

CITY OF NEWPORT
MOBILE FOOD UNIT TEMPORARY USE AGREEMENT
(OTHER THAN POD)

WHEREAS, Applicant(s) has applied for a temporary use permit to operate a mobile food unit(s) at the address set forth below; and

WHEREAS, Newport Municipal Code (NMC) Section 14.09.050 provides that up to three mobile food units, not associated with a special event, may be located on a lot, parcel, or tract within the City of Newport provided certain operational requirements are met, and

WHEREAS, NMC Section 14.09.090 requires Applicant(s) include a signed agreement with their temporary use permit application stating that they are aware of, and agree to abide by, the operational requirements set forth in NMC Section 14.09.050 and outlined below.

NOW, THEREFORE: By my signature below, I acknowledge that I/we have read and agree to adhere to the operational requirements set forth in NMC Section 14.09.050 and outlined below, and understand that failure to comply with those criteria may result in the revocation of a City of Newport temporary use permit authorizing the mobile food unit(s) to operate at this location.

Mobile Food Unit Operational Requirements

- A. The lot, parcel or tract upon which the mobile food unit(s) will be placed is zoned for commercial, industrial, or water-related use or it is a residential construction site where ten (10) or more units are being built; and
- B. The lot, parcel or tract upon which the mobile food unit(s) will be placed is located at least 500 feet from the grounds of any elementary or secondary school when said school(s) are in session. For the purpose of this subsection, "in session" is the period of time commencing one-half hour prior to the start of the school day and ending one-half hour after dismissal at the end of the school day; and
- C. The lot, parcel or tract upon which the mobile food unit(s) will be placed is located outside of the Nye Beach, City Center or Bayfront parking districts, the geographic boundaries of which are defined in NMC Section 14.14.100; and
- D. Written consent has been obtained from the property owner where the mobile food unit(s) are to be placed; and
- E. The mobile food unit(s) will be placed such that they or any associated structures do not occupy required landscaping or obstruct a sidewalk, drive isle, fire lane, clear vision area or accessible parking; and

- F. Ten (10) feet of clearance will be maintained between each mobile food unit and between such units and existing or proposed buildings; and
- G. Mobile food unit service windows will be oriented to pedestrians (i.e. no drive thru windows) and if directed toward a public right-of-way shall maintain a minimum five (5) foot separation from the right-of-way; and
- H. Electrical connection(s) will be placed on the ground and covered with a cable protection ramp or equivalent where crossing drive isles or pedestrian paths; and
- I. Any power generating equipment separate from and external to the mobile food unit(s) will be located at least 10-feet from other mobile food units and buildings and will be fully screened from view; and
- J. Signage associated with each mobile food unit will be limited to that which is painted or otherwise imprinted upon, or solidly affixed to, the surface of the vehicle, with no projection at any point in excess of 6 inches from the surface of the vehicle, and any vehicle with an attached sign complies with applicable requirements of the Motor Vehicle Code required for lawful operation; and
- K. Portable A-Frame sign(s), if provided with the mobile food unit(s), will be made of permanent durable material; be maintained in good condition; will not exceed 24 square feet for all display area surfaces; and will be weighted, anchored, or constructed so that they will not move or collapse in the event of wind, or otherwise create a hazard; and
- L. Awnings, if any, will be fully attached to the mobile food unit(s) and located entirely on the subject lot, parcel, or tract; and
- M. Each mobile food unit will be limited to a single piece of outdoor cooking equipment situated no less than 10-feet from the unit and any building; and
- N. A minimum of one (1) trash receptacle per mobile food unit will be located on the lot, parcel, or tract with at least 10-feet of separation between the receptacle(s) and combustible fuel tanks; and
- O. Mobile food units parked for more than two (2) hours or that provides customer seating will be situated within 500-feet of an accessible restroom with handwashing facilities; and
- P. City permits for mobile food unit(s), if approved, will be issued for a period not to exceed two (2) years. Upon like application, the permit may be renewed for additional (2) year intervals.

Location Where Mobile Food Unit(s) will be Placed (Print)

Date

Applicant Signature

Applicant Name (Printed)