



2015-00579  
029-L004001

# 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.

<input checked="" type="checkbox"/> New Application for Outside Dining <input type="checkbox"/> Renewal Application for Outside Dining City Clerk signature for liquor license approval: <u>4/10/15</u> <u>K.J.</u> Pending Council Date: _____		
Location Name & Address: <u>The Honey Paw</u> <u>88 Middle St. Portland, ME 04101</u> <u>80</u>	Chart <u>029-L004001</u>	Block _____ Lot _____
Owner & Phone #: <u>Arlin Smith 845-242-4017</u>	Total Square Footage of Proposed Seating Area: <sup>1</sup> <u>400 sq ft. 250 SF</u>	
Applicant *must* be owner or lessee Name: <u>Arlin Smith</u> Address: <u>88 Middle St.</u> City, State & Zip: <u>Portland, ME 04101</u> E-Mail: <u>arlin.smith@gmail.com</u>	Annual Fee: \$80 Total Sq. Ft.: <u>400-250</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>800 500</u> (Due when issued) Total Fees: \$ <u>580.00</u> (Permit not issued until <u>all</u> fees are paid)	
Current use: <u>Restaurant</u>		
Business name: <u>The Honey Paw</u>		
Seating area dimensions: <u>32'x5' and 10'x4' and 10'x5' = 250 SF</u>		
How many chairs? <u>25</u> How many tables? <u>5</u>		
<input checked="" type="checkbox"/> Yes Alcohol is served. <input type="checkbox"/> No Alcohol being served.		
Who should we contact for the pre-inspection: <u>Arlin Smith</u>		
Mailing address: <u>88 Middle St. Portland ME 04101</u> Phone: <u>845-242-4017</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.

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: [Signature] Date: 3/12/15

<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.

This is not a permit; you may not commence ANY work until the permit is issued.

The permit holder is responsible for keeping the outdoor seating area clean. The sidewalk area where the tables and chairs are located must be kept neat and free from litter and debris.

No food shall be prepared outside.


If alcohol is to be served, the permit holder must notify the City's Business Licensing Office in room 203 of City Hall or by telephone at 874-8557 and obtain approval for the service of alcohol outdoors. Additionally, State law requires that any outdoor area serving alcohol be segregated from the rest of the public.

All tables and chairs shall be removed prior to a predicted snowfall and while any snow or ice exists within the designated outdoor seating area or within four feet from the boundaries thereof. The City will not be responsible for damage to any tables, chairs or other property that is not properly removed when the City is engaged in sidewalk maintenance activities.

The permit holder shall comply with all applicable rules and regulations implemented by the city regarding outdoor dining.

**Failure to comply with any of the above conditions will result in revocation or non-renewal of the permit.**

*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: 3/12/15  
Printed name Arlin Smith  
Establishment The Honey Paw  
Location 78 Middle St. Portland, ME 04101