

**HARRISVILLE CITY
ORDINANCE NO. 435**

AMENDED SIGN REGULATIONS

AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING CHAPTER 11.23 OF THE MUNICIPAL CODE RELATING LAND USE REGULATIONS FOR SIGNS; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City (hereafter "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* enables the City to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on January 12, 2011, to take public comment on the proposed ordinance, and subsequently gave its recommendation to the City Council to approve this ordinance;

WHEREAS, the City Council received that recommendation from the Planning Commission and held its public meeting on February 8, 2011, and again on May 24, 2011;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

- Section 1. Repealer.** Chapter 11.23 is hereby repealed in its entirety along with any other conflicting word, phrase, section, clause, or provisions of the municipal code.
- Section 2. Re-enactment.** Chapter 11.23 of the municipal code entitled "Sign Regulations" is hereby re-enacted to read as follows:

**Chapter 11.23
SIGN REGULATIONS**

Sections:

- 11.23.010. Purpose.**
11.23.020. Definitions.
11.23.030. General provisions.

- 11.23.040. Special provisions.**
- 11.23.050. Exempted signs.**
- 11.23.060. Design standards.**
- 11.23.070. Zone regulations.**
- 11.23.080. Safety.**
- 11.23.090. Prohibited signs, non-conformity, and enforcement.**

11.23.010. Purpose.

The purpose of this chapter to regulate outdoor signs and certain commercially oriented signs to achieve the following purposes:

1. Reduce hazards. Reduced potential hazards to motorists and pedestrians by encouraging sign legibility through the elimination of excessive and confusing sign displays thus reducing driver inattention.
2. Integration. Encourage signs which, by their size, scale, and material are integrated with the buildings and sites which they occupy.
3. Aesthetics. Improve the appearance of the City as a place in which to live, work, and create an attraction for nonresidents seeking to visit or trade within the City.
4. Identification. Provide for the proper and accurate identification and location of addresses and businesses with the City, particularly allowing businesses identification so that goods and services which a business may offer can be provided in a clear and concise manner with appropriate time, place, and manner regulations that establish safe, fair, and equitable application.
5. Value enhancement. Safeguard and enhance property values and protect public and private investment in buildings, roads, and open space within the City.
6. General police powers. Promote the public health, safety, and general welfare of those within the community.

11.23.020. Definitions.

1. Animated sign. Means a sign which involves motion or rotation of any part, created by artificial means, or displays flashing or intermittent lights. This definition does not apply to electronic message display signs which are defined elsewhere in this chapter.
2. Awning sign. Means a sign painted or applied to a shelter over windows or doors projecting from and supported by the exterior wall of a building constructed of nonrigid weatherproof materials on a supporting framework.
3. Banner sign. Means a sign made of vinyl, fabric, or other weather resistant nonrigid material with no rigid enclosing framework, and securely attached to a building or sign structure.
4. Bulletin board sign. Means a temporary sign with a surface designed to have changeable messages which messages are presented by means of individual letters or numbers applied to sign face by manual means.
5. Business sign. Means a sign which directs attention to a commercial building or a use conducted, a commodity sold, or a service performed on the premises and includes the following signs: banner, bulletin board sign, decorative sign, directional sign,

