### Portland, Maine



### Yes. Life's good here.

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 <u>all</u> 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 EXISTISE PATO: W/ PROPOSED NOW PAVILLION STRUCTURE VA 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 EMOTING PANCE W/ EGNESS GATES 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.

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### Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a *legal signature* per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

I, the undersigned, intend and acknowledge that no permit application can be reviewed until payment of appropriate permit fees are *paid in full* to the Inspections Office, City of Portland Maine by method noted below:

Within 24-48 hours, upon receipt of an e-mailed invoice from Building Inspections, which signifies that my electronic permit application and corresponding paperwork have been received, determined complete, entered by an administrative representative, and assigned a permit number, I then have the following payment options:

provide an on-line electronic check or credit/debit card (we accept American Express, Discover, VISA, and MasterCard) payment
hand-deliver a payment method to the Inspections Office, Room 315, Portland City Hall
deliver a payment method through the U.S. Postal Service, at the following address:
City of Portland, Inspections Division 389 Congress Street, Room 315 Portland, Maine 04101
Once my payment has been received, this starts the review process of my permit. I understand that after all approvals have been completed, I will then be issued my permit via e-mail. No work shall be started until I have received my permit.  Applicant Signature:  Date:
I have provided digital copies and sent them on (Date:) 6/17/15
NOTE: A LA L

NOTE: All electronic paperwork must be delivered to <u>buildinginspections@portlandmaine.gov</u> or by physical means ie; a thumb drive or CD to the office.



# **Outdoor Dining Permit Application**

within the City, payment arrangements must be made before permits of any kind are accepted. Check all that apply: New Application for Outdoor Dining 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? SEE ATTACK City Clerk signature for liquor license approval: OR Pending Council Date Location Name & Address: AWAGASH BATWING LOMANY Chart Block Lot WINSTHON WAY, PORTHAM, 326 0 Owner Name: Total Square Footage of Proposed Outdoor Dining Area:1 1105 Owner Phone #: Applicant \*must\* be owner or lessee Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: 105 9F Name: WAGOSK SNEWISG CO. Sq. Ft. Fee: (sq ft x \$2) \$ (sq ft x \$6 for public parks) Address: City, State & Zip **Total Fees:** (Permit not issued until all fees are paid) ALLA GASH Business name: BNEWING Seating area dimensions: How many chairs? How many tables? Yes Alcohol is served. No Alcohol being served AWAGASH MENINIPhone: 870 Who should we contact: 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 1st. 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, 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: 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.

### **Outdoor Dining Conditions:**

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

### Design and Construction:

Sidewalk Layout Dimensional Table

Existing Sidewalk Width (measured from property line to curb)	Sidewalk Dining Allowed?	
< 8'0"	No, but see option for petition subject to Planning Authority approval*	
≥ 8'0"	Yes – up to 60% of sidewalk width	
Sidewalk Passage Type	Sidewalk Passage Required – clear and unobstructed:*	
	Width (minimum)	Height (minimum)
Standard sidewalk	4'0"	6'8"
Street corner	5'0"	6'8"

- □ Outdoor dining area shall not exceed 60% of the sidewalk width. For example, on a 15'0" wide sidewalk, width of dining area may not exceed 9'0".
- A continuous, unobstructed sidewalk passage from the outer boundary of the seating area to the curb must be maintained according to the dimensional table above. This width must always contain a continuous unobstructed passage width of at least four feet (4'-0"). In cases where the passage is not straight due to existing obstacles, additional width may be required to ensure that turns can be safely maneuvered. Any request to place outdoor seating in a way that requires existing straight passage to change is discouraged and entirely at the discretion of the City. Requests to relocate moveable street furniture will be considered.
- □ Egress from the building must be maintained free of obstruction per the building code and NFPA Life Safety Code.
- □ Permanent fixtures (such as, but not limited to, awnings, permanent lighting, decks or platforms) require a building permit separate from the Outdoor Dining permit and are subject to approval by Planning Authority (see below "Additional Review and Regulation").
- □ Umbrellas are permitted without a permit. Umbrellas must be secured or weighted and must maintain the 6'8" minimum height clearance for sidewalk passage.

### Barriers:

- $\Box$  Are preferred to be free-standing. Physical attachments to a building are subject to administrative review, especially in historic districts.
- □ Consisting of stanchions and ropes/chains are encourage. Sectional fencing is allowed, provided it exhibits a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- ☐ Shall not exceed 42" in height.
- ☐ May not include commercial signage (such as advertisements).

