

TOWN OF SCARBOROUGH, MAINE

**Outdoor Service Application Form:
Emergency Ordinance Effective May 21, 2020 through October 15, 2020**

All applications submitted for consideration by the Planning Department shall include:

- application form No Application Fee Required electronic file
 submission materials (see relevant submission checklists and/or ordinance requirements)

Business Name:_____	Project Type: Outdoor Services
Project Location (physical address):_____	

Applicant:_____	Phone:_____	E-mail:_____
Mailing Address:_____		

Checklist

(as applicable, all must be checked and materials submitted to be considered complete):

- Self-certification that you are a properly licensed and existing business as of May 21, 2020
- Demonstration of permission from property owners for you to carry on the proposed activities, including parking, where needed.
- Illustration (Plan) that shows the property and highlights the area to be used for outdoor service areas and any other associated information required (use of aerial imagery, such as Google Earth is generally sufficient)
- Details of any temporary awnings or tents,
- A narrative and plan that includes the following (See Exhibit A for more detail):
 - responses demonstrating how the proposal meets the requirements of the ordinance (items 1-12 on Exhibit A)
 - Number of approved existing parking spaces and the number of parking spaces available under this permit.
 - Self-certification that you are following the State’s recommended COVID-19 checklist for your use category.
 - Current business capacity (e.g. sales area for retail uses, number of total approved seats for restaurants)
 - Proposed business capacity (e.g. sales area for retail uses, number of total approved seats for restaurants)
 - Demonstration of appropriate social distancing as recommended by the State of Maine.
 - If applicable, self-certification that you are in compliance with all Maine Alcoholic Beverages and Lottery Operations.

Application Authorization

I hereby make application to the Town of Scarborough for the above-referenced property(ies) and the development as described. By signature below I acknowledge that this approval is only temporary in nature and may be suspended or revoked if the Town determines that the activity is proposing unforeseen hazards and concerns for public health, welfare, and safety

Signed: _____ **Date:** _____

Printed name: _____

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EXHIBIT A

Excerpts from the Outdoor Services Emergency Ordinance

1. Application requirements from the Ordinance:

- 1) A narrative and plan describing the nature of the use, including responses or illustrations demonstrating how the proposal meets the requirements stated above.
- 2) A plan, survey, or aerial of the lot on which the proposed outdoor services will be located with clearly marked limits and capacity of the proposed outdoor services area.
- 3) Details of the proposed barriers used to delineate the outdoor service area.
- 4) Details of any temporary awning, tents or other temporary structures proposed (depending on size and materials additional permits may be required).
- 5) Details describing how the proposed activity will comply with current safety and social distancing guidelines established by local, Federal and/or State agencies (should Federal and/or State safety and social distancing guidelines become more restrictive than is in place at the time of the approval the use of the outdoor service area must immediately comply with the new guidelines).
- 6) If parking capacity is to be met utilizing off-site parking spaces the application shall include the proposed location, capacity and rights of use of such off-site parking spaces.
- 7) Any additional materials as deemed necessary by the Administrative Review Team to ensure compliance with the standards.

2. Review criteria Applicant must demonstrate are being met:

- 1) Refrain from creating or increasing noise, such as playing or allowing amplified music, in violation of Chapter 616, the Good Neighbor Ordinance.
- 2) Not encroach on public right-of-ways.
- 3) Not interfere with handicap parking spaces.
- 4) Maintain adequate parking for patrons (the expansion or creation of outdoor services associated with approved uses may not exceed the approved capacity of the business).
- 5) Maintain safe pedestrian and vehicular access.
- 6) Maintain all access required under the Americans with Disabilities Act.
- 7) Not impede fire and emergency access nor not block fire lanes.
- 8) Provide physical barriers between the outdoor services areas and the parking field.
- 9) Demonstrate that any temporary structure complies with the rules and policies of the Town.
- 10) Outdoor service areas can only be used between the hours of 9am and 9pm Sunday to Thursday and 9am to 10pm Friday and Saturday.
- 11) Shall be in compliance with the provisions of the Maine Alcoholic Beverages and Lottery Operations - Division of Liquor Licensing and Enforcement and other federal, state and local laws or regulations. Additionally, any business legally serving alcoholic beverages in the outdoor services area shall clearly delineate, by use of physical markers and barricade, areas where alcoholic beverages are to be served and consumed, and such consumption shall not take place outside of the marked areas. Signage reading, "No Alcohol Beyond This Point" shall be posted at all exit points and as necessary.
- 12) Shall show how all activities will comply with current safety and social distancing guidelines as promulgated by the Center for Disease Control and Prevention, The State of Maine and the Town of Scarborough.

Submit to: submittals@scarboroughmaine.org

Questions: Contact Karen Martin at 883-4893 or kmartin@sedcomaine.com