S) AS RESPECTS GENERAL LIABILITY AND ONLY AS RESPECTS THE FOLLOWING LOCATION: 132 RIVERSIDE STREET, PORTLAND, ME. STORE NO. 7489 - TIM HORTONS

**CERTIFICATE HOLDER**  
WEBBER OIL COMPANY  
700 MAIN STREET  
BANGOR, ME 04401

**CANCELLATION**  
SHOULD ANY OF THE POLICIES DESCRIBED HEREIN BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE INSURER AFFORDING COVERAGE WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED HEREIN, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER AFFORDING COVERAGE, ITS AGENTS OR REPRESENTATIVES.

MARSH USA INC.  
By: Luann M. Glavac *Luann M. Glavac*

**Tim Hortons**  
TIM DONUT U.S. LIMITED, INC.

455 W. INDIAN BLVD. ANAHEIM, CALIF. 92806  
TELEPHONE (714) 944-0000 FAX (714) 944-0001

**VIA FEDERAL EXPRESS**

March 29, 1999

Mr. Raymond J. Cota, Jr.  
Vice President, Real Estate  
WEBBER OIL COMPANY  
700 Main Street  
P.O. Box 929  
Bangor, Maine 04402-0929


Re: *Lease Agreement - Exit 8, Riverside Street @ Westbrook connector, Portland, ME*

Dear Mr. Cota:

Enclosed are two (2) fully executed counterparts of the Lease Agreement dated March 29, 1999 between WEBBER OIL COMPANY ("Lessor") and TIM DONUT U.S. LIMITED, INC. ("Lessee") for premises at the above-referenced location. Thank you for your cooperation and assistance in this matter.

Sincerely,

TIM DONUT U.S. LIMITED, INC.



Beth L. Dreitler  
Corporate Counsel - Real Estate/Finance

BLD/tp  
Enclosure

cc: John Houck, Bob Barton, Janet Draughn (w/encls.), Andrea McGeehan (w/encls.)

installed by Lessee and situated in or upon the demised premises, and Lessee shall pay all license fees which may be lawfully imposed on the business of Lessee conducted upon the demised premises.

The foregoing provisions are predicated upon the present system of taxation in the State of Maine. If taxes upon rentals shall be substituted, in whole or in part, for the present ad valorem real estate taxes, then Lessee shall be additionally liable and covenants and agrees to pay such additional taxes on rentals whether the same shall be in addition to or substitute for present ad valorem real estate taxes. Further, if there is any change in the system of taxation (other than as set out immediately above) which is in substitution or in addition to the present system, Lessee shall be responsible and covenants and agrees to pay all such taxes.

Lessee further covenants and further agrees to pay all assessments, sewer charges, and any and all other governmental levies or charges of any kind that are levied upon or assessed against or with respect to the demised premises or any part thereof during the term, provided that such levy or assessment is made solely upon the demised premises and not upon the land or building of which the demised premises constitutes a portion; in such event the ten percent (10%) reimbursement provision as set forth above shall be applicable to such assessment or levy.

In the event any such taxes, assessments, sewer charges or other governmental levies or charges as herein described have been assessed or paid or will be assessed or paid for a period which falls only in part within the term (as described hereinabove), the said taxes shall be prorated to account for Lessee's obligation to pay only those taxes which are for the period of the term.

**9.0 Installation of Personal Property.** Lessee may install equipment, machinery, signage and trade fixtures necessary to carry on its business on the demised premises. All such equipment, machinery, signage and trade fixtures shall remain the personal property of the Lessee, and may be removed by Lessee at any time before the end of the term of this Lease, provided that any damage to the demised premises by reason of such removal is promptly repaired by Lessee at its own expense. Lessor may require reasonable means of indemnification from the Lessee before permitting any such removal. Lessee shall submit an equipment, fixture and sign plan for the demised premises to Lessor for approval prior to the installation thereof, Lessor's approval of same not to be unreasonably withheld, conditioned or delayed and such approval to be deemed given if Lessee has not received written notice to the contrary from Lessor within ten (10) business days after submittal of the plans to Lessor.