### \*Petition for Exception for Special Circumstances:

If one or more Outdoor Dining Conditions cannot be met because of special circumstances, applicant may petition for an exception. Applicant should indicate on application form whether such a petition is being requested and provide explanation of need for exception. For example, if outdoor dining cannot be accommodated on the sidewalk, the business may petition the City to occupy public right-of-way near their establishment as an alternative location for outdoor dining purposes. In these cases, the applicant may have to compensate the City for the right to occupy that space. Requests shall be reviewed and approved by the Planning Authority on a case-by-case basis and shall take into consideration competing demands in the area.

### Maintenance and Operations:

- Outdoor dining components 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 outdoor dining components 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 outdoor dining area is located must be kept neat and free from liter and debris.
- □ No food shall be prepared in the designated outdoor dining area.
- □ If alcohol is to be served, the permit holder must first be approved for outdoor dining by the City Council. To initiate that process, 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 outdoor dining components 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.

### Additional Review and Regulations:

- □ If your business is located within a historic district, the outdoor dining permit application must be reviewed and approved by Historic Preservation staff for conformance with these requirements and any additional design standards applicable in historic districts. (For example, specific design standards apply to outdoor dining installations on Wharf Street).
- □ Applications for outdoor dining installations within public parks require review and approval by the Planning Authority.
- □ Permanent fixtures (such as awnings, permanent lighting, or platforms) planned as part of an outdoor dining installation requires a building permit and are subject to separate review and approval.
- □ Petition for use of adjacent on-street parking space for outdoor dining requires review by the Parking Office and approval by the Planning Authority.
- $\Box$  The permit must be renewed each year. New applications and renewals are reviewed on an annual basis and should be submitted to the City no later than June 1<sup>st</sup> of each year.
- □ Outdoor dining areas must also meet applicable ADA regulations. ADA accessible seating is required to be provided in outdoor dining scenarios.
- □ The permit holder shall comply with all applicable rules and regulations implemented by the City regarding outdoor dining. Refer to Chapter 25 Streets, Sidewalks, and Other Public Places in the City Code of Ordinances for additional regulations on the use of sidewalks.

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: 6/5/2015
Printed name SEAN JZFFLEY	
Establishment ALLAGASH BREWZNG CO.	
Location 50 INDUSTRIAL WAY, PORTLAND, 0403	

# **General Building 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.

Location/Address of Construction: 50 IND	OUSTRIAL WAY, PORTLAND ME	
Total Square Footage of Proposed Structure 1152SF	Square Footage of Lo 4.407 A	t
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 326 B 10	Applicant *must be owner, Lessee of Name 50 INDUSTRIAL WAY LI 50 INDUSTRIAL WAY Address PORTLAND ME 04103  City, State & Zip	
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of \$40,000.00 Work: \$  C of O Fee: \$  Total Fee: \$
Current legal use (i.e. single family) INDL If vacant, what was the previous use? Proposed Specific use: INDUSTRIAL Is property part of a subdivision?	JSTRIAL  If yes, please name	
	RAME ROOF STRUCTURE OVER EX	ISTING
EXTERIOR CON	Section Section Section to Super Vision	
Contractor's name: LANDRY FRENCH CO	NSTRUCTION INC.	
Contractor's name: LANDRY FRENCH CO	NSTRUCTION INC.	Telephone:
Contractor's name: LANDRY FRENCH CO	NSTRUCTION INC.	 Telephone: Telephone: (617) 899-5935
Contractor's name: <u>LANDRY FRENCH CO</u>	NSTRUCTION INC.  ready: SEAN DIFFLEY	Telephone: (617) 899-5935
Contractor's name: LANDRY FRENCH COL Address:	NSTRUCTION INC.  Teady: SEAN DIFFLEY  TO INDUSTRIAL WAY, PORTLAND ME	Telephone: (617) 899-5935 04103 necklist. Failure to
Contractor's name: LANDRY FRENCH COL Address:	nstruction inc.  ready: SEAN DIFFLEY  of INDUSTRIAL WAY, PORTLAND ME  on outlined on the applicable Claracter of the automatic denial of your per  the full scope of the project, the Planning the issuance of a permit. For further informations Division on-line at www.portlandmail.	Telephone: (617) 899-5935 04103 hecklist. Failure to mit. gand Development Department nation or to download copies of ne.gov, or stop by the Inspections
Contractor's name: LANDRY FRENCH COL Address: City, State & Zip Who should we contact when the permit is r Mailing address: ALLAGASH BREWING, 5  Please submit all of the information do so will result in the permit of the permit is represented by the permit of the perm	ready: SEAN DIFFLEY  50 INDUSTRIAL WAY, PORTLAND ME  50 on outlined on the applicable Clane automatic denial of your per  the full scope of the project, the Planning the issuance of a permit. For further inform tections Division on-line at www.portlandmail 3.  The named property, or that the owner of recombine application as his/her authorized agent, work described in this application is issued,	Telephone: (617) 899-5935 04103 necklist. Failure to mit. gand Development Department nation or to download copies of ne.gov, or stop by the Inspections and authorizes the proposed work and I agree to conform to all applicable certify that the Code Official's

