DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND



BUILDING PERMIT

This is to certify that Tom Manning, Miss Portland Diner

Located At 140 MARGINAL WAY

Job ID: 2011-04-869-OSD

CBL: 442 - - A - 006 - 001 - - - - -

has permission to provide Outside Dining, 16 Chairs 4 Tables 123 Sq Ft

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED. A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

06/01/2011

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.
- Permits expire in 6 months. If the project is not started or ceases for 6 months.
- If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.

1. Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUOPIED.



Strengthening a Remarkable City, Building a Community for Life . www.portlandmaine.gov

Director of Planning and Urban Development Penny St. Louis

Job ID: <u>2011-04-869-OSD</u> Located At: <u>140 MARGINAL</u> CBL: <u>442 - - A - 006 - 001 - - - - -</u>

Conditions of Approval:

- 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, Maine - Building or Use Permit Application

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

Job No: 2011-04-869-OSD	Date Applied: 4/22/2011		CBL: 442 A - 006 - 001	[
Location of Construction: 140 MARGINAL WAY	Owner Name: Tom Manning Miss Por	tland Diner	Owner Address: 116 ARMOUR MAHWAH, NJ - N	Phone:		
Business Name:	Contractor Name:		Contractor Addre	Phone:		
Miss Portland Dinner – Tom Manning						917-951-4109
Lessee/Buyer's Name:	Proposed Use: Same – Restaurant – Outdoor Dining for the 2011 season		Permit Type: OUTDOOR - Outdo	Zone:		
Past Use:			Cost of Work:			CEO District:
Restaurant			Fire Dept: Approved Denied N/A			Inspection: Use Group: Type: 10 1504
			Signature:			Signature:
Proposed Project Description 140 Marginal Way "Miss Portland		Pedestrian Activi	ities District (P.A.)	D.)		
Permit Taken By: Lannie		Zoning Approval				
L		Special Zo	one or Reviews	Zoning Appeal	Historic P	reservation
 This permit application of Applicant(s) from meeting Federal Rules. 		Shoreland		Variance		ist or Landmark
 Building Permits do not septic or electrial work. 	include plumbing,	Flood Zo		Miscellaneous Conditional Use	Daguina	Require Review Review
3. Building permits are voice within six (6) months of		Subdivis		Interpretation	Approved	i
False informatin may inv permit and stop all work.	_		Min _ MM	Approved	15.00	d w/Conditions
,		Date: O	5/24/W	Denied Date:	Denied Date:	
hereby certify that I am the owner of r	record of the named property	CERTIF		d by the owner of recor	d and that I have been	authorized by
the owner to make this application as his the application is issued, I certify that the	is authorized agent and I agree	to conform to	all applicable laws of th	his jurisdiction. In add	ition, if a permit for wo	ork described in

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

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE





Outdoor Dining Permit Application

New Application for Outside Dining

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.