**10.0 Repairs or Maintenance; Alterations.** During the term of this Lease Lessee shall maintain and keep the demised premises in at least as good a condition and repair (reasonable wear and tear and damage by casualty excepted) as that existing at the initiation of the term hereof. Lessee's duty to maintain and repair the demised premises

# Memo

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**Date:** 8/30/01

**From:** Jennifer Robichaud

**To:** MARGE SHMUCKEL

---

**Subject:** Tim Horton's

**Hi Marge!**

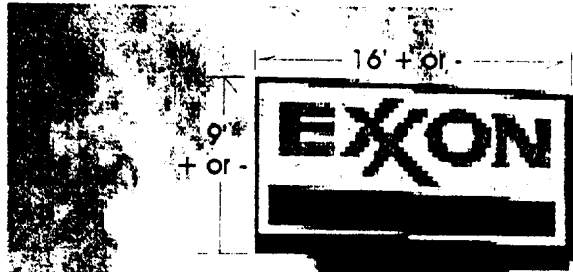
**Enclosed pls find application for signage. In the spring, Deb Andrews approved this signage. Client has finally placed the order for the sign, so here you go!**

**I hope I got you all you need (I tried really hard!)**

**Have a great holiday!**

**Jenn**

**800-227-5674 x 333**

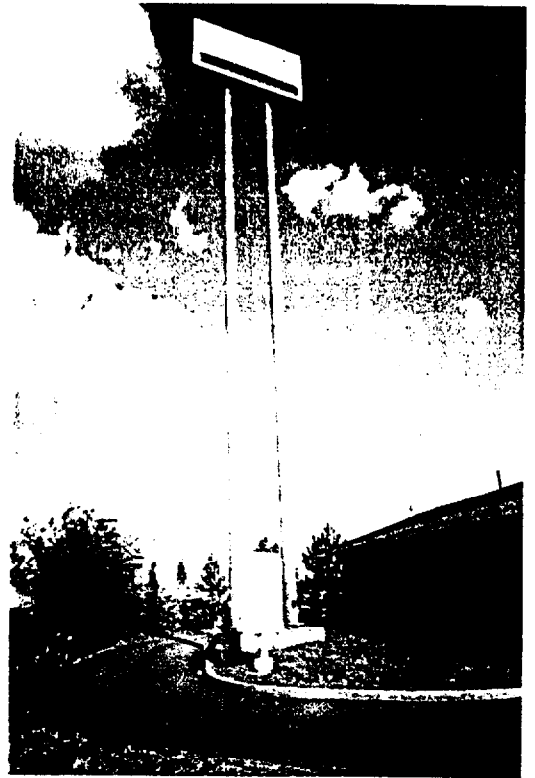
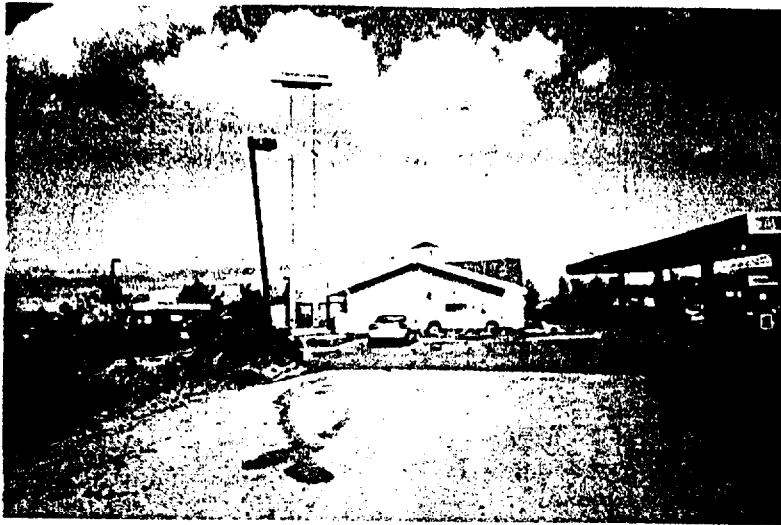


7'2"

(99.73 #)

13'11"





DUPLICATE

GENERAL RECEIPT

# CITY OF PORTLAND, MAINE

DEPARTMENT Inspections DATE 8/31/01  
RECEIVED FROM Baro Sean  
ADDRESS 132 Riverside Dr.

