Outdoor Dining Permit Application

Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 06/08/17

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: 6/6

Location Name & Address: D.L. Geary Brewing 38 Evergreen Drive Portland ME 04103	**Chart** **Block** **Lot**
Owner Name: David Geary **Owner Phone #:** 207-838-2337	**Total Square Footage of Proposed Outdoor Dining Area:**[1]
Applicant *must* be owner or lessee Name: David Geary and Kelly Geary Lucas Address: 38 Evergreen Drive. City, State & Zip: Portland, ME 04103 E-Mail: Kelly@gearybrewing.com	Fee: $80 (Public-Annual) $125 (Private 1X) Total Sq. Ft.: 1728 ft² Sq. Ft. Fee: (sq ft x $2) $ 3456.00 (sq ft x $6 for public parks) **Total Fees:** $ 125.00 **(Permit not issued until all fees are paid)**

Current use: Brewery and tasting room
Business name: D.L. Geary Brewing
Seating area dimensions: 24ft by 72ft
How many chairs? 32 How many tables? 6
■ **Yes** Alcohol is served.
☐ **No** Alcohol being served.

Who should we contact: Bethany O'Neil - Event Planner Phone: 207-838-2337
Address: 38 Evergreen Dr. Portland ME E Mail: bethany@gearybrewing.com

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.

D.L. Geary - owner

Signature of Applicant: _____ Date: 5/2/16

[1] *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.*

Revised 04-02-15 **This is not a permit; you may not commence ANY work until the permit is issued.**

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Portland, Maine — Yes. Life's good here.

Department of Permitting and Inspections

RECEIVED
MAY 05 2016
Dept. of Building Inspections
City of Portland Maine

OUTDOOR DINING
Permit Application & Checklist

Permits are required for expanding food service to the outside on ***all properties***. For public properties, the annual fee for Outdoor Dining is $80.00, with an additional fee of $2.00 per square foot of dining area on ***streets, sidewalks or other public ways*** and $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.

- [x] **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.)
- [x] **A drawing and/or specification of any proposed barrier solution**
- [x] **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.
- [x] **All documents provided in electronic form according to established Electric Documents Submittal Process.**

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Department of Permitting and Inspections

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 that 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 selections below.

1. Once the complete application package has been received by us, and entered into the system
2. You will receive an e-mailed invoice from our office which signifies that your electronic permit application and corresponding paperwork have been entered, ready for payment, to begin the process.
3. You then have the following four (4) payment options:

☐ provide an on-line electronic check or credit/debit card (we accept American Express, Discover, VISA, and MasterCard) payment

☐ call the Inspections Office at (207) 874-8703 and speak to an administrative representative to provide a credit/debit card payment over the phone

☐ 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
Department of Permitting and Inspections
389 Congress Street, Room 315
Portland, Maine 04101

By signing below, I understand the review process starts only once my payment has been received. After all approvals have been met and completed, I will then be issued my permit and it will be sent via e-mail. ***No work shall be started until I have received my permit.***

Applicant Signature: DL. Geary Date: 5/5/16

I have provided digital copies and sent them on: Date: 5/5/16

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

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I/We fully understand that the City of Portland, its agents, officers and employees accept no responsi 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: Bethany O'Neil Event Planner Date: 5/2/16

Printed name Bethany O'Neil

Establishment D.L. Geary Brewing

Location 38 Evergreen Dr. Portland ME 04101

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