



City of Lexington

Mobile Restaurants Fact Sheet

October 2017

The following requirements apply to sales from a mobile restaurant (food truck, food trailer or food cart) operating on private property or within public spaces or rights of way.

Initial steps in starting a mobile restaurant:

1. Mobile restaurants must obtain a City Mobile Restaurant permit, and must be inspected and approved by the City at least three business days prior to initial operation.
2. Mobile restaurants must maintain a valid business license issued by the City of Lexington and a valid health permit issued by the Virginia Department of Health.

Business Licenses can be obtained through the Commissioner of Revenue's office at City Hall (300 East Washington Street; 540-462-3754). The health permit can be obtained at Lexington-Rockbridge Health Department (300 White Street; 540-463-3185). For inspections, contact the Fire Marshal at 540-463-6316.

Where a mobile restaurant can operate:

1. A mobile restaurant may operate on either public property or private, commercially zoned property with written permission from the owner.
2. Mobile restaurant vehicles must park in locations or areas as approved in the City Mobile Restaurant permit, and shall not block:
 - a) the main entry drive isles or impact pedestrian or vehicular circulation overall,
 - b) other access to loading areas, or
 - c) emergency access and fire lanes.
 - d) The Mobile Restaurant must also be positioned at least fifteen (15) feet away from fire hydrants, any fire department connection (FDC), driveway entrances, alleys and handicapped parking spaces.
3. No mobile restaurant shall locate within 50 feet of the entrance to a business that sells food for consumption (determined by measuring from the edge of the Mobile Restaurant to the main public entrance of the restaurant) unless permission of the restaurant owner is provided.
4. No mobile restaurant shall locate within 100 feet of a single family or two-family residential use.
5. A mobile restaurant may operate at any farmer's market held on public or private property, if the food truck vendor is legally parked at the farmer's market and has received written permission from the farmer's market manager and displays such written permission upon request.
6. The requirements of this section shall not apply to Mobile Restaurant Vendors at catered events (events where the food is not sold through individual sales but provided to a group pursuant to a catering contract with a single payer).

7. The requirements of this section shall not apply when operating in conjunction with temporary, special events.
8. Vehicles may be otherwise limited by the City depending on the location or other details of the Mobile Restaurant permit application.

When a mobile restaurant can operate:

A mobile restaurant may operate for a maximum of six hours between 9am and 9pm Sunday to Thursday and between 9am to 11pm Friday and Saturday (including set-up and break-down) in any one day at any single location. The vehicle and all accessory structures shall be removed each day.

Noise regulations for mobile restaurants:

1. The operation of the mobile restaurant or use of a generator should not be loud enough to be plainly audible at a distance of one hundred (100) feet away. Excessive complaints about vehicle or generator noise will be grounds for the Administrator to require that the Mobile Restaurant Vendor change location on the site or move to another property.
2. No music shall be played that is audible outside of the vehicle.

Other regulations for mobile restaurants:

1. No items shall be sold other than food and beverages.
2. No signs may be displayed except a) those permanently affixed to the vehicle and b) one, a framed sign not to exceed 4 feet in height and 6 square feet of display for each of the two sides and the sign cannot block any passageways.
3. Trash receptacles shall be provided and all trash, refuse, or recyclables generated by the use shall be properly disposed of.
4. No liquid wastes shall be discharged from the mobile restaurant.

A Mobile Restaurant permit may be revoked by the Zoning Administrator at any time, due to the failure of the property owner or operator of the Mobile Restaurant permit to observe all requirements for the operation of mobile restaurants. Notice of revocation shall be made in writing to address of record for Mobile Restaurant permit holder. Any person aggrieved by such notice may appeal the revocation to the Board of Zoning Appeals.