

**ORDINANCE NO. 7544-19**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE V., GENERAL REGULATIONS, BY ADDING THERETO A NEW SECTION, NAMELY: SECTION 45-537, FOOD TRUCK VENDORS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article V., General Regulations, be, and the same hereby is, amended and reordained, by adding thereto a new section, namely: Section 45-537, Food Truck Vendors, as follows:

**CHAPTER 45**

**ZONING ORDINANCE**

**ARTICLE V. GENERAL REGULATIONS**

**Sec. 45-537. Food truck vendors on private property.**

The purpose of this section is to provide regulations for food truck vendors on private property, when not in conjunction with a special event as permitted by the city.

(a) All food truck vendors shall obtain a food truck vendor permit from the department of codes compliance. A food truck vendor permit application shall include the following:

- (1) Name, home and business addresses and phone number of the applicant.
- (2) A description of the type of food and beverage to be sold.
- (3) A valid health permit from the Virginia Department of Health.
- (4) A valid fire inspection report from the Fire Marshall.
- (5) An annual permit fee of one hundred fifty dollars (\$150.00) shall be paid. The permit may not be leased, sold or otherwise transferred.

(b) Food truck vendors shall obtain written permission from the owner of the property

on which they operate and shall keep a copy of such written permission on hand in the food truck.

(c) Food truck vendors shall post a copy of a valid health permit from the Virginia Department of Health stating that the mobile food operation meets all applicable standards. Such license shall be posted in the vehicle at all times when in operation in the city.

(d) Food truck vendors shall have a current City of Newport News business license and decal issued by the commissioner of the revenue. The business license must be available at all times for inspection and the decal shall be affixed and displayed on the left-hand side of the vehicle, on the outside, so that it may be readily seen at all times by anyone authorized to inspect.

(e) Food truck vendors shall be properly licensed and tagged, as required by the Virginia Department of Motor Vehicles, and they shall have appropriate general liability insurance coverage.

(f) Food truck vendors shall leave the site when the on-premises establishment closes for the day. Prior to leaving, the vendor must pick up, remove and dispose of all trash or refuse attributable to the vending.

(g) Food truck vendors shall not vend on unimproved (with no structure) or vacant properties.

(h) Food truck vendors shall not vend on properties operated solely as parking lots.

(i) Food truck vendors shall not be deemed ancillary to a principle use.

(j) Food truck vendors may only park in a designated parking area on a paved surface. Food truck vendors shall not park in or block drive aisles, sidewalks, access to loading/unloading areas or emergency access and fire lanes.

(k) No by-product of food truck vending operations, including but not limited to trash, grease, grey water, or excess food, shall be disposed of in or on any City of Newport News property, including, but not limited to, trash cans, curbs, gutters, manholes, storm drains or sewer grates. Food truck vendors shall properly dispose of fats, oils and grease (FOG) as required in Chapter 33, Sewers and Sewage Disposal, Article IV, Sewer Use Standards, Division 2, Fats, Oils and Grease (FOG).

(l) The volume of any background music played from the food truck shall be limited so as not to be plainly audible beyond the property boundaries of the site where the food truck is located or at a distance of 100 feet from the food truck, whichever is less.

(m) Any lighting used to illuminate the vehicle or customer area shall be dark skies compliant and shall not produce light spill onto adjacent property or public rights-of-way.

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PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON APRIL 23, 2019

Mabel Washington Jenkins, MMC  
City Clerk

McKinley L. Price, DDS  
Mayor

A true copy, teste:

City Clerk