Renewal Application for C		ul ham Isla
City Clerk signature for liquor license	approvai.	or rending Council Date
Location/Address of Outdoor Scating:	140 MORGINDI WE	17 PORTLAINS ME
Total Square Pootage of Proposed Seatu	ng Area [†] Square Foo	tage of Lot
(9F1 X 14 F1 = 1265@ IT) CITY PROF	6.00	0 52 pt
Tax Assessor's Chart, Block & Lot	Phone#:	Owner: TOM MANNING
Chart# Block# Lot#	011 0- 11.0	
442-A-006-001	917 951 4109	TOMAKSLLG
Applicant *must be owner or Lessee	Lessee/Buyer's Name:	Annual Fee: \$80
Name: TOM MANNING	(If Applicable)	Total Sq. Ft.
Address: 116 DRMOUR RD		
City, State & Zip: MAHWAN N.J		Sq. Ft. Fee: \$
City, State & Zip: MAN 001430		Total Fee: \$
0.1410		Total ree: \$
Current use: OUTDOOR DINING	S IN SPRING 4	SOMMER
Business name: TOMAKSLLC	NBA MISS I	CORTUBUL DINER
Seating area dimensions: Sou City	PRODUCETY S	PETX 14 NT = 126 SE FT
How many chairs?/6 How it	nany tables?	
Yes Alcohol is served.	inity thoics.	
□ No Alcohol being served.		
140 Medial being served.		
Who should we contact for the pre-inspe	TOM MAN	141111
	CHOI: 1 CIT TOTAL	and at the s
Mailing address: 116 ARMOUK RK	Phor	ne: 917 951 4109
MAHWAH, N.V.	07730	
do so will result in	the automatic denial of yo	ur 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		
www.portlandmaine.gov, stop by the Building		
		DECEIVE
I hereby certify that I am the Owner of record of t		
and that I have been authorized by the owner to m		
applicable laws of this jurisdiction. In addition, if a Official's authorized representative shall have the a		d by this permit at any reasonable hour to
enforce the provisions of the codes applicable to the		Inspections
		of Building Maine
C		Dept. of Portion
Signature of Applicant:		Dept. of Building Inspections Dept. of Portland Maine Date:
Low Manny		4/20/2011
In no instance shall the total square footage	of dining area equal more tha	,
receives a waiver from the Director of Parks a		

Revised 04-16-09 gg

commence ANY work until the permit is issued.



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:

$\mid \Box$ 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
\square 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.

CONTINUED →

- The permit holder is responsible for keeping the outdoor scating area clean. The sidewalk area where the tables and chairs are located must be kept neat and free from liter 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 ack	nowledged:	Low W	Manning	Date: 4/20/7011
Printed name _	you.	MANNING		
		Dervan		
Location	140 a	MREINAL	Way	
-16-09 gg	DERTURN	n ME	04101	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 4/20/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. 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).

CONTACT R. Christopher Maloney

