

OUTDOOR DINING PERMIT CHECKLIST

Permits are required for expanding food service establishments to the outside on City Property. 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. Outdoor dining is permitted year round under the permit; however, furniture must be removed in inclement weather to allow for sidewalk snow removal. The permit must be renewed each year.

All of the following information is required and must be submitted. You will also be required to fill out an Outdoor Dining Permit Application.

A plot plan is required and must include:

A drawing of the lot, where the building sits on the lot along with the lot and building dimensions

The dimensional setback from the sidewalk to the building

The location of the street, and if it's a corner lot, the intersecting streets

The sidewalk along with its width and curbing location

The location of the table and chair placement, including dimensions

/ (NOTE: there must be a minimum of four feet of open sidewalk from the outer boundary of the seating area to the curb, and a minimum of five feet on corners, and egress from the building must be maintained free of obstruction per the building code and NFPA Life Safety Code).

Additional Requirements:



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.

All permits for outdoor dining are issued subject to the following conditions:



The tables and chairs must be placed within the permitted area on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the tables and chairs are moved and located outside of the permitted outdoor seating area, they must be relocated to within the permitted area. Failure to contain the tables and chairs to the permitted area may result in a reduced permitted area or a revocation of the permit.



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 liter 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:	1/28/08
Printed name HARDING SM (T)		Tt
Establishment The Grill Nove		
Location 84 Exchange St. Potler, WE allo)	



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.

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Location/Addres	s of Outdoor Seating: 5 (O Exchange / Tommy's	Panel				
	age of Proposed Seating A	Area ¹ J Square Footage	of Lot				
Tax Assessor's Ch	art, Block & Lot	Qwnern .	Telephone:				
Chart# Blo	ock# Lot#	Munolakiouda (()	3/8/11				
	ame (If Applicable)	Applicant *must be owner or	Annual Fee: \$80				
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(/ 4/5		Name HAMMIND SWITH	Sq Ft Fee:				
		Address 13 Cycles St. Portlan ME City, State & Zip MO101	\$				
		putlal me	Total Fee:				
	Ā	City, State & Zip 24(0)	\$				
Current use:	restauant						
Business name:	The Grill Room						
Seating area dimens	ons:						
How many chairs? 60 How many tables? 15							
Alcohol to be served outside? circle one (YES) NO							
Who should we contact for the pre-inspection: Hanner (MUN) Mailing address: 73 Coylers 86. Lt. 61, 12 Phone: 107319 4768							
Who should we cor Mailing address:	ntact for the pre-inspection:	Coline Phone: 107319	-4768				
Who should we cor Mailing address:	react for the pre-inspection:	[4], 12 Phone: 107 319	4768				
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Please submit all of Failure to do so we In order to be sure Department may revisit us on-line at we call 874-8703. I hereby certify that I amand that I have been autapplicable laws of this ju Official's authorized rep	of the information outlined ill result in the automatic of the City fully understands the quest additional information ww.portlandmaine.gov, stop in the Owner of record of the name thorized by the owner to make this prediction. In addition, if a permit is	Phone: 107 319 Oylor I in the Outdoor Dining Applicate denial of your permit. The full scope of the project, the Plant prior to the issuance of a permit. For by the Building Inspections office, the deproperty, or that the owner of record authorized agent. I agroup work described in this application is issued to enter all areas covered by this permit at a sit.	ion Checklist. ing and Development or further information from 315 City Hall or for the proposed work gree to conform to all fed, I certify that the Code my reasonable hour to				
Please submit all of Failure to do so we In order to be sure Department may revisit us on-line at we call 874-8703. I hereby certify that I and that I have been aut applicable laws of this ju Official's authorized repenforce the provisions of Signature of Application.	of the information outlined ill result in the automatic of the City fully understands the quest additional information www.portlandmaine.gov, stop in the Owner of record of the name thorized by the owner to make this insdiction. In addition, if a permit is resentative shall have the authority of the codes applicable to this permit if the codes applicable to the codes	Phone: 107 319 Oylor I in the Outdoor Dining Applicate denial of your permit. e full scope of the project, the Plann prior to the issuance of a permit. For by the Building Inspections office, the deproperty, or that the owner of record authorized agent. I agroup work described in this application is issue to enter all areas covered by this permit at a	ion Checklist. ing and Development or further information from 315 City Hall or for the proposed work gree to conform to all fed, I certify that the Code my reasonable hour to				

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.

Administrative Regulation

OUTDOOR DINING PERMITS

I. Purpose

It is the purpose of this regulation to establish the policy of the City and the procedures to be used for the issuance of outdoor dining permits pursuant to City Code section 25-26 et seq.

II. Policy

It is the policy of the City to permit food service establishments to expand their businesses to the outdoors on city sidewalks, public ways and other public places, including parks. Such expansions onto city property shall be permitted on a case-by-case basis, upon application to the city and payment of a fee, in accordance with certain conditions.

It is the policy of the City that due to the high value of downtown park space, expansion of a private business into such areas shall require a higher fee than expansion into a sidewalk or other public way. Further, in no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant obtains a waiver from the Director of Parks and Recreation or his or her designee.