UNIT	ITEM	REVENUE CODE	DOLLAR AMOUNT
	<u>sign permit</u>		<u>500.00</u>
	<u>CBL : 267 A 007</u>		
	<u>Check # 4355</u>		

CASH  CHECK  OTHER TOTAL 500.00

RECEIVED BY [Signature]



# PORTLAND MAINE

Planning Division  
Molly Casto, Planner

6/13

Marge -

Does this suffice for evidence  
that the site is not vacant?

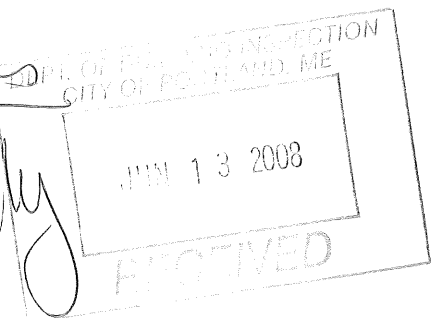
I drove by & it still appears  
to be closed but not empty.

Let me know your thoughts &

I will inform the applicant.

Thanks

- Molly

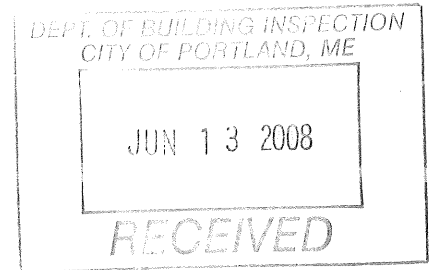






June 11, 2008

Ms. Molly Casto, Planner  
Planning and Development Department  
City of Portland  
389 Congress Street  
Portland, ME 04101-3509



**RE: BURGER KING APPLICATION ID#: 2008-0053**

Dear Ms. Casto:

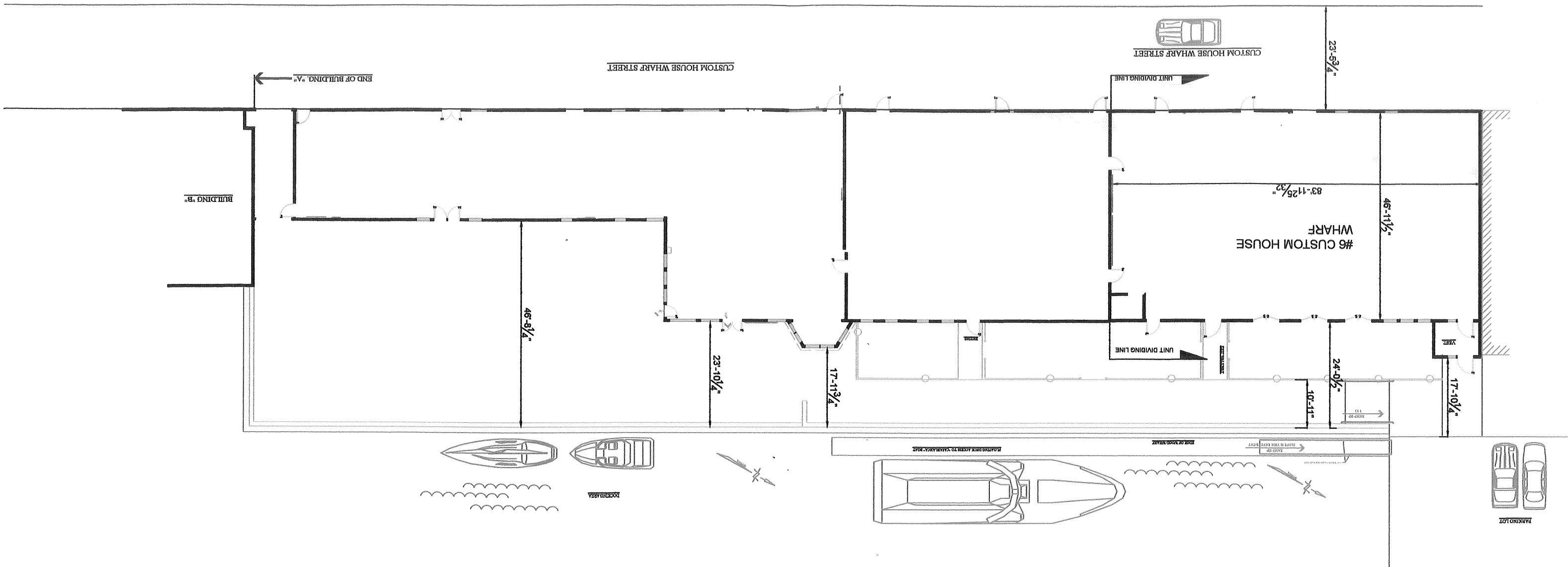
I have received a copy of your May 28, 2008, letter to William Haskell, PE, regarding the Burger King application on 132 Riverside Drive. Webber Oil Company has not vacated the premises. Because of labor issues, we have temporarily ceased operations. Our tanks, pumps and canopy (as well as the building) remain in place and we will reopen, if necessary, within the next week. Further, we have not notified Maine D.E.P. of tank removals at this location. All of our equipment remains in the store and that certainly facilitates a reopening.

