



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

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: _____

Pending Council Date: _____

Location Name & Address: MISS PORTLAND WINE 140 MARGINAL WAY PORTLAND ME	Chart 442	Block A	Lot 006
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Owner Name: TOMAKS LLC - TOM MANNING	Total Square Footage of Proposed Outdoor Dining Area: ¹
Owner Phone #: 917 951 4109	CITY PROPERTY 9' x 12' = 108

Applicant *must* be owner or lessee	Annual Fee: \$80
Name: TOM MANNING	Total Sq. Ft.: 108
Address: 49 EASTMAN RD	Sq. Ft. Fee: (sq ft x \$2) \$ 216
City, State & Zip: CAPE ELIZABETH ME	(sq ft x \$6 for public parks)
E-Mail: TOMAKS LLC @ HOTMAIL.COM	(Due when issued)
	Total Fees: \$ 296
	(Permit not issued until all fees are paid)

Current use: RESTAURANT

Business name: MISS PORTLAND WINE

Seating area dimensions: 9'x12' CITY OWNED 11'x12' OWNER PROPERTY

How many chairs? 22 How many tables? 6

Yes Alcohol is served.

No Alcohol being served.

Who should we contact for the pre-inspection: TOM MANNING Phone: 917 951 4109

Address: 49 EASTMAN RD CAPE ELIZABETH E Mail: TOMAKS LLC @ HOTMAIL.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.

Signature of Applicant: [Signature] Date: 4/27/2015

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.

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



Jeff Levine, AICP, Director
Planning & Urban Development Department

Tammy Munson, Director
Inspections Division

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. The annual fee is due when you drop off your permit application. The square footage fee is 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.

The permit must be renewed each year.

Application Checklist: All of the following information is required and must be submitted.

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.)

A drawing and/or specification of any proposed barrier solution

Proof of public liability insurance coverage: 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.



Jeff Levine, AICP, Director
Planning & Urban Development Department

Tammy Munson, Director
Inspections Division

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 four (4) payment options:

- provide an on-line electronic check or credit/debit card (we now accept American Express, Discover, VISA, and MasterCard) payment (along with applicable fees beginning July 1, 2014),
- 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, Inspections Division
389 Congress Street, Room 315
Portland, Maine 04101

Once my payment has been received, this then starts the review process of my permit. **After all approvals have been met and completed, I will then be issued my permit via e-mail.** No work shall be started until I have received my permit.

Applicant Signature: Thomas J. Manning Date: 4/25/2015

I have provided digital copies and sent them on: _____ Date: 4/25/2015

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

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: Thomas J. Marini Date: 4/27/2015

Printed name THOMAS J MARINI

Establishment MES PORTLAND NINE

Location 140 MARGINAL WAY

PORTLAND, ME 04101