The following procedures are to be followed in the issuance of outdoor dining permits.

III. Procedures

A. Application and Permit

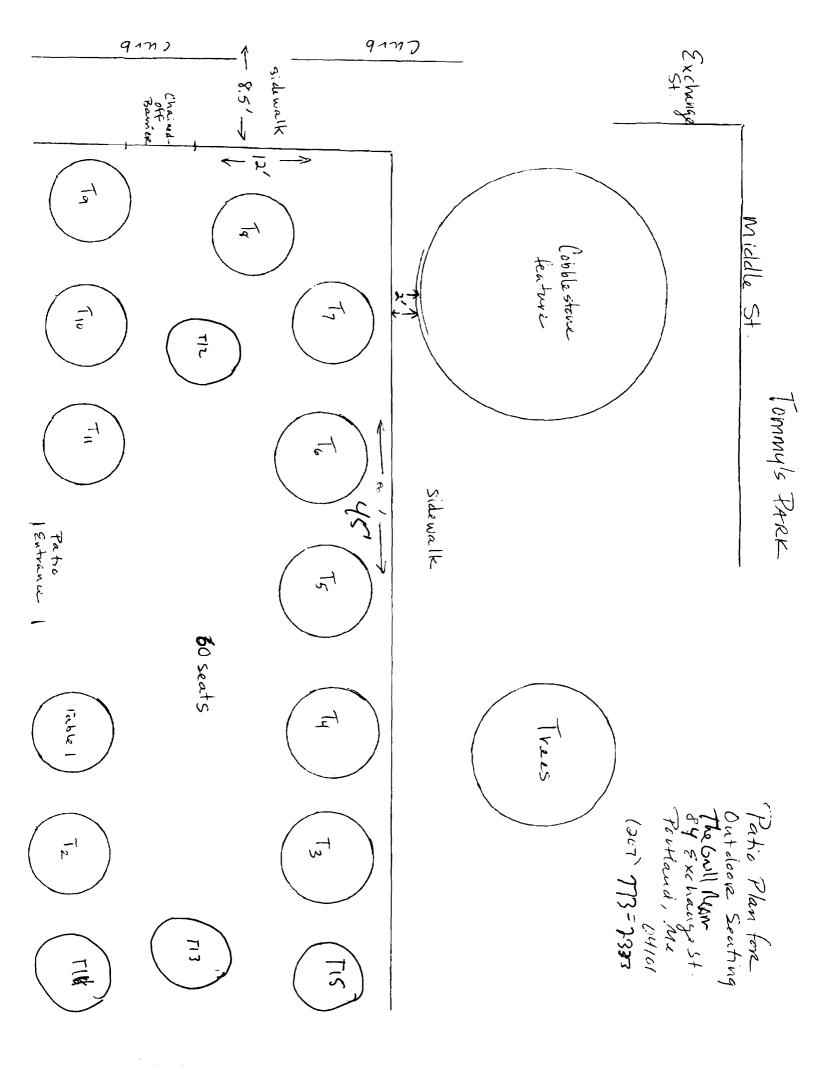
- 1. A food service establishment shall submit an application and fees to the Inspections Division for an outdoor dining permit.
- 2. The application shall contain a drawing of the dining area that the applicant intends to occupy that includes the location of the street, the sidewalk width and curbing location, and the location of chair and table placement.
- 3. Upon receipt of a new application, city staff will conduct a site visit to ensure that the measurements provided are correct and that there is sufficient open sidewalk area remaining in accordance with the Americans with Disabilities Act. The permit area will be permanently delineated to ensure compliance.

B. Permit Conditions

1. There must be a minimum of four feet of open sidewalk from the outer boundary of the seating area to the curb, and a minimum of five feet on a corner, per the Americans with Disabilities Act, and egress from the building must be maintained free of obstruction

per the building code and NFPA Life Safety Code.

- 2. The tables and chairs must be placed within the permitted area on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the tables and chairs are moved and located outside of the permitted outdoor seating area, they must be relocated to within the permitted area. Failure to contain the tables and chairs to the permitted area may result in a reduced permitted area or a revocation of the permit.
- 3. 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 liter and debris.
- 4. The permit holder is required to produce 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.
- 5. No food shall be prepared outside.
- 6. If alcohol is to be served, the permit holder must notify the City's Business Licensing Office 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.
- 7. 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. Failure to remove tables and chairs during a snowfall may result in revocation of the permit.
- 8. The applicant shall sign a release, indemnification and hold harmless agreement prior to the issuance of the permit.
- 9. If smoking is permitted in the outdoor dining area, the permittee shall provide ashtrays. If smoking is not permitted, the permittee shall post "No Smoking" sign.



Restaurant - Family Style. City of Portland is named as an Additional Insured regarding signage. K 874-8716 ERTIFICATE HOLDER CITYO01 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN		AC	CORD	CERTIFIC	ATE OF LIABI	LITY INSU	JRANCE	OP ID MB	DATE (MM/DD/YYYY) 04/28/08	
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