

**CITY OF WASHINGTON TERRACE
ORDINANCE 18-05**

TEMPORARY SIGNS

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING SECTION 17.56.005 AND ADDING SECTION 17.56.175 TO THE
SIGN ORDINANCE RELATING TO TEMPORARY SIGNS; SEVERABILITY;
AND PROVIDE FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (hereinafter “City”) is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a of the *Utah Code Annotated* authorizes the City to regulate land use and development;

WHEREAS, the City Council desires to amend the sign ordinance to allow temporary signs to be erected with city approval;

WHEREAS, the City finds it necessary to update its municipal code in order to protect public health, safety, and welfare;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on April 26, 2018, to take public comment on this proposed Ordinance;

WHEREAS, the Planning Commission held a public meeting on April 26, 2018, after which the Planning Commission gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on May 15, 2018;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Washington Terrace, Utah, as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase in the *Washington Terrace Municipal Code* inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2. Amendment. Sections 17.56.005 and 17.56.175 of the *Washington Terrace Municipal Code* entitled “Definitions” and “Temporary Signs” is hereby amended to read as follows:

17.56.005 Definitions

The following definitions shall be observed and applied:

1. "A-frame " means a prohibited sign that is temporary in nature, double faced, constructed of dimensional lumber, two (2) separate panels attached at the top and designed to stand without other structural support on four (4) legs. Size of the panels to be thirty inches (30") wide by forty eight inches (48") high. The entire sign is to be no taller than sixty inches (60") when erected. Exception: Similar type sign s used by the real estate industry do not fall into this category.
2. "Abandoned signs" means sign s which no longer identify or advertise a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
3. "Administrator" means the city building official or representative shall be the administrator of this title.
4. "Animated sign " means any sign which makes use of movement or change of lighting to depict action or to create a special effect or scene (compare definition of Flashing sign).
5. Area: See definition of sign, area of.
6. "Arcade sign " means a sign projecting beneath the underside of any structural overhang or passageway.
7. "Awning sign" means a sign shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework (compare definition of Canopy sign).
8. "Awning sign" means a sign painted on, or attached flat against the surface of an awning.
9. "Banner sign" means a sign made of fabric or any non-rigid material with no enclosing framework. See also definition of Stream banner sign.
10. Billboard: See definition of off premises sign.
11. "Building front" means one exterior wall of a building facing a front line of a lot or one exterior wall containing the primary entrance to the building.
12. "Building sign" means any sign supported by uprights, braces, or other devices, or painted on, or otherwise attached to any building.
13. "Bulletin board" means any freestanding sign not exceeding six feet (6') in height, listing the names, times, uses and other locations of various services, offices or activities within a building or group of buildings limited to:
 - a. Public or semipublic use;

- b. Charitable or religious use;
 - c. Medical center, clinic or hospital.
14. "Campaign sign" means a sign soliciting support for a person running for public office or a sign defending or objecting to a ballot issue or proposal being placed before the public at an election.
 15. "Canopy sign" means a sign painted on, printed on, or attached flat against the surface of an awning or canopy projecting from and supported by the exterior wall of a building sign (compare definition of Awning sign).
 16. "Changeable copy sign (automatic)" means a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units.
 17. "Changeable copy sign (manual)" means a sign on which copy is changed manually in the field, e.g., reader boards with changeable letters.
 18. "City" means unless the context clearly discloses a contrary intent, the city of Washington Terrace.
 19. "Combination sign" means a sign incorporating any combination of the features of pole, projecting and roof signs.
 20. "Clearance (of a sign)" means the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.
 21. "Construction sign" means a temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.
 22. "Copy" means the wording on a sign surface in either permanent or removable letter form.
 23. "Directional/information sign" means an on premises sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs.
 24. "Display sign" means the area made available by the sign structure for the purpose of displaying the advertising message.
 25. "Doubled faced sign" means a sign with two (2) faces.
 26. "Electronic sign" means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

27. Electronic Message Center: See definition of Changeable copy sign (automatic).
28. "Facade" means the entire building front including the parapet.
29. "Face of sign" means the area of a sign on which the copy is placed.
30. "Festoons" means a string of ribbons, tinsel, small flags, pinwheels or similar devices.
31. "Flashing sign" means a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, or signs which, through reflection or other means, create an illusion of flashing or intermittent light. This does not include message center or time/temperature signs (compare definitions of animated sign and Changeable copy sign (automatic)).
32. "Flat sign" means a sign erected parallel to and attached to or painted on or pasted on the outside wall or window of a building, and projecting not more than eighteen inches (18") from such wall or window.
33. "Floodlighted sign" means a sign illuminated in the absence of daylight and by devices that reflect or project light upon it.
34. "Freestanding sign" means a permanent sign supported upon the ground by poles or braces and not attached to any building. Any monument sign or pylon sign supported by uprights or braces placed on or in the ground and not attached to any building.
35. "Frontage" means the length of the property line of any one premises along a public right of way on which it borders.
36. Frontage, Building: "Building frontage" means the length of an outside building wall on a public right of way.
37. "Ground sign" means a sign placed upon the ground or supported by a frame or supports placed in or upon the ground.
38. "Government sign" means any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.
39. "Height (of a sign)" means the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.
40. "Home occupation/occupant sign" means any unlighted sign not over one square foot in area attached flat against the dwelling and displaying only the occupant's name and/or address and/or occupation.

