



# Outdoor Dining Permit Application

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.

Check all that apply:  New Application for Outdoor Dining  
 or  Renewal Application for Outdoor Dining  
 Application for dining on **Private Property**


Outdoor Dining in a **Public Park**  If **Renewal**, are there changes to previous permit?  
 Outdoor Dining in a **Historic District**  Yes  No  
 **Petition** for Exception for Special Circumstances  
 **Liquor License** required?  
 City Clerk signature for liquor license approval: \_\_\_\_\_  
 OR Pending Council Date: \_\_\_\_\_

Location Name & Address: <b>HERO 30 CITY CENTER</b>	Chart <b>027</b>	Block <b>F023</b>	Lot <b>855</b>
Owner Name: <b>MAURA Rodway</b>	Total Square Footage of Proposed Outdoor Dining Area: <sup>1</sup>		
Owner Phone #: <b>207.233.8850</b>	Fee: \$80 (Public-Annual) \$125 (Private 1X)		
Applicant * <b>must</b> * be owner or lessee	Total Sq. Ft.: _____		
Name: <b>ABK 30CC LLC (TODD BERNARD)</b>	Sq. Ft. Fee: (sq ft x \$2) \$ _____		
Address: <b>30 CITY CENTER</b>	(sq ft x \$6 for public parks)		
City, State & Zip: <b>Portland, ME 04101</b>	Total Fees: \$ _____		
E-Mail: <b>toddbernardo9@gmail.com</b>	(Permit not issued until all fees are paid)		
Current use: <b>Restaurant</b>	Business name: <b>HERO</b>		
Seating area dimensions: _____			
How many chairs? _____ How many tables? _____			
<input checked="" type="checkbox"/> Yes Alcohol is served.			
<input type="checkbox"/> No Alcohol being served.			
Who should we contact: <b>Todd Bernard</b>		Phone: <b>207.956.3420</b>	
Address: <b>30 City Center</b>		E Mail: <b>toddbernardo9@gmail.com</b>	

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1<sup>st</sup>.

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 issuance of a permit. For further information visit us on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: 

Date: **04/27/16**

<sup>1</sup> In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



Jeff Levine, AICP, Director  
Planning & Urban Development Department

Tammy Munson, Director  
Inspections Division

## OUTDOOR DINING PERMIT CHECKLIST

Permits are required for expanding food service to the outside on all properties. 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. The total fee for private property placement is \$125.00 (\$25 application fee and \$100 for the Certificate of Occupancy). The fee is due when you drop off your permit application. The square footage fee may be paid when you pick up your permit. *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 for the period April 1 - November 15. Barriers must be removed no later than November 15; however, furniture must be removed in inclement weather to allow for sidewalk snow removal. Requests to extend beyond the standard permit period require approval by the City Manager and should include explanation of installation and snow removal plan.

*Outdoor dining permits located on public property are only valid for a year.*

*Outdoor dining permits located on private property are valid permanently with the establishment.*

**Application Checklist: All of the following information is required and must be submitted.**

Outdoor Dining Permit Application Form

A plot plan that shows:

- The lot lines, where the building sits on the lot, and the lot and building dimensions
- The street location, and if it's a corner lot, the intersecting streets
- The sidewalk location, width, and curbing location
- The setback dimension from the sidewalk to the building
- The location of proposed outdoor dining area and its components (tables, chairs, barriers, planters, etc.) placement, including dimensions and total outdoor dining area (in square feet)

(NOTE: Under no circumstances shall an outdoor dining installation prevent a clear passageway for pedestrians. See Outdoor Dining Conditions below for dimensional requirements.)

A drawing and/or specification of any proposed barrier solution

**Proof of public liability insurance coverage (Not Required for Private Property):** 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.



*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 therefrom, 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 acknowledged:  Date: 04/27/16

Printed name TODD BERNARD

Establishment HERO (ARW 30 LLC)

Location 30 City Center