



CITY OF PORTLAND
Permitting and Inspections Department
Temporary Outdoor Dining on Public Property
Supplemental Application Process

What is Needed to Apply:

- 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.
 - Sidewalk location, width, and curbing location.
 - Setback dimension from the sidewalk to the building.
 - Location of proposed outdoor dining area and its components (tables, chairs, barriers, etc.), including dimensions and total outdoor dining area in square feet. An outdoor dining installation cannot prevent a clear passageway for pedestrians (4 feet minimum and 5 feet for a street corner).

- 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 four hundred thousand dollars (\$400,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured.
- Outdoor Dining Supplemental application
- If Alcohol is to be served- Complete an Extension of Premise BABLO
- *Fees (due 60 days after issuance)

Please submit to bl@portlandmaine.gov



CITY OF PORTLAND
Permitting and Inspections Department
Temporary Outdoor Dining Permit on Public Property
 Valid June 1-November 1

| |
|--|
| <input type="checkbox"/> *Outdoor Dining on Public Property \$84.00 plus \$2.00 per Square foot \$2.00 X _____ SF = _____ |
| <input type="checkbox"/> *Outdoor Dining on Public Property in a City Park \$84.00 plus \$6.30 per Square foot \$6.30 X _____ SF = _____ |

| Business Information | |
|-------------------------------|-----------------------|
| 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

| Corporate Name | | Corporate Mailing Address | |
|--------------------|-------|---------------------------|-------------------|
| | | | Zip: |
| Contact Person: | | Phone: | |
| Principal Officers | Title | Date of Birth | Residence Address |
| | | | |
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|-------------------|--|
| Class of License: | |
|-------------------|--|

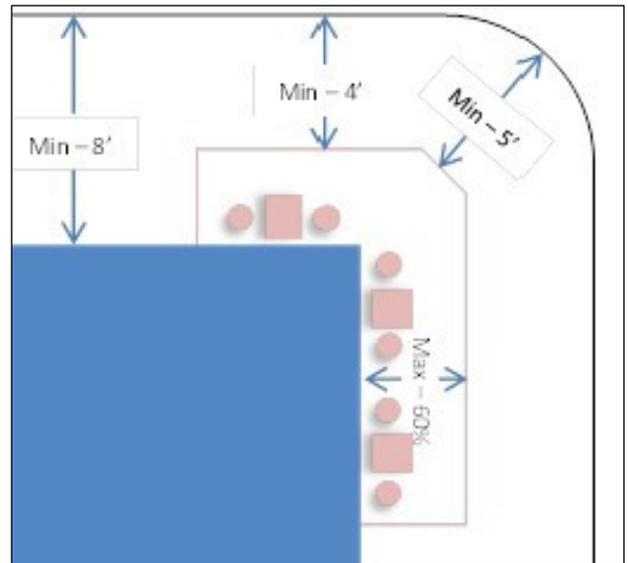


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| | |
|--|------------------------|
| Type of food served: | |
| Please circle all that will be served: | Beer Wine Liquor |
| Hours & days of operation: | |
| Number of Tables | |
| Number of Chairs | |

Design and Construction

| Existing Sidewalk Width (property line to curb) | Sidewalk Dining Allowed? |
|--|--------------------------|
| < 8'0" | No |
| ≥ 8'0" | Yes – up to 60% of |
| Sidewalk Type | Sidewalk Passage Width |
| Standard sidewalk | 4'0" |
| Street corner | 5'0" |

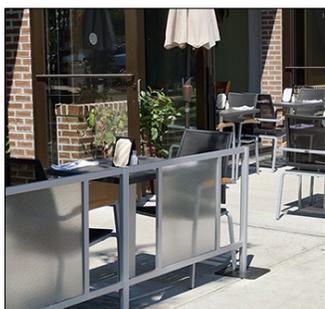


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.

Barriers

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation





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- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- 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.
- Request for the use of adjacent on street parking space for outdoor dining installations requires Parking Office and Building Authority review and approval.

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 _____

Date Received: _____ **Assigned to CEO:** _____

EXTENSION AREA PREMISE DIAGRAM

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including methods of monitoring and containment of certain area which you are requesting approval from the Division for liquor consumption.

For Office Use Only:

Date Filed: _____ Date Issued: _____ Issued By: _____

Approved Not Approved

Subchapter 1: GENERAL CONDITIONS

§ 1051. LICENSES GENERALLY

3. Liquor not to be consumed elsewhere. Except as provided in paragraphs A and B and in section 1207, no licensee for the sale of liquor to be consumed on the premises where sold may personally or by an agent or employee, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises. The service and consumption of liquor must be limited to areas that are clearly defined and approved in the application process by the bureau as appropriate for the consumption of liquor. Outside areas must be controlled by barriers and by signs prohibiting consumption beyond the barriers.