



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

## **Parklet Outdoor Dining Supplemental Application Process**

The City has determined that, in some areas of the City where businesses are unable to locate outdoor dining on City sidewalks or public parks abutting their businesses and where there is adequate space in the street to accommodate outdoor dining without compromising safety, dining may be offered in public parking or other public spaces, in accordance with Section 25-27 of the City Code.

### **What is Needed to Apply:**

- Letter of intent addressed to the Mayor and members of the City Council (if serving alcohol).
- 8 ½” x 11” Plot Plan showing: (see design and construction section)
  - Lot lines, where the building sits on the lot and dimensions of the building and lot.
  - Street location and the intersecting streets.
  - Location of proposed outdoor dining area and its components (tables, chairs, barriers, etc.), including dimensions and total outdoor dining area in square feet.
- A drawing, photo or specifications of any required barrier solutions. Please request additional information if located on Wharf Street.
- Proof of Public Liability insurance coverage. The permit holder is required to produce at the time of submission and maintain public liability insurance coverage of not less than one million dollars (\$1,000,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured.
- City application for food & alcohol
- Outdoor Dining Supplemental application
- Payment of fees (see application)

The application must be complete in order to be accepted and processed. Applications must be submitted at least three (3) weeks prior to the Council meeting. There will be no liquor applications heard by the City Council in May due to fiscal items on the agenda.

### **After you submit your application to the Business Licensing Division:**

- We will mail you a letter confirming the date, time, and location of the City Council meeting.
- Please proceed with arranging for inspections when your establishment is ready.

### **After you have been approved by City Council:**

- When the Business Licensing Division has received all approvals from the required departments, we will issue your license. We will call you when the license is ready and notify you of the remaining balance due. You may contact us for a license status update, but please note that we must receive approvals directly from all departments on the accompanying “Steps to Approval” sheet before issuing your license.



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Outdoor Dining License – Steps to Approval**

In order for the Business Licensing Office to issue your license, we must receive approvals directly from the following departments:

- Permitting and Inspections (Code Enforcement, Health Inspections and Zoning)
- Fire
- Treasury
- Police
- Parking Department

Your responsibilities include:

- Contacting the Permitting Department (Room 315) at [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov) or 207-874-8703 to apply for a building permit. Plans with construction details for the proposed platform will be required
- Contacting Health Department at [tw@portlandmaine.gov](mailto:tw@portlandmaine.gov) or 207-756-8365 to arrange for an inspection of the outdoor space.
- Contacting the Treasury Department at [treasury@portlandmaine.gov](mailto:treasury@portlandmaine.gov) or 207-874-8490 to determine if you, the owner of your business premises, or the previous business tenant, owe any outstanding taxes to the City of Portland. We cannot issue a license if there are delinquencies on the part of the business owner or landlord.

Once we have received approvals from the departments listed above, we will issue your license and contact you. Any balance of the license fee will be due before you receive the license.

If you have any questions about this process, please contact the Business Licensing Division:

**Jessica Hanscombe, Licensing and Registration Coordinator** at  
[jhanscombe@portlandmaine.gov](mailto:jhanscombe@portlandmaine.gov) or 207- 874-8783



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Parklet Outdoor Dining**  
**Supplemental Application**

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License  
 Valid April 1-November 15

<input type="checkbox"/> Legal Advertisement Deposit \$100.00 <input type="checkbox"/> Parklet Outdoor Dining \$30.00 per day for full season= \$5,520.00
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<b>Business Information</b>			
Business Name (d/b/a):		Phone:	
Location Address:	Zip:		
Mailing Address:	Zip:		
Contact Person:		Phone:	
Contact Person Email:			
Manager of Establishment:	Date of Birth:	Phone:	
Owner of Premises (Landlord):			
Address of Premises Owner:	Zip:		

**Owner Information**

<b>Corporate Name</b>		<b>Corporate Mailing Address</b>	
		Zip:	
Contact Person:		Phone:	
<b>Principal Officers</b>	<b>Title</b>	<b>Date of Birth</b>	<b>Residence Address</b>

## About Your Establishment

Class of License:	
Type of food served:	
Please circle all that will be served:	Beer      Wine      Liquor
Hours & days of operation:	
Number of Tables	
Number of Chairs	

## Parklets Regulations

Pursuant to Chapter 25 of the City's Code of Ordinances, a permit is required for expanding food service to the outside of all properties. Outdoor dining permits for parking and other alternative public spaces will be issued under Chapter 25 and these regulations pursuant to the following requirements.:

- Any food service operation located on City property pursuant to a permit issued hereunder must comply with state and local laws with respect to service of food and/or alcohol;
- For any outdoor dining operation located in a public parking space, the permit holder shall construct a platform, on which tables and chairs will sit. The platform must be built of durable, slip resistant materials such as composite plastic or construction-grade lumber. This platform may remain for the entire outdoor dining season (April 1-November 15) but must be removed upon conclusion;
- Any space occupied hereunder must be laid out in such a way that it complies with the requirements of the Americans with Disabilities Act. The required platform must be flush with any abutting sidewalk.
- Any movable items on the outdoor dining area must be secured against wind and theft and locked or removed when the business is closed.;
- Any outdoor dining spaces permitted hereunder must be located immediately in front of the business. Where parking spaces are not striped (such as in multispace meter areas) the location of any outdoor dining space must be located to minimize loss of effective parking spaces. The precise boundaries of outdoor dining spaces will be determined by the City in its sole discretion.
- Any outdoor dining space must provide railings or other substantive barriers *along the edges* to protect patrons;
- Wheel stops satisfactory to the Permitting & Inspections Director must be placed at the front and rear sides of the outdoor dining platform, no less than 4 feet from the edges of the platform. In addition, flexible bollards shall be provided at the corners of the platform (see illustration);
- Construction of the platform must allow water runoff to easily flow under platform;
- No attachments to the pavement or curbing are permitted;
- No covers are permitted over the outdoor dining space other than umbrellas;
- No advertising other than labels identifying the business is permitted on the outdoor dining space;
- No permit shall be issued for outdoor dining in these locations if there is a feasible alternative space on the sidewalk or an appropriate public park;
- No outdoor dining space in the vehicular right of way is permitted within 15' of an intersection;
- No outdoor dining space will be permitted within the vehicular right of way on a high traffic street, as determined by Public Works. Generally, these streets have a speed limit of over 25 miles per hour, a traffic volume of over 5,000 AADT, or a functional classification of Arterial or above;
- No outdoor dining space will be permitted on a street that does not have 12' clear in the middle after all parking and platforms are accounted for; and
- In any street that is entirely closed to traffic at certain times of the day, the street may be used for outdoor dining subject to relevant requirements listed above, adjusting for the unique condition of an entirely closed street.

## Barriers

- Shall not include commercial signage.

## Maintenance and Operations

- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.



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.

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

### For Administrative Use Only

Fire: \_\_\_\_\_

Health: \_\_\_\_\_

Parking: \_\_\_\_\_

Permitting: \_\_\_\_\_

Police : \_\_\_\_\_

Treasury: \_\_\_\_\_