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



2009 IBC

# Certificate of Design Application

ASSOCIATED DESIGN PARTNERS, INC From Designer: 6-11-15 Date: **ALLAGASH PAVILION ROOF** Job Name: 50 INDUSTRIAL WAY, PORTLAND MAINE Address of Construction:

### 2009 International Building Code

Construction project was designed to the building code criteria listed below:

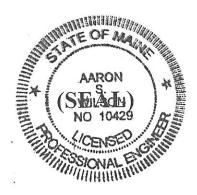
<b>Building Code</b>	& Year2009 IBC	Use Group Classification (s)	Industrial	
Type of Const	ruction IV Heavy Tin	nber	-	
Will the Structus	re have a Fire suppressi	on system in Accordance with Section	on 903.3.1 of the	2009 IBC N
Is the Structure	mixed use? Y	If yes, separated or non separate	ed or non separate	ed (section 302.3) Separated
Supervisory alar		Geotechnical/Soils report require		
Structural Desi	ign Calculations		NO	Live load reduction
	Submitted for all structu	ural members (106.1 – 106.11)	20	Roof live loads (1603.1.2, 1607.11)
		50+drift	Roof snow loads (1603.7.3, 1608)	
	on Construction Docuted floor live loads (7603.		60	Ground snow load, Pg (1608.2)
Floor Area Us			50	If $Pg > 10$ psf, flat-roof snow load $p_f$
na			1	If $Pg > 10$ psf, snow exposure factor, $C$
·			1	If $Pg > 10$ psf, snow load importance factor, $I_k$
			1.2	Roof thermal factor, $G(1608.4)$
			NA	Sloped roof snowload, P <sub>r</sub> (1608.4)
Wind loads (16	03.1.4, 1609)		В	Seismic design category (1616.3)
ANALYTICAL	_ Design option utilized (160	9.1.1, 1609.6)	BRF	Basic seismic force resisting system (1617.6.2)
98	Basic wind speed (1809.3)		(7/5.5)	Response modification coefficient, <sub>R1</sub> and
1.0	_ Building category and wind			deflection amplification factor $_{Cl}$ (1617.6.2)
B	_Wind exposure category (1	able 1604.5, 1609.5) ~ 609.4)	ASCE 12.8.1	Analysis procedure (1616.6, 1617.5)
0 - FREE ROOF	_ Internal pressure coefficient (A	100 to 100 100 to 1	1.0K	Design base shear (1617.4, 16175.5.1)
PER ASCE BASED 15PSF	On EWant and cladding pres		Flood loads (1	
	_ Main force wind pressures (76	Augusta Augustus (1900 p. 1900	NA	2000 00000 00000 00000 00000 00000 00000 0000
	ata (1603.1.5, 1614-162	3)	NA	Flood Hazard area (1612.3)
ASCE 12.8.1	Design option utilized (161	4.1)		Elevation of structure
<u> </u>	_ Seismic use group ("Catego	ory")	Other loads	
0.245 / .125	_ Spectral response coefficie	nts, SDs & SD1 (1615.1)	NA	Concentrated loads (1607.4)
D	_ Site class (1615.1.5)		NA	Partition loads (1607.5)
			NA	Misc. loads (Table 1607.8, 1607.6.1, 1607.7,



# Accessibility Building Code Certificate

Designer:	ASSOCIATED DESIGN PARTNERS, INC
Address of Project:	50 INDUSTRIAL WAY, PORTLAND ME 04103
Nature of Project:	TIMBER FRAMED ROOF AT EXISTING  EXTERIOR PATIO.