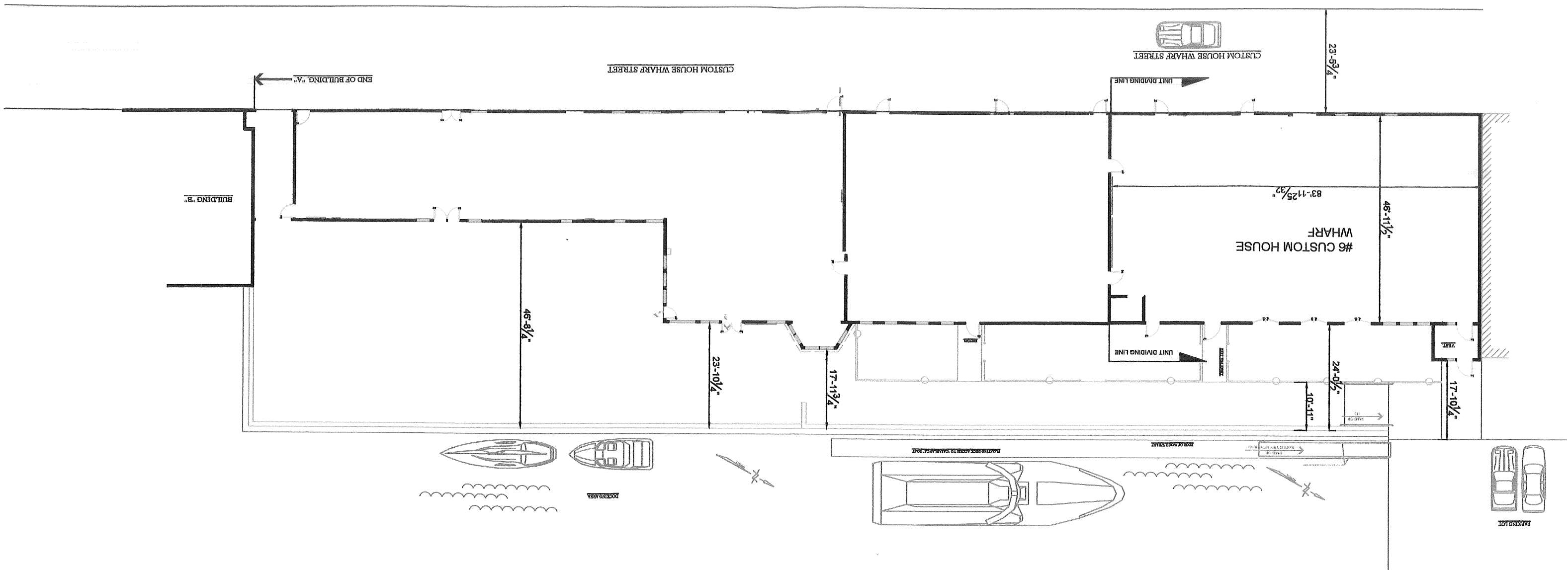
My question to you is: Should we reopen given the time frame for the Burger King approval. We do not want to jeopardize any grandfathered rights. You may email me at [rjcota@webberenergy.com](mailto:rjcota@webberenergy.com). Thank you in advance for your reply.

