



PERMANENT FOOD SERVICE APPLICATION

Town of Falmouth - Code Enforcement Office

Phone - 207-699-5310

Permit # 4609 Check # 5836 Fee: \$50 Int MM
 Map/Lot 058-004 Zone VCI
 Received 10-21-19 Issued _____
 Address of food service establishment: 202 US Route 1 Falmouth, ME 04105

Property Owner Information

Name Matt Orne
 Address 1 Dana Street (4th Floor)
Portland, ME 04101

Applicant Information

Name Rattaphorn Boobphachati
 Address 3 Derymot Drive
Cape Elizabeth, ME 04107
 Phone (207) 939-3210 Email pomthaitaste@hotmail.com

Phone (207) 399-9454 Email morne@ahp-llc.com

Applicant Signature Upon Submittal Rattaphorn Boobphachati Date: 10/21/19

Please provide the following information

- Written consent of property owner
- Copy of state license
- Demonstration of sufficient parking
- Fees paid (Permanent food service license - \$50)

(Please read below. The permit is not considered issued until signed and dated below by the applicant.)

No license shall be issued unless the applicant has submitted a copy of a current State of Maine Department of Health and Human Services license to the code enforcement officer. No license shall be valid if such state license has expired. The town and state licenses shall be posted in a conspicuous place. No license shall be approved, either new or renewal, without a public hearing by the town council. Such hearing shall be noticed no later than 7 days prior to the hearing date by publication in a local newspaper. Licenses shall be valid for a one year period, commencing July 1 and ending June 30. Any license issued after July 1 shall expire on June 30 of the following year.

On this date _____, I Rattaphorn Boobphachati have read and understand the above statement and attached ordinance requirements as well as paid for my completed permit application.

License Conditions:

Signature of Code Enforcement Officer _____ Date _____

Department review comments

Police:

Fire:

Public Works:

Community Development:

Town Council Hearing Date : ___/___/___

Approval: Yes ___ No ___

Conditions:

FALMOUTH

TOWN CHARTER AND CODE OF ORDINANCES

PART II CODE OF ORDINANCES

CH. II-8 LICENSES, PERMITS AND BUSINESS REGULATIONS

FOOTNOTE(S):

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Cross reference— Administration, Ch. II-2; provisions for notices for nuisances, signs, dangerous, unsafe, dilapidated buildings, and any other action the expense of which may be collected from the property owner, § 2-3; buildings and building regulations, Ch. II-4; condominium conversion regulations, § 4-100 et seq.; marine activities, structures and ways, Ch. II-9; shellfishing, § 9-50; municipal shellfish license required, § 9-55; mobile homes and mobile home parks, Ch. II-11; nuisances, Ch. II-12; streets, sidewalks and other public places, Ch. II-14; taxation and finance, Ch. II-16; parking restrictions at the town landing and requirements for permits for residence, § 17-94; zoning and site plans and flood prevention and protection regulations, Ch. II-19.

State Law reference— Licenses and permits, 30-A M.R.S.A. 3701 et seq.

ART. II-8-4. FOOD SERVICE

Sec. 8-150. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Catering - Providing food and drink at a social event or other gathering lasting one week or less.

Effective on: 7/23/2018

Mobile food vendor shall mean a motor vehicle, trailer or like conveyance capable of being transported from place to place which is constructed to contain, store, prepare and properly preserve food for sale and/or distribution.

Effective on: 7/23/2018

Permanent food service establishment shall mean any food service establishment located in a permanent structure which has received all requisite approvals as required by this Code of Ordinances.

Effective on: 7/23/2018

Sec. 8-151. Enforcement.

This article shall be enforced by the code enforcement officer.

(Code 1966, Ch. 314, § 23)

Effective on: 7/23/2018

Sec. 8-152. Penalty.

Any person violating any of the provisions of this article or obstructing the code enforcement officer in the performance of his required duties or failing, neglecting or refusing to comply with the provisions of this article or operating a food service establishment without a license or after a license shall have been suspended or revoked shall be subject to a fine of not more than one hundred dollars (\$100.00) and each day's violation shall be considered to be a separate offense. (Code 1966, Ch. 314, § 24)

Effective on: 7/23/2018

Sec. 8-153. Approval and License required.

Permanent food service establishments and mobile food vendors shall not operate without a license issued by the code enforcement officer. The following application procedures shall apply. Persons are exempt from this license for business conducted as part of a licensed farmers' market under ART. II-8-14. A. General.