Coa	stal Insurance Group LI	'C		PHONE (A/C, No, Ext): (207) 797-4900 (A/C, No): (207) 874-4069					
558	Brighton Avenue			ADDRESS Chrism@SevigneyGroup.com					
				PRODUCER CUSTOMER ID # 0000					
Por	tland ME 04	102				RDING COVERAGE		NAIC #	
INSUF	RED			INSURER A :Peerle	ess Insu	rance			
Ton	aks, LLC			INSURER B Maine Employers Mutual Ins Co 11149					
d/b	/a Miss Portland Diner			INSURER C :					
116	Armour Road			INSURER D :					
				INSURER E :					
Mah	wah NJ 07	430		INSURER F :					
COV	ERAGES CER	TIFICATI	E NUMBER:Master	INSORER F.		REVISION NUMBER:			
INI CE EX	IS IS TO CERTIFY THAT THE POLICIES DICATED. NOTWITHSTANDING ANY RE RTIFICATE MAY BE ISSUED OR MAY CLUSIONS AND CONDITIONS OF SUCH	QUIREME PERTAIN,	NT, TERM OR CONDITION THE INSURANCE AFFORD LIMITS SHOWN MAY HAVE	OF ANY CONTRACTED BY THE POLICIES BEEN REDUCED BY	O THE INSUR T OR OTHER ES DESCRIBE Y PAID CLAIMS	ED NAMED ABOVE FOR DOCUMENT WITH RESP D HEREIN IS SUBJECT	ECT TO	O WHICH THIS	
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	GENERAL LIABILITY					EACH OCCURRENCE	\$	1,000,000	
	COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	NA	
Α	CLAIMS-MADE OCCUR	Х	CBP4430757	10/15/2010	10/15/2011	MED EXP (Any one person)	\$	5000	
						PERSONAL & ADV INJURY	\$	1,000,000	
						GENERAL AGGREGATE	\$	2,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG	\$	1,000,000	
Ī	POLICY PRO- JECT LOC						\$		
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000	
	ANY AUTO			/ /	/ /	BODILY INJURY (Per person)	\$		
A	ALL OWNED AUTOS		BA4407800	10/15/2010	10/15/2011	BODILY INJURY (Per accident)	\$		
	SCHEDULED AUTOS					PROPERTY DAMAGE			
	HIRED AUTOS					(Per accident)	\$		
	NON-OWNED AUTOS						\$		
							\$		
	UMBRELLA LIAB OCCUR					EACH OCCURRENCE	\$	1,000,000	
	EXCESS LIAB CLAIMS-MADE					AGGREGATE	\$		
	DEDUCTIBLE						\$		
Α	RETENTION \$		CU8806395	10/15/2010	10/15/2011		s		
В	WORKERS COMPENSATION					WC STATU- OTH- TORY LIMITS ER			
-	AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE					E L. EACH ACCIDENT	\$	500,000	
	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A	1810094974	9/8/2010	9/8/2011	E.L. DISEASE - EA EMPLOYE		500,000	
1	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - POLICY LIMIT		500,000	
- +	DESCRIPTION OF OPERATIONS DEIOW					E.E. DIGEAGE - FOLIGITEINIT] Ψ		
	RIPTION OF OPERATIONS / LOCATIONS / VEHIC Marginal Way, Portland, ME 0		h ACORD 101, Additional Remarks	s Schedule, if more space	e is required)				
CEF	RTIFICATE HOLDER			CANCELLATION					
	City of Portland as additional insured 389 Congress Street Portland, ME 04101			[G1900] P. (1984) G. G. (1984) J. (1	N DATE TH	DESCRIBED POLICIES BE OF PROVISIONS.		The state of the s	
				R Christopher					
ACC	ORD 25 (2009/09)	 .		© 19	988-2009 AC	ORD CORPORATION.	All rig	ghts reserved.	

