



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

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.
 - 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.
- 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 any remaining balance is 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.



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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

Your responsibilities include:

- Contacting the Zoning Division (Room 315) at zoning@portlandmaine.gov or 207-874-8703 to determine if the address of your business is zoned for the intend use.
- Contacting Health Department at tw@portlandmaine.gov or 207-756-8365 to arrange for an inspection of the outdoor space.
- Contacting the Treasury Department at 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.

Please Note:

Creation or expansion of outdoor dining areas requires building permit approval from the Permitting department. The outdoor dining area is considered an increase in occupancy for the business as a whole, and may require certain upgrades such as increasing the number of toilet facilities, depending on the current/proposed occupancy figures and the existing plumbing capacity. Your permit application will need to include a plot plan showing the exact dimensions and layout of the proposed outdoor dining area as well as indoor floor plans showing existing facilities.

If you have any questions about this process, please contact the Business Licensing Division: at bl@portlandmaine.gov or 207-874-8557.



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**Outdoor Dining Permit on Public Property
 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"/> 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			
Establishment 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 (Landlord):	Zip:		

Owner Information

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

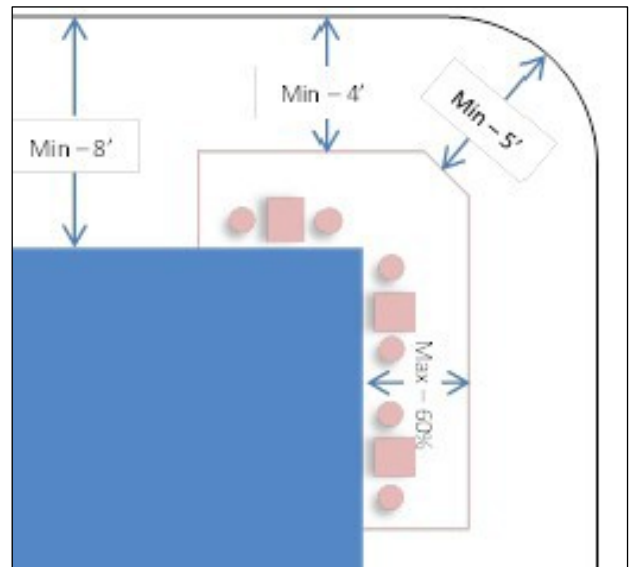


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Class of License:	
Type of food served:	
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	
Number of Tables	
Number of Chairs	

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"

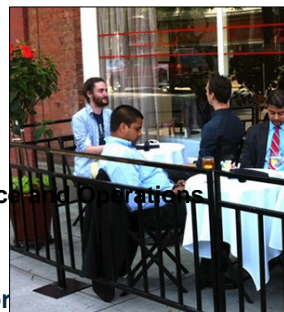
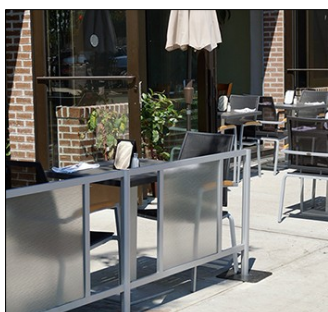


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes 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 _____

For Administrative Use Only

Amount: _____	Request Date / Approval	Notes: _____
Date Paid: _____	FD: _____ / _____	_____
CC _____ CA _____ CK _____	Health: _____ / _____	_____
	PD: _____ / _____	_____
Amount: _____	Treasury: _____ / _____	_____
Date Paid: _____	Zoning: _____ / _____	_____
CC _____ CA _____ CK _____		