

Order 244-18/19

Motion to amend by adding Portland City Code Chapter 28, Section 28-86, and by striking out in Section 28-86 "one dollar and fifty cents (\$1.50)" and adding one dollar and seventy-five cents (\$1.75)", by striking out "four (4)" and adding "three (3)" and striking out "ten (10)" and adding "nine (9)".

Passage as amended: 9-0 on 5/20/2019

Effective 7/1/2019

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE**

**Re: VARIOUS NEW FEES AND FEE INCREASES FOR FISCAL YEAR 2020  
IN CHAPTERS 3, 6, 15, 24, 25 and 28**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Sections 3-31 and 3-32 are hereby amended and Chapter 3 of the Portland City Code is hereby amended by adding a section, to be numbered 3-33, which said sections reads as follows:*

**Sec. 3-31 Definitions**

(a) For the purposes of this Article, the terms ~~small~~ ~~brewery~~, ~~B~~brewery, ~~small~~ ~~D~~distillery, ~~distillery~~, ~~M~~malt liquor, ~~Spirits~~~~spirits~~, ~~Wine~~~~wine~~, ~~winery~~ and ~~small~~ ~~W~~winery shall have the same meanings as provided in 28-A M.R.S. §2, as amended hereafter.

(b) A large brewery, distillery or winery shall mean a brewery, distillery or winery that manufactures more than 50,000 gallons of its defined product per year.

**Sec. 3-32 Brewery, Winery and Distillery Alcohol License.**

(a) No brewery, winery, or distillery shall serve or sell spirits, wine, or malt liquor for on-premises consumption unless it is licensed pursuant to this section and Chapter 15. This division shall apply to those who serve or sell based on a license issued pursuant to 28-A M.R.S. §1355-A(I), as amended hereafter.

(b) A brewery, winery, or distillery that is properly licensed to serve or sell spirits, wine, or malt liquor for consumption as part of its City of Portland Chapter 11 Food Service Establishment license is not required to obtain a license under this section. A brewery, winery, or distillery that is required to be licensed as a Food Service Establishment pursuant to Chapter 11, however, does not satisfy that requirement by obtaining a license under this section.

**Sec. 3-33 Brewery, Winery and Distillery Manufacturing License**

(a) No small brewery, large brewery, small winery, large winery, small distillery, or large distillery, that is required to be licensed pursuant to Title 28-A of the Maine Revised Statutes shall brew, distill, produce, or sell spirits, wine, or malt liquor unless it is licensed pursuant to this section and Chapter 15.

(b) This license shall be in addition to any license required under Sec. 3-32 of this Code.

2. *That Section 6-152 is hereby amended to read as follows:*

**Sec. 6-152. Registration Fees.**

(a) *Annual Registration Fee.* Upon initial registration and by January 1st of each year, registrants shall pay the City a registration fee for each rental unit, in the amounts set forth below. A rental unit shall not be considered registered unless and until this fee is paid in full.

...

(e) Registrations that are not renewed by February 1 shall be subject to a late fee of \$10 per unit. Registrations shall not be renewed unless and until the registrant pays any applicable late fee. The Permitting and Inspections Director may waive a late fee upon a showing of good cause as to why the renewal was not timely.

3. *That Section 15-12 is hereby amended to read as follows:*

**Sec. 15-12. Fees and expiration dates.**

(a) Unless specified elsewhere in this Code, fees for licenses issued pursuant to this Code and the expiration date of each license shall be as follows:

Location in Code	Description	Fee	Expiration Date
Ch. 3, Art. II	Bottle clubs (must obtain FSE and special entertainment if applicable)	\$940.00	June 30
Ch. 3, Art. III	Brewery, Winery and Distillery <u>On-Premises Consumption</u> License (must obtain FSE and/or special entertainment if applicable)	\$525.00	Concurrent with state liquor license
<u>Ch. 3, Art. III</u>	<u>Small Brewery, Winery and Distillery Manufacturing License</u>	<u>\$250.00</u>	<u>Concurrent with state liquor license</u>
<u>Ch. 3, Art. III</u>	<u>Large Brewery, Winery and Distillery Manufacturing License</u>	<u>\$2,000</u>	<u>Concurrent with state liquor license</u>

...

4. That Section 25-27 is hereby amended to read as follows:

**Sec. 25-27. Fees and fines.**

(a) The following fees are hereby established for the issuance of a revocable street and sidewalk occupancy permit:

- (1) Objects other than portable signs, including but not limited to tables, chairs, barricades and bollards, minty-two dollars (\$92.00) for one (1) fiscal year or any portion thereof;
- (2) Portable signs, twenty-five dollars (\$25.00) plus twenty cents (\$0.20) per square foot of signage. Square footage is calculated pursuant to section 14-369(b) of the land use ordinance. Permits remain valid until there is a change:

- a. In the sign dimensions; or
  - b. In the use, lessee or ownership of the business causing a change in the business name, design or dimensions.
- (3) Vehicles, equipment, or construction materials, as follows:
- a. The Parking Space Permit shall be ~~\$20.00~~25.00 per day or any portion thereof;
  - b. The Sidewalk Permit shall be \$20.00 per day or any portion thereof;
  - c. The Single Lane Closure Permit shall be \$50.00 per day or any portion thereof; and
  - d. the Street Closure Permit shall be \$100.00 per day or any portion thereof.

...

5. *That Section 24-72 is hereby amended to read as follows:*

**Sec. 24-72. Sanitary sewer user charges.**

(a) *Applicability.* There are levied upon all parcels of land charges for cost of treatment of wastewater and stormwater and for the operation and maintenance of the wastewater system.

...

(c) *Computation.* The user charges shall be computed in accordance with the following schedule, as from time to time amended, which shall be sufficient to meet costs of the eligible purposes for which such charges may be used. Beginning July 1, ~~2018~~2019, user charges under this section for both dwelling units and commercial units shall be ~~nine dollars and ninety-five ten dollars and forty cent~~seents (~~\$9.95~~10.40) per hundred cubic feet of volume for connected parcels of land. The user charge for developed but unconnected parcels of land shall be one dollar and seventy-one cents (\$1.71) per hundred cubic feet of volume. Each metered billing unit shall have a minimum charge of at least one hundred (100) cubic feet per month.

...

6. That Section 28-86 is hereby amended to read as follows:

**Sec. 28-86. Parking meter rates.**

The rate for parking at a meter in the city shall be ~~one dollar and fifty cents (\$1.50)~~ one dollar and seventy-five cents (\$1.75) per hour as follows: two (2) minutes for the first nickel (\$0.05); ~~four (4)~~ three (3) minutes for a dime (\$0.10); and ~~ten (10)~~ nine (9) minutes for a quarter. The City Manager may charge a convenience fee in addition to the parking meter rates.

**BE IT FURTHER ORDERED**, that this amendment shall be effective on July 1, 2018.