

**CITY OF WASHINGTON TERRACE
ORDINANCE 10-10**

EXEMPT SIGNS AMENDED

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING SECTION 17.56.170 OF THE SIGN ORDINANCE RELATING TO
EXEMPT 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 exempt signs relating to political or campaign signs to foster constitutionally protected speech while recognizing that appropriate time, place, and manner restrictions may be applied in certain circumstances;

WHEREAS, the City Council desires to amend exempt signs to include traffic control devices;

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sentence, paragraph, or phrase in the *Washington Terrace Municipal Code* inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.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. Section 17.56.170 of the *Washington Terrace Municipal Code* entitled “Exempt Signs” is hereby amended to read as follows:

17.56.170. Exempt signs.

1. Political ~~and~~ or campaign signs. Any sign that is primarily political in nature or used for campaign purposes is exempt from this chapter, so long as such sign is not erected to detrimentally interfere with traffic, public health, safety, or welfare. Nothing in this section shall be construed to authorize the erection of political or campaign signs on public property or on the property of another without their consent. The exemption in this part does not extend to signs that may be construed to communicate “commercial speech” as defined by a court of jurisdiction. ~~It shall be unlawful to erect any political sign more than thirty (30) days prior to a primary or general election and fail to remove a political sign within five (5) days after the general election. Any candidate eliminated in a primary election shall remove all of his or her political signs within five (5) days after the~~

~~election for which the sign was posted. Political signs and campaign signs are collectively referred to as “political signs” in this section.~~

2. Traffic control devices. Placement and governance of “traffic control devices” as defined by the Manual on Uniform Traffic Control Devices are only applicable where expressly specified in the municipal code.

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 _____, 2010.

MARK C. ALLEN, Mayor,
City of Washington Terrace

ATTEST:

AMY RODRIGUEZ, City Recorder

RECORDED this ____ day of _____, 2010.
PUBLISHED OR POSTED this ____ day of _____, 2010.

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:_____