			AD	DITIONAL COVE	RAG	ES			
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Limit 1	_	Limit 2 Limit 3 Deductible Amount Deductible Type		Premium					
Ref#	Descriptio Business					Coverage Code	Form No.	Edition Date	
Limit 1		Limit 2	Limit 3	Deductible Amount	Dedu	ctible Type	Premium		
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Limit 1	1 Limit 2 Limit 3 Deductible Amount Deductible Type				Premium				
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Ref #	Descriptio	n				Coverage Code	Form No.	Edition Date	
Limit 1		Limit 2	Limit 3	Deductible Amount	Dedu	ctible Type	Premium		
OFADT	LCV						Copyright 2001	, AMS Services, Inc.	

COMMENTS/REMARKS	_					_
140 Marginal Way, Portland, ME 04101						
OFREMARK	COPYRIGHT	2000,	AMS	SERVICES	INC.	



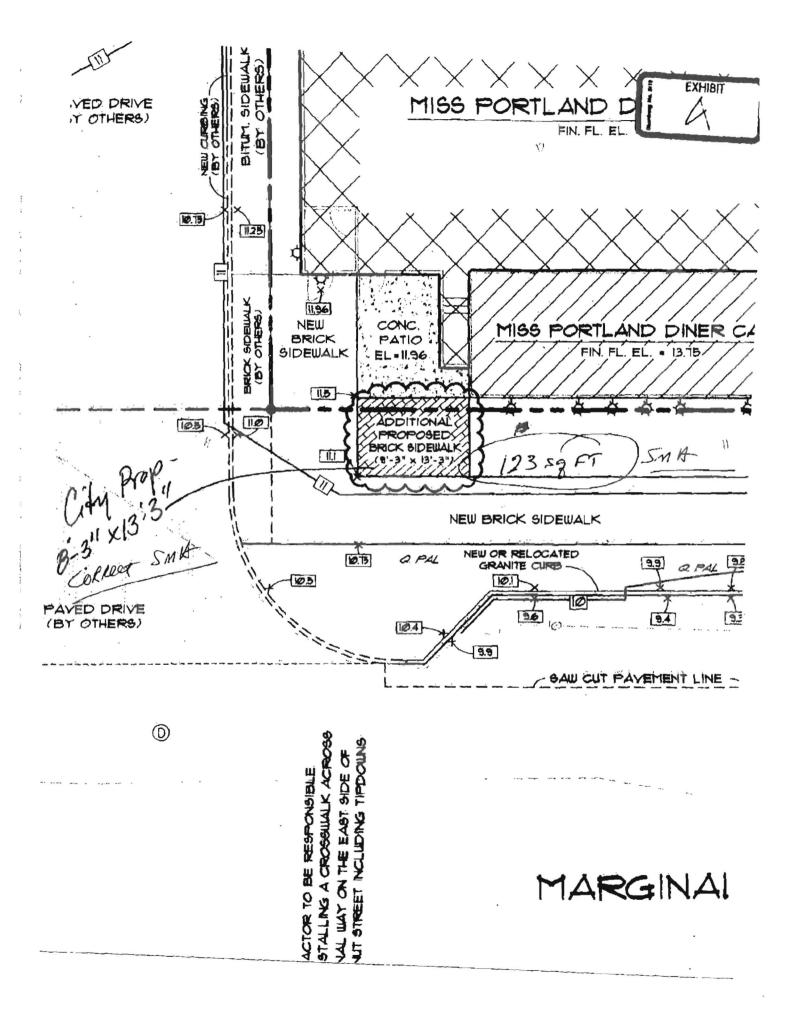
CERTIFICATE OF LIABILITY INSURANCE

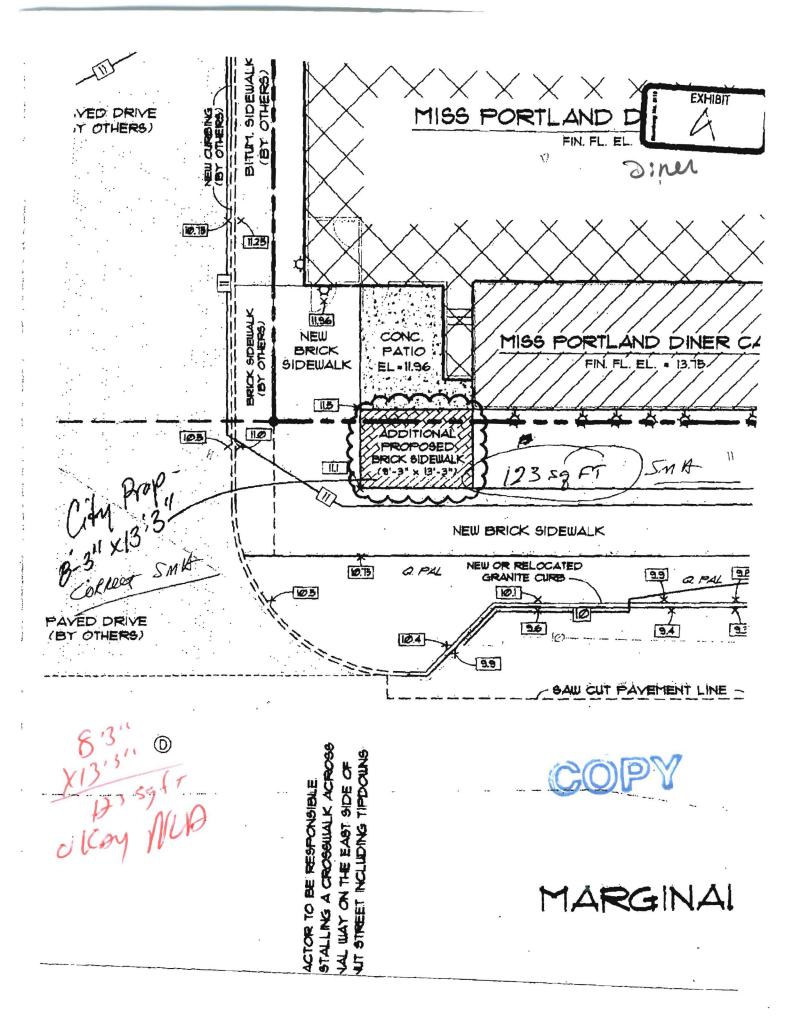
DATE (MM/DD/YYYY) 5/8/2009

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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	The state of the s		·						
PRO	DUCER			CONTACT NAME:	•				
Co	astal Insurance Group	LLC		PHONE (A/C, No, Ext): (2	207) 797-4900		AX (A/C, No):	(207) 8	374-4069
55	8 Brighton Avenue			E-MAIL ADDRESS: PRODUCER					
Po:	rtland, ME 04102			CUSTOMER ID #;					
	Christopher				INSURER(S) AFFO	RDING COVERAGE			NAIC #
NSU	JRED			INSURERA Charter Oak Fire Ins Co					
m 🔿	MANG TIC DEA MICC DOD	TT AND		INSURER B :					
	MAKS, LLC DBA MISS POR	TLAND		INSURER C :					
	O THOMAS MANNING			INSURER D :					
	6 AMOUR ROAD	07420		INSURER E .					
ad se		07430		INSURER F .					
_			E NUMBER:3	AVE BEEN ICCLIE	D TO THE INCH	REVISION NUM		115 04	OLIOV PEDIOD
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	X					PERSONAL & ADV IN		\$	1,000,000
		-				GENERAL AGGREGA		\$	2,000,000
