

**CITY OF NEWPORT**  
**MOBILE FOOD UNIT POD TEMPORARY USE AGREEMENT**

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

**WHEREAS**, Newport Municipal Code (NMC) Sections 14.09.050 and 14.09.060 provides that mobile food unit pods, 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 Sections 14.09.050 and 14.09.060 (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 Sections 14.09.050 and 14.09.060 (outlined below), and understand that failure to comply with those operational requirements may result in the revocation of a City of Newport temporary use permit authorizing the mobile food unit pod to operate at this location.

Mobile Food Unit Pod 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; 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. Written consent has been obtained from the individual or entity that owns the property where the mobile food unit(s) are to be placed; and
- D. The mobile food unit(s) will be placed such that they or any associated structure do not occupy required landscaping or obstruct a sidewalk, drive isle, fire lane, clear vision area or accessible parking; and
- E. Ten (10) feet of clearance will be maintained between each mobile food unit and between such units and existing or proposed buildings; and
- F. 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 will maintain a minimum five (5) foot separation from the right-of-way; and
- G. 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

- H. 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 will comply with applicable requirements of the Motor Vehicle Code required for lawful operation; and
- I. 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
- J. Awnings, if any, will be fully attached to the mobile food unit(s) and located entirely on the subject lot, parcel, or tract; and
- K. 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
- L. A minimum of one (1) trash receptacle per mobile food unit is located on the lot, parcel, or tract with at least 10-feet of separation between the receptacle(s) and combustible fuel tanks; and
- M. A sheltered common customer seating area will be provided that has a maximum of 50 percent of the structure enclosed with walls or sides (if not a membrane structure) and is not more than 15-feet in height. Membrane structures may be fully enclosed; and
- N. Each mobile food unit will be connected to city sanitary sewer service, water and a permanent power source located on the lot, parcel, or tract; and
- O. Existing uses on the lot, parcel or tract upon which the mobile food units are to be located possess off-street parking that satisfies City requirements; and
- P. One off-street parking space will be provided for each mobile food unit plus one space for every 150 square feet of seating; and
- Q. The property will be landscaped in accordance with City requirements (NMC Chapter 14.19); and
- R. Areas occupied by customers will be illuminated when mobile food units operate during hours of darkness, with fixtures that are downward directed and shielded to prevent glare on abutting properties; and
- S. Use of generators are prohibited.

---

Address of Mobile Food Unit Pod (Print)

---

Date

---

Applicant Signature

---

Applicant Name (Printed)