41. "Identification sign" means an on premises sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes and public and semipublic buildings. Temporary and development signs are classified in this category only.
42. "Illegal sign" means any sign and/or advertising structure erected without a permit required by this chapter, or in violation of any of the limitations, prohibitions or requirements of this chapter.
43. "Illuminated sign" means a sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper (compare definition of animated sign or Changeable copy sign (automatic)).
44. "Marquee sign" means any sign attached to and made part of a marquee.
45. "Nameplate sign" means a sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises.
46. "Off premises sign" means a sign which directs attention to a use, project, commodity or service not related to the premises on which it is located.
47. "Pole sign" means a sign wholly supported by a sign structure in the ground.
48. "Political sign" means an exempt sign that contains political speech that is protected by the 1st Amendment of the United States Constitution or the equivalent protection in the state constitution.
49. "Portable display surface" means a display surface temporarily fixed to a standardized advertising structure which is regularly moved from structure to structure at periodic intervals.
50. "Projecting sign" means a sign attached to a building or other structure and extending in whole or in part more than eighteen inches (18") beyond any wall of the building or structure.
51. "Property sign" means a sign related to the property on which it is located and offering such property for sale or lease, or advertising contemplated improvements or announcing the name of the builder, owner, designer or developer of the project, or warning against trespassing.
52. "Public necessity sign" means a sign informing the public of any danger or hazard existing on or adjacent to the premises.
53. "Roof sign" means a sign erected partly or wholly on or over the roof of a building, but not including ground signs that rest on or overlap a roof twelve inches (12") or less.

54. "Service sign" means a sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as directions, locations, sales or other pertinent facts.
55. "Sign" means any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of that classification as set forth in this chapter.
56. "Sign structure" means any structure which supports or is capable of supporting a "sign" as defined in this section. A sign structure is permitted to be a single pole and is not required to be an integral part of the building.
57. "Stream banner sign" means any banner sign that is stretched across and hung over a public right of way.
58. "Temporary sign" means any exterior sign, banner, balloon, inflatable, streamer, pennant, valance, or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, plastic, wallboard, or other light materials, with or without frames, intended to be displayed for a short period of time or special event as provided by code.
59. "Time and/or temperature sign" means a display containing illuminated numerals to show the time and/or temperature.
60. "Wall sign" means a sign which is affixed to an exterior wall of a building or structure and which projects not more than eighteen inches (18") from the building or structure wall, and which does not extend more than four feet (4') above the parapet, eaves or building facade of the building on which it is located.

17.56.175 Temporary Sign Regulations

Temporary signs are allowed subject to the following requirements:

1. Permit Required. Each temporary sign is subject to a no cost permit issued by the building official.
2. Allowable Temporary Signs. Only a wall sign, or a pedestal type temporary sign located on-premise shall be issued a permit.
3. Prohibited. No permit shall be issued for a **banner sign**, any portable reader board, any type of electric sign, a sign attached to another sign or sign structure, balloon, streamer,

inflatable device, stationary vehicle and/or trailer with any graphics or advertisements, “A” frame signs, or any other type of temporary sign.

4. Construction Standards. All temporary signs shall be:
 - a. Properly constructed and maintained so that each sign is weighted, anchored, or attached to the surface so that there is no danger to public safety.
 - b. Not be located within five (5) feet of any public sidewalk or any public right-of-way.
 - c. Free from dilapidation, fading, holes, rips, tears, and other damage.

5. **Special Regulations.** Notwithstanding the other requirements and limitations of this section, the following special regulations apply to special event, seasonal or special sales, new products or services, new management, grand openings, and similar events:
 - a. Permissible signs include temporary signs that may otherwise not be allowed including pennants, banners, flags, inflatable structures, character or product likenesses, and other small portable signs that can be moved inside upon closing. Banner signs which get torn by wind, persons, or other causes shall be immediately removed. No search lights are allowed at any time.
 - b. Such signs shall be allowed for a maximum of fourteen (14) consecutive days no more than twelve (12) times per year, except recognized holidays may extend through these specific holiday season. (Halloween, Thanksgiving, Christmas, New Years, 4th of July and Easter.
 - c. Multi-family Property. Multi-family properties are limited to three (3) displays per years, and limited to a maximum of three (3) temporary signs per fifty (50) linear feet of frontage.

Section 3. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of the Ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4. Effective date. This Ordinance shall take effect immediately upon its passage and posting.

PASSED AND APPROVED by the City Council this ____ day of _____, 2018.

MARK C. ALLEN, Mayor,
City of Washington Terrace

ATTEST:

WTC Ord. 18-05

AMY RODRIGUEZ, City Recorder

RECORDED this ____ day of _____, 2018.

PUBLISHED OR POSTED this ____ day of _____, 2018.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Washington Terrace City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) _____ 2) _____ and 3) _____ on the above referenced dates.

AMY RODRIGUEZ, City Recorder

DATE: _____