1. No license shall be issued unless the applicant has submitted a copy of a current State of Maine Department of Health and Human Services license to the code enforcement officer. No license shall be valid if such state license has expired.
 2. The town and state licenses shall be posted in a conspicuous place.
 3. No license shall be approved, either new or renewal, without a public hearing by the Town Council. Such hearing shall be noticed no later than 7 days prior to the hearing date by publication in a local newspaper.
 4. Licenses shall be valid for a one year period commencing July 1 and ending June 30. Any license issued after July 1 shall expire on June 30 of the following year.
- B. Application. A complete application on a form from the Community Development Department shall be submitted with the necessary fee and a completed checklist of submittal items. The code enforcement officer shall have the authority to develop an application form and submittal checklist to assure that the necessary information is submitted.
- C. Renewals. License holders may submit an application for renewal provided that there have been no substantive changes to the location, nature of the operation or any other change as determined by the code enforcement officer. Request for license renewals shall be submitted to the code enforcement officer on or before April 30 of each year. Any renewal request after this date will be considered a new application.
- D. Review. Upon such time as the Code Enforcement Officer or their designee deems the application complete it shall be circulated to the Police, Fire, Public Works, and Community Development Departments for a review. Departments shall submit their review to the Code Enforcement Officer no later than 8 business days from receipt. The Code Enforcement Officer shall forward the review to the applicant. They shall also forward the reviews and application with any recommendations from staff to the Town Manager for placement on the next regularly scheduled Council meeting unless the applicant requests additional time to modify or add to the application based on staff review.
- E. Approval. The Town Council shall have the sole authority to approve a food service establishment or mobile food vendor license.
- F. Issuance. Should the Town Council approve such license, the Code Enforcement Officer shall issue a license containing the conditions and restrictions as imposed by the Town Council.
- G. Posting. The license holder shall post the license in a conspicuous place at the approved location.

Effective on: 7/23/2018

Sec. 8-154. Reserved.

Effective on: 7/23/2018

Sec. 8-155. Fees.

License fees shall be as approved by the Town Council and on file in the Community Development Department office.

Effective on: 7/23/2018

Sec. 8-156. Suspension and revocation of license.

A food service license may be suspended by the Code Enforcement Officer upon failure of the licensee to comply with any of the terms or conditions of the license. The license may be revoked by the Town Council upon serious or repeated violations of any of the terms of this article after investigation and hearing. A notice of such hearing shall be served upon the licensee or left at the licensed premises at least three (3) days before the time set for the hearing.

Effective on: 7/23/2018

Sec. 8-157. Reinstatement of license suspended.

The licensee may at any time after suspension by the Code Enforcement Officer, make application in writing for reinstatement of the license to the Code Enforcement Officer representing that the condition for which the suspension was imposed has been corrected. The Code Enforcement Officer shall within three (3) business days after receipt of the application make a reinspection of the premises. If he finds that the licensee is complying with the terms of this article, the license shall be reinstated. If the Code Enforcement Officer finds the condition not corrected according to the requirements of this article, he/she may make reinspections at such future times as he/she may deem reasonable. If the licensee fails to satisfactorily comply with the requirements of the Code Enforcement Officer after such inspection or reinspection, the Code Enforcement Officer shall refer the violation to the Town Council for hearing in the manner provided in Sec. 8-156, who may thereafter revoke, continue the suspension, or reinstate the license. The aggrieved licensee shall have the right to appeal to the Cumberland County Superior Court. Repeated incidents of such suspension by the Code Enforcement Officer involving the same licensee shall be considered to be a valid reason for revocation of the license by the Town Council after investigation and hearing as provided in Sec. 8-156.

(Code 1966, Ch. 314, §§ 2.5, 2.6)

Effective on: 7/23/2018

Sec. 8-158. Inspection.

The Health or Code Enforcement Officer, after proper identification, shall be permitted to enter with the permission of the licensee or the person in charge at any reasonable time, any food service establishment within the town for the purpose of making inspections to determine compliance with this article. They shall be permitted to examine the records of the establishment to obtain pertinent information pertaining to food and supplies purchased, received or used and persons employed. (Code 1966, Ch. 314, § 3)

Effective on: 7/23/2018

Sec. 8-159. Standards

Catering. Food service establishments and mobile food vendors providing catering services, either public or private, are exempt from a license under this section, but shall submit license applications required by the state for review by the Code Enforcement Officer. A fee as established by the Town Council shall be submitted with the the state license application. The state license as issued by the State of Maine shall be submitted to the Code Enforcement Officer prior to catering in the town.