Cordially,

Raymond J. Cota, Jr.  
Vice President

RJC/lat







CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 132 RIVERSIDE ST CBL 267 A007001

Issued to Webber Energy Gasoline /Mastoran Corp/ Marc Rochon Date of Issue 10/23/2009

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 09-0176 has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Restaurant  
Use Group: A2  
Type: 5B  
IBC, 2003

**Limiting Conditions:**

This is a temporary occupancy certificate which expires on 11/23/09, see attached memo dated 10/22/09

This certificate supersedes  
certificate issued

Approved:

10/23/09

(Date)

*[Signature]*  
Inspector

*[Signature]*  
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: November 16, 2009

RE: C. of O. for #132 Riverside Street, Burger King  
(Id#2008-0053) (CBL 267 A 007001)

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After visiting the site, I have the following comments:

1. A revised photometrics plan shall be submitted to include an analysis of all building/canopy mounted lights. If lighting is non-compliant, measures will be taken to meet compliance.
2. The applicant shall comply with any forthcoming conditions by Maine D.O.T. and the City of Portland concerning the Riverside Street access point, as will be determined through pending review of the proposal, within a reasonable time frame.. Any and all required work must be completed prior to the issuance of the permanent Certificate of Occupancy.

This work must be completed prior to the issuance of the permanent Certificate of Occupancy.

**At this time, I recommend extending the temporary Certificate of Occupancy until May 15, 2010.**

Cc: Barbara Barhydt, Development Review Services Manager  
Tammy Munson, Director of Inspection Services  
File: Urban Insight

## SURVEYOR'S STATEMENT

LAND USE CONSULTANTS, INC., HEREBY STATES TO WEBBER OIL COMPANY, EXCLUSIVELY, THAT:

1. LAND USE CONSULTANTS, INC. HAS CONDUCTED A FIELD SURVEY OF THE PREMISES DEPICTED HEREON, UNDER MY SUPERVISION, IN THE U.S. STANDARDS OF MEASUREMENT;
2. THIS WORK MEETS OR EXCEEDS THE STANDARDS OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CATEGORY 1, CONDITION 3 SURVEYS;
3. THIS WORK, IN MY PROFESSIONAL OPINION, IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

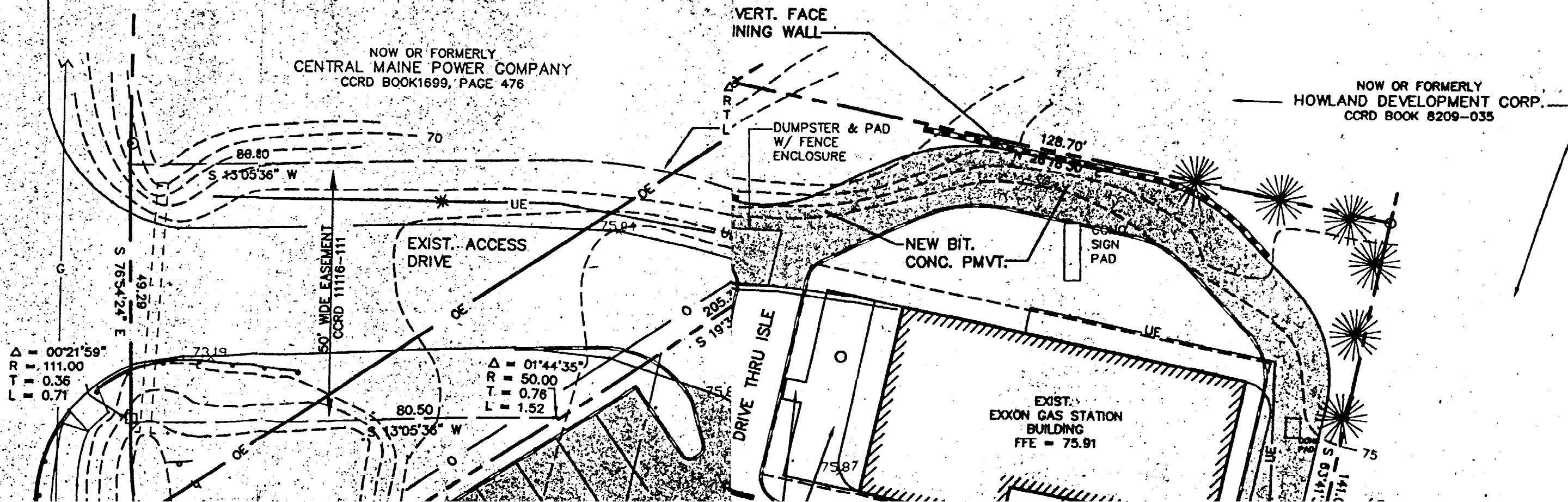
ED LAWRENCE  
 MAINE PROFESSIONAL LAND SURVEYOR # 2189  
 LAND USE CONSULTANTS, INC.  
 PORTLAND MAINE  
 EXCEPTIONS: NO REPORT OR DESCRIPTIONS WRITTEN TO DATE

