

AN ORDINANCE AMENDING CHAPTER 30 “STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES” OF THE CHRISTIANSBURG TOWN CODE TO PERMIT LIMITED OPERATING HOURS FOR FOOD TRUCKS IN PUBLIC ON-STREET PARKING SPACES IN CERTAIN LOCATIONS WITHIN THE B-2, CENTRAL BUSINESS DISTRICT

WHEREAS, the Council of Town of Christiansburg, Virginia has directed the Town Council to propose regulations for allowing Food Trucks to operate from public parking spaces under certain conditions within the B-2, Central Business District; and

WHEREAS, Town Council held a public hearing on July 13, 2021 to hear comments regarding the amendments to Chapter 30 “Streets, Sidewalks, and Other Public Places” of the Christiansburg Town Code in regards to the provision of allowing Food Trucks to operate in public parking spaces within the B-2, Central Business District; and,

WHEREAS, the Town desires to promote dining options within Downtown while limiting the access of public property for private commerce and minimizing interference with “bricks and mortar” restaurants.

WHEREAS, the Town desires to increase the level of activity within Downtown to support existing businesses while maintaining safe and passable pedestrian and travel ways on all public sidewalks and streets within the B-2, Central Business District.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg that Chapter 30, “Streets, Sidewalks, and Other Public Places” is hereby amended as follows:

Chapter 30 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

ARTICLE I. - IN GENERAL

Sec. 30-20. Utilization of public on-street parking by Mobile Food Preparation Vehicles.

The purpose of this section is to allow the temporary usage of on-street parking spaces for Mobile Food Preparation Vehicles (food trucks) within the B-2 Central Business zoning district under Chapter 42 “Zoning” of the Christiansburg Town Code provided a written permit for such activity is obtained from the office of the town manager and shall be subject to the following requirements:

- a) The public on-street parking utilized for food trucks shall be zoned B-2 Central Business under Chapter 42 “Zoning” of the Christiansburg Town Code.
- b) Individual food trucks shall not apply for more than twenty-four total days in a calendar year. In instances that the food truck does not utilize the permit on a particular specified day, the applicant may request one additional day for each day that they do not set up, provided that the operator alert the town manager that they are not setting up before or on the actual requested day.
- c) Food trucks shall not operate for more than eight hours on a single day in an approved location. The food truck shall be moved from the approved location after operation ceases each day.
- d) Food trucks shall not be permitted within an on-street parking space located within 200 feet of the property line of any existing restaurant.
- e) Food Trucks shall obtain Montgomery County Health Department approval.

- f) Food Trucks shall obtain a valid approved Western Region Work Group Mobile Food Preparation Vehicle (MFPV) Inspection sticker.
- g) Food Truck shall obtain a Town of Christiansburg Business License per Chapter 18 "Finance and Taxation", Article XI "Business, Professional and Occupational" of the Christiansburg Town Code.
- h) The food truck shall submit Town of Christiansburg meals tax on all sales within the Town per Chapter 18 "Finance and Taxation", Article VIII "Meals Tax" of the Christiansburg Town Code.
- i) The town manager shall have the authority to deny or revoke a permit for reasons of safety, nuisance, impediments to public access or if the activity is not conducted in accordance with the permit. The town council may prescribe additional rules and regulations governing the conduct of outdoor dining on public sidewalks, if deemed necessary by the council. The town manager may confer with staff or the street committee regarding safety and safety measures if the town manager determines that it is warranted in evaluating a permit application. The town manager may require:
 - o A drawing of each proposed food truck set-up location demonstrating how the food truck is addressing vehicular, pedestrian and customer safety and is providing for adequate vehicular and pedestrian travel.

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This ordinance shall be effective immediately upon passage. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

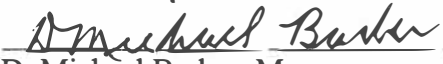
Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held July 13, 2021, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

| | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|--------------------------|------------|------------|----------------|---------------|
| Mayor D. Michael Barber* | | | | |
| Samuel M. Bishop | X | | | |
| Johana Hicks | X | | | |
| Steve Huppert | X | | | |
| Merissa Sachs | X | | | |
| Henry D. Showalter | | | | X |
| Bradford J. Stipes | X | | | |

*Votes only in the event of a tie vote by Council.

SEAL:


Tracy Heinke, Town Clerk


D. Michael Barber, Mayor