



CITY OF PORTLAND

Permitting and Inspections Department

Winter Temporary Extension of Premise-Outdoor Dining

Please include for all Types:

- **8 1/2" x 11" Plot Plan showing:**
 - Lot lines, where the building sits on the lot and dimensions of the building and lot.
 - Location of proposed outdoor dining area and its components (tables, chairs, barriers, etc.), including dimensions and total outdoor dining area in square feet.
 - Sidewalks must maintain a minimum of 5 feet clearance.
 - Parklets are 8 feet X 20 feet and all barriers, tables, chairs must be located within those dimensions
- **Dining Space**
 - Location and type of heating source
 - Including CO detectors
 - Location and type of Shelter for space including:
 - How the structure/tent will handle snow load
 - Ventilation
 - Egress
 - Electricity
 - **If you are building a structure, erecting a tent or adding impervious surface for the outdoor dining area please contact the Permitting and Inspections Department for permitting requirements at permitting@portlandmaine.gov or 874-8703.**
 - How and where items will be stored in inclement weather or during snow removal
 - Snow Removal Plan
 - Type of barriers used and location
 - Minimum height of 4 feet and width of 2 feet in Parklets
- If Alcohol is to be served- Complete an Extension of Premise BABLO

Please Include if on Public Property (Street, Sidewalk, Park)

- Proof of Public Liability insurance coverage. The permit holder is required to produce at the time of submission and maintain public liability insurance coverage 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.



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Maintenance and Operations

- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- No attachments to the pavement or curbing are permitted.
- No advertising other than labels identifying the business is permitted on the outdoor dining space.
- Must comply with all requirements from the Governor's Order.



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For Licensees that currently have Outdoor Dining with the City of Portland
Valid-November 1, 2020 thru January 4, 2021
11:00am-10:00pm

Classification	<input type="checkbox"/> Without Alcohol <input type="checkbox"/> With Alcohol* must complete attached state application		
Type	<input type="checkbox"/> Public Property <input type="checkbox"/> Private Property <input type="checkbox"/> Parklet		
Business Information			
Business Name (d/b/a):		Phone:	
Location Address:			Zip:
Mailing Address:			Zip:
Contact Person:		Phone:	
Contact Person Email:			

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.

Signature _____ Title _____ Date _____

Please submit to bl@portlandmaine.gov

Date Received: _____ Assigned to CEO: _____



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Outdoor Dining Tent and Patio Heaters

Patio Heaters:

- Must be a listed heater used in accordance with the device's listing and manufacturer's recommendations. Temporary open flame heaters are not allowed. Listing information and manufacturer's instructions shall be provided upon request.
- Heaters shall not be located within 5 feet of any egress.
- Heaters must be installed and operated in accordance with the manufacturer's minimum clearance to combustible surfaces requirements

Tents:

- Tent capacity with sides down are capped at 50 people due to the Governor's Orders.
- Enclosed tents shall have at least two egress / exit points that are separate and remote from each other.
- Enclosed tents with fuel fire heaters shall have local battery powered carbon monoxide (CO) detection in each tent.

Additional Information:

- Spare propane tanks:
 - Shall not be stored inside a building or tent.
 - Shall be stored in an area to limit excessive temperature rise or physical damage.
 - Shall not be stored in an area near exit or areas used for egress.
- Fire Extinguishers must be provided in:
 - Any location that has a heater.
 - Any location that has a tent with sides, extinguishers shall be placed near an exit and so one can be reached from anywhere in the tent within 75 feet of travel distance.



REQUEST FOR EXTENSION OF LICENSE ON PREMISE

Legal Name: _____ License Number: _____
DBA Name: _____ Expiration Date: _____
Physical Address: _____ City, State, Zip _____
Mailing address: _____
Street / PO Box City State Zip
Phone: _____ Fax: _____ Email address: _____

Name, address, telephone number of Property Owner (if property is rented or leased, need copy of rental agreement / lease):

Temporary Permanent Inside Outside Live Entertainment: Yes No

Start Date: _____ End Date (if applicable): _____

Reason for this request: _____

This request for an extension of service area for on premise license location MUST have Town / County Commission approval and MUST have a diagram submitted with this form.

Outdoor Restrictions:

There must be a stanchion or fence completely enclosing the area. Signs must be posted, stating “no alcohol beyond this point”. There must be sufficient employees at the extension of premise, which would be able to control and monitor the area.

Signature of Owner/ Corporate Officer

Printed Name of Owner/ Corporate Officer

For Municipal Approval Only

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: Municipal Offices County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

Signature of Officials	Printed Name	Title

EXTENSION AREA PREMISE DIAGRAM

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including methods of monitoring and containment of certain area which you are requesting approval from the Division for liquor consumption.

For Office Use Only:

Date Filed: _____ Date Issued: _____ Issued By: _____

Approved Not Approved

Subchapter 1: GENERAL CONDITIONS

§ 1051. LICENSES GENERALLY

3. Liquor not to be consumed elsewhere. Except as provided in paragraphs A and B and in section 1207, no licensee for the sale of liquor to be consumed on the premises where sold may personally or by an agent or employee, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises. The service and consumption of liquor must be limited to areas that are clearly defined and approved in the application process by the bureau as appropriate for the consumption of liquor. Outside areas must be controlled by barriers and by signs prohibiting consumption beyond the barriers.