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	POLICY PRO-							\$	
	AUTOMOBILE LIABILITY					COMBINED SINGLE (Ea accident)	LIMIT	\$	
	ANY AUTO					BODILY INJURY (Per	person)	\$	
	ALL OWNED AUTOS					BODILY INJURY (Per	accident)	\$	
	SCHEDULED AUTOS					PROPERTY DAMAGE	Ξ	\$	
	HIRED AUTOS					(Per accident)		s	
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	OB this -in	UE				AGGREGATE		\$	
	DEDUCTIBLE							\$	
	RETENTION \$ WORKERS COMPENSATION					WC STATU-	OTH-	\$	
	AND EMPLOYERS' LIABILITY	/ N				TORY LIMITS	ER	•	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N/A				E.L. EACH ACCIDEN		\$	
	(Mandatory in NH) If yes, describe under					E.L. DISEASE - EA E	-		
	DÉSCRIPTION OF OPERATIONS below				-	E L DISEASE - POLI	OT LIMIT	Þ	
DES	CRIPTION OF OPERATIONS / LOCATIONS / VI	HICLES (Atta	ch ACORD 101. Additional Remar	ks Schedule, if more	space is required)				
		,	,						
CF	RTIFICATE HOLDER			CANCELLAT	ION				
	The state of the s			T					
	City of Portland as	additio	nal insured	THE EXPIR	ATION DATE TH	DESCRIBED POLICI HEREOF, NOTICE ICY PROVISIONS.			
	389 Congress Street Portland, ME 04101	-341 0101		AUTHORIZED REI	PRESENTATIVE				
				R. Christo	pher				
	ORD 25 (2009/09) 6025 (200909)	The A	ACORD name and logo			CORD CORPORA D	TION.	All rig	ghts reserved.







Original Receipt

	TW %	6.27	20 //
Received from		naks.	
Location of Work	14	Mugine	1004
Cost of Construction	\$	Building Fe	e:
Permit Fee	\$	Site Fee	i:
	Certifica	ate of Occupancy Fee	:
		Total	146
Building (IL) Plur	mbing (I5)	Electrical (I2) S	ite Plan (U2)
Other OSD		_	
CBL: (142-A	-6.		
Check #:)	Total Collecte	ed s

No work is to be started until permit issued. Please keep original receipt for your records.

Taken	by:	1	The second control of	
	-,.			-

WHITE - Applicant's Copy YELLOW - Office Copy PINK - Permit Copy