



**CITY OF PORTLAND**  
**Permitting and Inspections Department**  
**Temporary Parklet Outdoor Dining**  
**Supplemental Application Process**

**For Licensees that currently have Outdoor Dining with the City of Portland**

The City has determined that, in some areas of the City where businesses are unable to locate outdoor dining on City sidewalks or public parks abutting their businesses and where there is adequate space in the street to accommodate outdoor dining without compromising safety, dining may be offered in public parking or other public spaces, in accordance with Section 25-27 of the City Code.

**What is Needed to Apply:**

- 8 ½” x 11” Plot Plan showing: (see design and construction section)
  - Lot lines, where the building sits on the lot and dimensions of the building and lot.
  - Street location and the intersecting streets.
  - Location of proposed outdoor dining area and its components (tables, chairs, barriers, etc.), including dimensions and total outdoor dining area in square feet.
- A drawing, photo or specifications of any required barrier solutions. Please request additional information if located on Wharf Street.
- 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) one million dollars (\$1,000,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured.
- Outdoor Dining Supplemental application
- If Alcohol is to be served- Complete an Extension of Premise BABLO
- \*Fees (due 60 days after issuance)

**Additional Requirements**

Businesses *not* located on a closed street may apply for up to two contiguous parklets (with the exception of Exchange Street businesses, as noted above). All parklet regulations as outlined in Section 25 of City Code must be met. In the event that it is impossible for a business to operate a parklet in accordance with the City ordinance, staff will consider safe alternatives.

Parklets located on streets with speed limits in excess of 25 mph *or* on streets with significant vehicle traffic will be required to include concrete barricades, provided and placed by the City, on all three sides not abutting the curb.

Parklets located on streets with speed limits under 25 mph and relatively low levels of vehicle traffic are required, by City Code, to include three-foot wheel stops on either end of their parklet. Staff will consider requests to place concrete barricades on the short ends of parklets in lieu of wheel stops.

**Please submit to [bl@portlandmaine.gov](mailto:bl@portlandmaine.gov)**

Application due by May 10, 2021



**CITY OF PORTLAND**  
**Permitting and Inspections Department**

**Temporary Parklet Outdoor Dining  
 Supplemental Application**  
**Valid April 5, 2021 thru November 1, 2021 11:00am-10:00pm**  
**Fee \$1092.00\***

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

<b>Business Information</b>			
Business Name (d/b/a):		Phone:	
Location Address:	Zip:		
Mailing Address:	Zip:		
Contact Person:		Phone:	
Contact Person Email:			
Manager of Establishment:	Date of Birth:	Phone:	
Owner of Premises (Landlord):			
Address of Premises Owner:	Zip:		

**Owner Information**

<b>Corporate Name</b>		<b>Corporate Mailing Address</b>	
		Zip:	
Contact Person:		Phone:	
<b>Principal Officers</b>	<b>Title</b>	<b>Date of Birth</b>	<b>Residence Address</b>

### About Your Establishment

Class of License:	
Type of food served:	
Please circle all that will be served:	Beer    Wine    Liquor
Hours & days of operation:	
Number of Tables	
Number of Chairs	

### Parklets Regulations

Pursuant to Chapter 25 of the City's Code of Ordinances, a permit is required for expanding food service to the outside of all properties. Outdoor dining permits for parking and other alternative public spaces will be issued under Chapter 25 and these regulations pursuant to the following requirements:

- Any food service operation located on City property pursuant to a permit issued hereunder must comply with state and local laws with respect to service of food and/or alcohol;
- Any movable items on the outdoor dining area must be secured against wind and theft and locked or removed when the business is closed.
- Any outdoor dining spaces permitted hereunder must be located immediately in front of the business. Where parking spaces are not striped (such as in multispace meter areas) the location of any outdoor dining space must be located to minimize loss of effective parking spaces
- Parking spot size is 8 feet by 20 feet.
- Any outdoor dining space must provide railings or other substantive barriers *along the edges* to protect patrons;
- Wheel stops satisfactory to the Permitting & Inspections Director must be placed at the front and rear sides of the outdoor dining platform, no less than 4 feet from the edges of the platform. In addition, flexible bollards shall be provided at the corners of the platform. If the street is open.
- No attachments to the pavement or curbing are permitted;
- No covers are permitted over the outdoor dining space other than umbrellas;
- No advertising other than labels identifying the business is permitted on the outdoor dining space;
- No permit shall be issued for outdoor dining in these locations if there is a feasible alternative space on the sidewalk or an appropriate public park;
- No outdoor dining space in the vehicular right of way is permitted within 15' of an intersection;
- No outdoor dining space will be permitted within the vehicular right of way on a high traffic street, as determined by Public Works. Generally, these streets have a speed limit of over 25 miles per hour, a traffic volume of over 5,000 AADT, or a functional classification of Arterial or above;
- In any street that is entirely closed to traffic at certain times of the day, the street may be used for outdoor dining subject to relevant requirements listed above, adjusting for the unique condition of an entirely closed street.

## Barriers

- Shall not include commercial signage.

## 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.



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 \_\_\_\_\_

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**Date Received:** \_\_\_\_\_ **Assigned to CEO:** \_\_\_\_\_



## 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.