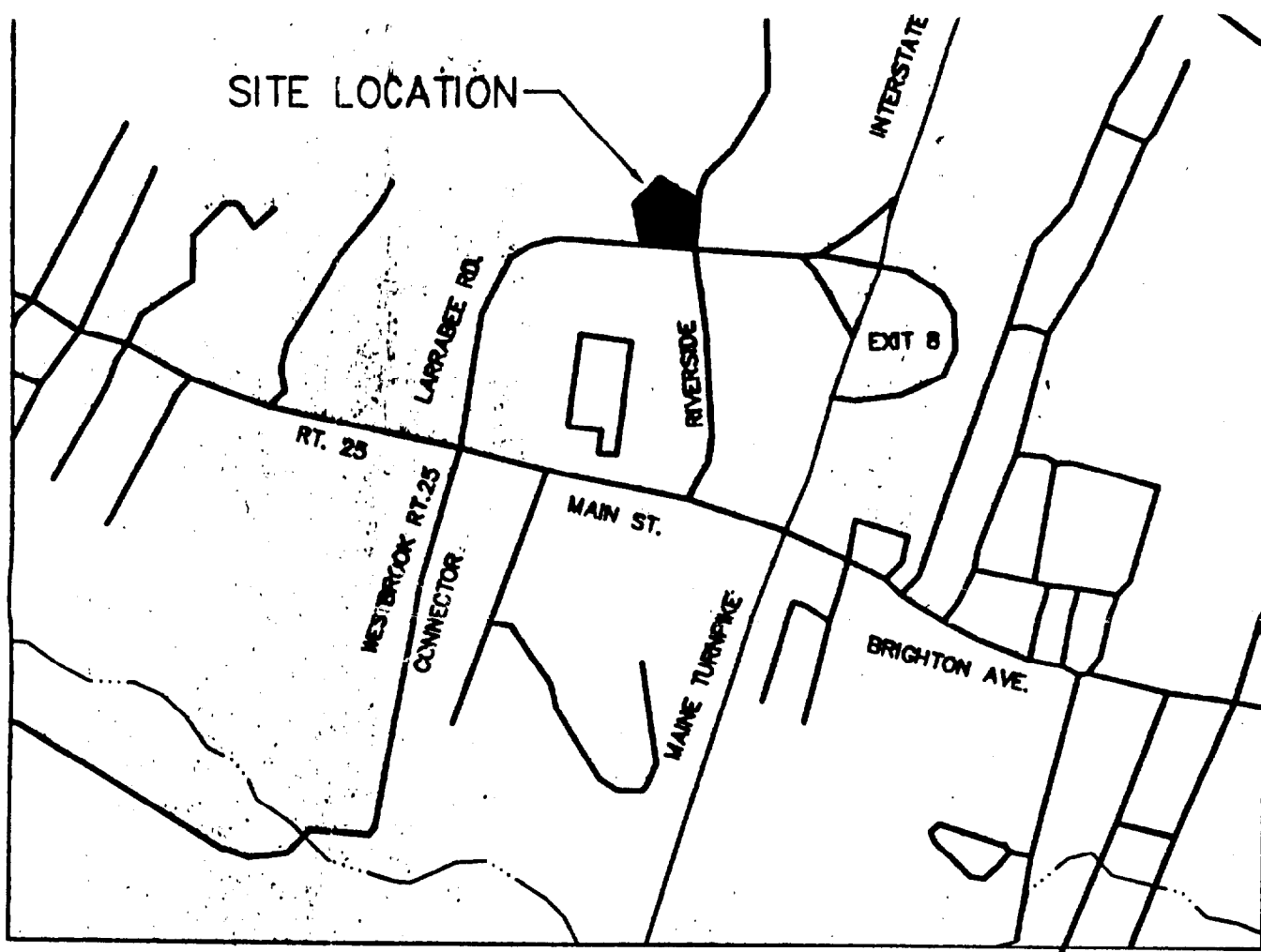
## NOTES

1. AREA OF PARCEL = 33,513 +/- SF.
2. BENCHMARK: BRASS PLAQUE IN SIDEWALK ON BRIDGE OVER TURNPIKE ON BRIGHTON AVENUE. M.S.L. DATUM OF 1929, ELEVATION = 102.26.
3. OWNER OF RECORD IS WEBBER OIL COMPANY, CUMBERLAND COUNTY REGISTRY OF DEEDS: BOOK 10188, PAGE 348; BOOK 4048, PAGE 217; BOOK 11098, PAGE 157.
4. PARCEL IS SHOWN ON CITY OF PORTLAND TAX MAP 267, LOTS 7 AND 8.
5. PARCEL MAY BE SUBJECT TO AN EASEMENT GRANTED TO PORTLAND PIPE LINE COMPANY BY DENNIS D. & ADA E. DECORMIER ( CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 1848, PAGE 289); AND TO AN EASEMENT GRANTED TO THE PORTLAND WATER DISTRICT BY GUY E. KNOWLES ( CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 3527, PAGE 074).
6. PARCEL IS LOCATED IN THE COMMERCIAL CORRIDOR (B-4) ZONE.
7. LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES, RECORD DRAWINGS, AND MARKS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM THE LOCATIONS DEPICTED HEREON. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THE SURVEY.