A. Mobile Food Vendor

1. The following standards shall be iterated in the license approval and approved by the Town Council.
 - a. Dates approved for use. The Town Council shall approve the dates for use but in no event can the dates be longer than six months if the vendor is requesting approval for a static location.
 - b. Location(s). Vendors may apply for multiple static locations in the same application and be approved as one license.
 - c. Hours of Operation. Licenses shall include the hours of operation.
2. Vehicles shall be removed from the site daily at the close of business.
3. Suitability of the site. The location of the vendor shall not interfere with vehicle or pedestrian circulation of permanent uses of the property on which it is located. If parking spaces are utilized to locate vendors, the permanent use must still meet the minimum number of parking spaces required. In the instance of non-conforming uses due to parking, the non-conformity may not be increased.
4. Self-contained. The vendor unit shall be self-contained except that utilization of electric service from a building may be permitted provided it meets all applicable code requirements. Amenities such as tents, table and chairs are prohibited.
5. Signage. Signage shall either be on the vehicle or as permitted elsewhere in this Code of Ordinances.
6. Public Health. No license shall be issued without documentation that the vendor is properly licensed by the State of Maine Department of Health and Human Services.
7. Vehicle Registration. No license shall be issued or be valid without appropriate state registration of the vehicle or trailer.

B. Permanent Food Service Establishments. Permanent food service establishments shall be located in buildings or structures that meet the requirements of the Zoning and Site Plan Review Ordinance.

Effective on: 7/23/2018

Secs. 8-160—8-249. Reserved.

Effective on: 7/23/2018



PERMANENT FOOD SERVICE APPLICATION
 Town of Falmouth - Code Enforcement Office
 Phone - 207-699-5310

Permit # _____ Check # 5836 Fee: \$50 Int: _____
 Map/Lot _____ Zone _____
 Received _____ Issued _____
 Address of food service establishment: 209 US Route 1 Falmouth, ME 04105

Property Owner Information
 Name ~~Matt Orne~~ FORESIDE PLACE LLC
 Address 1 Dana Street (4th Floor)
Portland, ME 04101
 Phone (207) 399-9456 Email morne@ohp-llc.com

Applicant Information
 Name Rattanaphorn Boobphachati
 Address 3 Dermot Drive
Cape Elizabeth, ME 04107
 Phone (207) 939-3210 Email porboobph@ohp-llc.com

Applicant Signature Upon Submittal _____ Date: _____

Please provide the following information

- Written consent of property owner
- Copy of state license
- Demonstration of sufficient parking
- Fees paid (Permanent food service license - \$50)

*ForeSide Place LLC Consents to this application. MFW ORNE, PRES
 Matt Orne*

(Please read below. The permit is not considered issued until signed and dated below by the applicant)

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On this date _____, I Rattanaphorn Boobphachati have read and understand the above statement and attached ordinance requirements as well as paid for my completed permit application.

License Conditions:

Signature of Code Enforcement Officer _____ Date _____



STATE OF MAINE
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
 8 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0008



License for the Sale of Liquor

License Number	Issue Date	Expiration Date
CAR-2013-7812	10/17/2018	10/16/2019

This License is valid only between the Issue Date and the Expiration Date appearing on this document. This License may be used only for the Named Holder at the Location for which the License was issued. The person or business named in this License is authorized to sell or serve liquor with liquor content as permitted by Maine law for the license type designated in this License.

All licensees shall make available for inspection their licenses at the premises to which those licenses apply. This License or each type of License issued as part of this License is subject to fine, suspension or revocation pursuant to Title 28-A of Maine law. License fee is non-refundable and the License is non-transferable unless approved by the Bureau.

Legal Name of Licensee: POM-GRACE 2013, LLC
 Business Name of Licensee: ORCHID THAI RESTAURANT & BAR
 Address of Licensee: 202 US ROUTE ONE
 FALMOUTH, ME

CODE	License Type and Description	FEE
CAR	CLASS I - CLASS A RESTAURANT - MALT LIQUOR, WINE AND SPIRITS	900.00
FF	FILING FEE	10.00

Total Fees:

\$ 910.00

Timothy R. Poulin

Timothy R. Poulin, Deputy Director
 Bureau of Alcoholic Beverages and Lottery Operations

ORCHID THAI RESTAURANT & BAR
 435 COTTAGE ROAD
 SOUTH PORTLAND, ME 04106

State of Maine

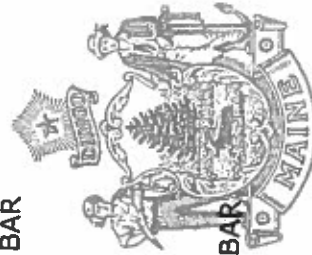
DEPARTMENT OF HEALTH AND HUMAN SERVICES

EST ID: 24645

EATING PLACE TIER 3 80 Seats (in)