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act. Residential Buildings with 4 units or more must conform to the Federal Fair Housing Accessibility Standards. Please provide proof of compliance if applicable.



Signature:

ENGINEER

Title:

ASSOCIATED DESIGN PARTNERS, INC

Address:

80 LEIGHTON RD

FALMOUTH, ME 04105

Phone:

878-1751

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov



# Certificate of Design

Date:	6-11-15
From:	ASSOCIATED DESIGN PARTNERS, INC
These plans and / o	r specifications covering construction work on:
ALLAGASH BREWERY F	PATIO PAVILION

Have been designed and drawn up by the undersigned, a Maine registered Architect / Engineer according to the **2009** *International Building Code* and local amendments.



Signature:

Title:

ENGINEER

Firm:

ASSOCIATED DESIGN PARTNERS, INC

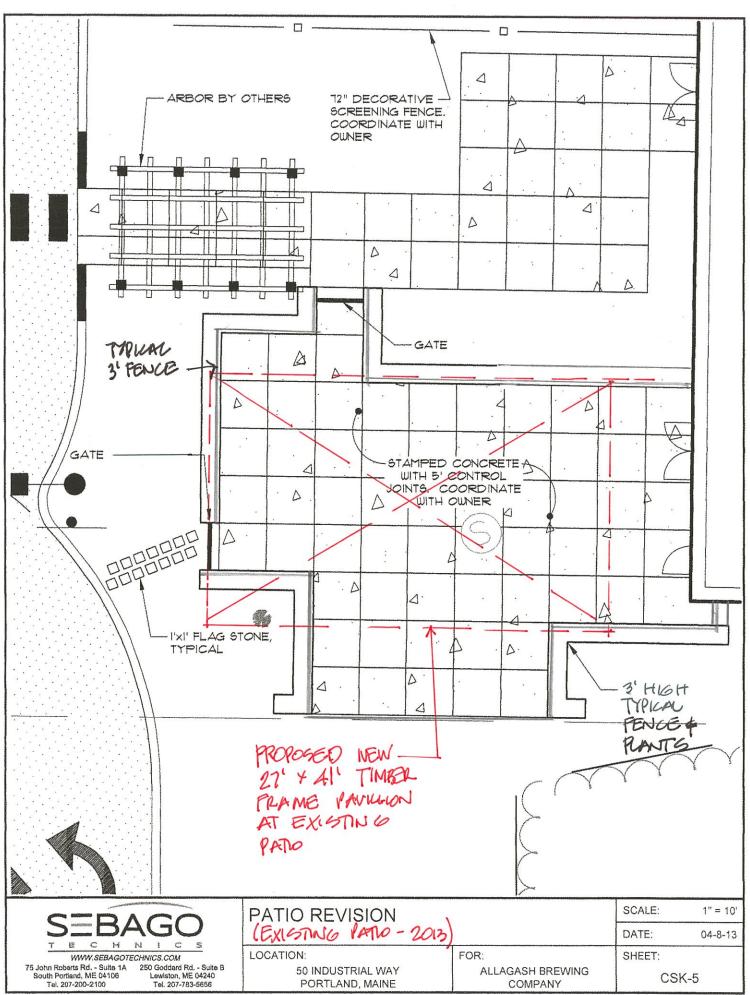
80 LEIGHTON RD

FALMOUTH, ME 04105

Phone:

878-1751

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov





# ertificate of Occupancy

# CITY OF PORTLAND, MAINE

Department of Planning and Urban Development Building Inspections Division



Location: 50 Industrial Way

Issued To: 50 Industrial Way Llc

CBL: 326 B009001

Issued Date: 07/09/2013

Building Permit No. 201248397 has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated This is to tertifp that the building, premises, or part thereof, at the above location, built-altered-changed as to use under below.

PORTION OF BUILDING OR PREMISES

ENTIRE

APPROVED OCCUPANCY

USE GROUP F-2/B/M TYPE 2B BREWERY/WAREHOUSE/ACCESSORY TASTING & SALES

MUBEC '09

LIMITING CONDITIONS: NONE

Inspector

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.

Inspection Division Director