/A LARRABEE ROAD

(SEE PLAN REF.1.)





LOCUS PLAN

SCALE: 1"=1000'±

PLAN REFERENCES

1. MAINE STATE HIGHWAY COMMISSION RIGHT OF WAY MAP FOR STATE HIGHWAY 27, RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS, PLAN BOOK 103, PAGE 30.
2. "STANDARD BOUNDARY SURVEY - EXIT 8 SUNOCO, RIVERSIDE STREET, PORTLAND, MAINE," PREPARED FOR WEBBER OIL COMPANY, BY LAND USE CONSULTANTS, PORTLAND MAINE, UNDATED SCALE: 1"=20'. JOHN COTHERN, PROFESSIONAL LAND SURVEYOR, UNRECORDED.

LEGEND

	EDGE OF PAVEMENT
	BIT CURB
	BUILDING
	SANITARY SEWER
	WATER VALVE
	GAS SERVICE
	CULVERT
	CATCH BASIN
	OVERHEAD ELECTRIC WIRES W/ UTILITY POLE & GUY WIRE
	LOT NUMBER/ TAX MAP NUMBER
	UNDERGROUND OIL PIPELINE
	GATE VALVE
	PROPERTY LINE
	BUILDING SETBACK
	SURVEY MARKERS FOUND
	FILL COVERS
	MANHOLE ELECTRIC
	SIGN POST
	WATER BOLLARD
	UTILITY POLE
	VENT POLE
	SPOT GRADE

75.87

WBRC

SITE  
REMOVALS/LAYOUT

280

NO. REVISION

PROGR

SEP 11 10

T CORP.  
35

