

Town of Windham, ME

***OUTDOOR SALES-APPLICATION- CHECKLIST***

The following requirements are to be included with each application:

**539 Retail Sales, Outdoor**

**A. Outdoor sales may be approved by the Code Enforcement Officer in accordance with the following standards:**

1. Outdoor sales shall be allowed as an accessory use to the principle retail use on the property.
2. If outdoor sales are conducted in a parking lot, the minimum off-street parking space requirements of the Land Use Ordinance shall be maintained.
3. A permit shall be obtained from the Code Enforcement Officer,
4. The outdoor sales permit shall be limited to the petitioner and shall therefore not run with the land.
5. An application fee, in an amount established by the Town Council, shall be submitted to the Code Enforcement Officer at the time of application.
6. A plan shall be submitted to the Code Enforcement Officer delineating the area on which the outdoor sales will be conducted (at a minimum the plan shall also show the tax map boundaries of the property, the approximate location of all buildings, and the location of parking areas).
7. Outdoor sales shall not be conducted in a vehicular travel way.
8. Outdoor sales conducted on any public or private walkways or sidewalks shall meet the standards the Americans with Disabilities Act (ADA).  
Sec. 500 Performance Standards Land Use Ordinance Town of Windham  
5 – 24.
9. Outdoor sales shall not be located in any side setback or Landscaped Buffer Strip required by the Land Use Ordinance or as a condition of a property's site plan approval.
10. These standards shall not apply to roadside standards governed by the standards for Agriculture in Section 501.
11. These standards shall not apply to a temporary outside sales events.

**Temporary outside sales events shall meet the following standards:**

- (1) The outside sales event shall not last for more than three (3) consecutive days.
- (2) A permit shall be obtained from the Code Enforcement Officer for each outdoor sales event.
- (3) An application fee, in an amount established by the Town Council, shall be Submitted to the Code Enforcement Officer at the time of application.
- (4) The Code Enforcement Officer must find that the following conditions have been met:
  - (i) Safe vehicular access and onsite circulation is provided to reduce vehicular cueing on public ways.
  - (ii) The applicant demonstrates that adequate parking is provided to accommodate all vehicles either on-site, or in an off-site location that meets the requirements of Section 812(C) (2) (b).

**Town of Windham, ME  
APPLICATION FOR OUTDOOR SALES  
TO WINDHAM CODE ENFORCEMENT OFFICE**

APPLICANT NAME: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

OWNER OF PROPERTY

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

ADDRESS OF PROPERTY OR LOCATION \_\_\_\_\_

MAP # \_\_\_\_\_ LOT # \_\_\_\_\_ PROPERTY IS ZONED \_\_\_\_\_

LOT WIDTH: \_\_\_\_\_ LOT DEPTH: \_\_\_\_\_ LOT AREA: \_\_\_\_\_ sq. ft.

EXISTING PRINCIPLE RETAIL USE OF PROPERTY: \_\_\_\_\_

Retail Sales, Outdoor: The display or sale of products and services outside of a building

- Fee: \$300
- Refer to Land Use Section 539 (1 through 11) attached for standards and required submittals

Retail Sales, Outdoor Temporary: The display or sale of products and services outside of a building for a duration not to exceed (3) days per event. Note that a permit is required on a per event basis.

- Fee: \$100 per permit
- Refer to Land Use Section 539 for standards and required submittals. See Temporary Sales Events.

I acknowledge submitting my application to the Code Enforcement and signing this statement that I the undersigned:

I/We state the proposed plan is to scale and reflects the true representation of the use requested.

*Applicants*

*Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

*Code Enforcements*

*Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

**Any changes from the application /site plan that is submitted will require a new application and a new fee.**