ORCHID THAI RESTAURANT & BAR
202 US RTE 1 STE 104
FALMOUTH ME 04105

ATTN POM BOOBPHACHATI
POM-GRACE 2013 LLC
ORCHID THAI RESTAURANT & BAR
202 US RTE 1 STE 104
FALMOUTH ME 04105



EXPIRES: 10/21/2020

FEE: \$230.00

Jeanne A. Lambert

Commissioner

NON-TRANSFERABLE

Google Maps 211 US-1

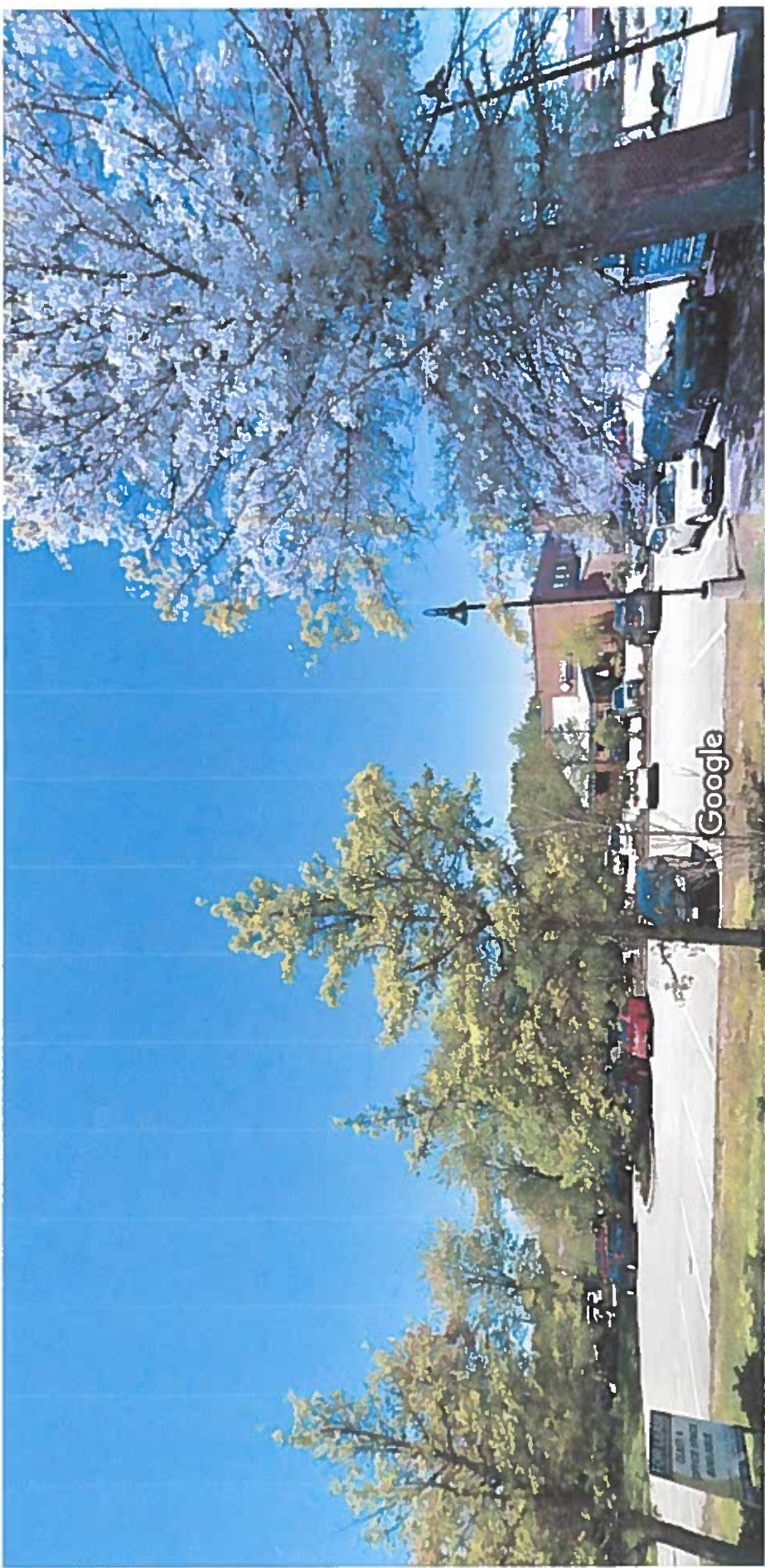


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Falmouth, Maine

Google

Street View - Jun 2019

Google Maps 173 Clearwater Dr



Image capture: Jul 2018 © 2019 Google

Falmouth, Maine

Google

Street View - Jul 2018