



# 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: \_\_\_\_\_

Location Name & Address: <u>ME</u> <u>DUCK FAT 43 Middle St. Portland, 04101</u>	Chart	Block	Lot
Owner Name: <u>Joe Malone / Scarecrow Holdings</u>	Total Square Footage of Proposed Outdoor Dining Area: <sup>1</sup> <u>54.16</u>		
Owner Phone #: <u>207-772-2422</u>	Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: <u>54.16</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>108.32</u> (sq ft x \$6 for public parks)		
Applicant *must* be owner or lessee Name: <u>NANCY PUGH / Robert EVANS</u> Address: <u>43 Middle St</u> City, State & Zip: <u>Portland, ME 04101</u> E-Mail: <u>duckfat@duckfat.com</u>	Total Fees: \$ <u>188.32</u> (Permit not issued until all fees are paid)		
Current use: <u>Restaurant Dining</u> Business name: <u>DUCK FAT INC.</u> Seating area dimensions: <u>(2) x 50" x 78"</u> How many chairs? <u>4 Benches</u> How many tables? <u>2</u> <input checked="" type="checkbox"/> Yes Alcohol is served. <input type="checkbox"/> No Alcohol being served.			
Who should we contact: <u>Nancy Pugh</u> Phone: <u>207-749-8504</u> Address: <u>43 Middle St. Portland, ME 04101</u> E Mail: <u>duckfat@duckfat.com</u>			

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: 5/13/16 <sup>(NTP)</sup>

<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.

*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 acknowledged:  Date: 5/13/16

Printed name Nancy T. Pugh

Establishment DUCK-FAT INC.

Location 43 Middle St. Portland, ME