- freestanding sign, marquee sign, monument sign, portable sign, projecting sign.
6. Construction project signs. Means a sign that indicates the construction of any development project or related to a development project.
 7. Decorative sign. Means any decoration, banner, balloon, wind sign, frame sign, portable signs, or similar sign used for a special occasion.
 8. Development sign. Means a sign identifying a construction project. The sign may contain name of project, name and contact information of construction firm, architect, and developer.
 9. Directional sign. Means an on premises sign designated to guide or direct pedestrians or vehicular traffic on property.
 10. Electronic sign. Means a sign which displays public information and/or commercial messages by changing patterns of lights, LED, or other means that illuminate images, numbers, letters, or graphic displays that are changeable by electronic controls.
 11. Freestanding sign. Means a sign which is not attached to a building but has direct attachment to the ground or supported by one or more posts that are attached to the ground.
 12. Identification sign. Means a sign used to identify the name of, or nature of, a building or parcel of land, its use, i.e., name of a subdivision, industrial park, airport, church, school, apartment complex, shopping center, public or semipublic building, or a sign used to provide notification or information to the public of tenants within shopping center or multi use building, coming events, hours of operation meeting schedules etc. These signs shall not be used to promote or advertise the use of any product or service.
 13. Land use authority. Means the city's planning commission.
 14. Marquee sign. Means a sign placed on the sides of a permanent roofed structure attached to and supported by the building and projecting over an entrance to a building.
 15. Monument sign. Means a permanent sign where the entire bottom of the sign is affixed to the ground, not to a building.
 16. Name plate sign. Means a sign indicating the name of a person or persons residing in the premises.
 17. Off-premise sign. Means a sign which directs attention to a use, products, commodity, or service not related to the premises on which it is located.
 18. Portable sign. Means a temporary sign and sign structure which is not designed to be permanently attached to a building or the ground and which in its design can be carried by people or towed by vehicle for various placement on a property.
 19. Projecting sign. Means any sign attached to a building which extends in whole or in part more than eighteen inches (18") beyond the building line and whose sign copy is perpendicular to the face of the building.
 20. Sign face. Means the area of a sign that is used for displaying a message by words, graphics or other means. Sign face excludes the frame and supports of the sign structure.
 21. Sight triangle or clear view area. Means the area defined in Section 11.20.100.
 22. Shopping center. Means a location where two or more businesses are attached or located within an area where one or more business serves as an anchor tenant surrounded by smaller supportive or accessory businesses and includes shopping malls, strip malls,

- commercial complexes, and any similar commercial center arrangement of any kind.
23. Special occasion. Means religious, national, state, local, charitable, civic, or festive events or holidays. It also means celebrations, grand opening or closing, events honoring dignitaries or persons of notoriety. Special occasions may accommodate temporary signs and decorative signs for very short periods of time not to exceed ten (10) days, or the associated custom and practice time period associated with a specific holiday observance.
 24. Specialty sign. Means a temporary device that is used to attract attention to a specific property but is not a part of a building and are not flags of the city, state, or nation. Specialty signs are usually made of nylon, vinyl, mylar, plastic, or other light weight material and the sign device is portable and can be moved about to various areas of the site. It may or may not have a ridged frame or surface and may or may not have writing or graphics on it.
 25. Temporary sign. Means a sign constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frame, intended to be displayed out of doors for a short period of time which may or may not be portable and is used for special occasions only.
 26. Wind sign. Means a sign generally without words that is made of vinyl or fabric and inflated or becomes active by means of blowers and used to attract attention to a specific location. For the purpose of this chapter such devices which depict things associated with a season or holiday are not considered a wind sign.

11.23.030. General provisions.

1. Conformity and safety. If a sign does not conform with the requirements of this chapter or if the construction, design, manner of use, or method of anchoring or supporting any sign makes such sign unsafe, the building official shall proceed in any manner he deems necessary, to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter or to remedy the defects herein. All signs must meet the requirements of the adopted building codes and safety regulations of the city.
2. Permit required. It shall be unlawful to erect or maintain or remodel any sign within the city until a sign permit with respect to such sign has been obtained from the building official or land use authority as the case may be.
3. Clearance. There shall be a minimum clearance of ten (10) feet between the ground or sidewalk and any part of a projecting sign, with the exception of public necessity signs and nameplates.
4. Height of signs. No sign shall exceed the height limitations established for each zone as set forth in this chapter.
5. Lighting of signs. Signs may be illuminated by indirect lighting, floodlights, or luminous tubes only. No lighting shall be installed in any way which will permit direct rays of such light to penetrate onto any adjoining property used for residential purposes, or in any manner constituting a nuisance.
6. Electronic signs. Electronic signs shall be used to convey messages and provide graphic advertisement. Such signs are allowed as a conditional use granted by the land use authority only if:

- a. The sign has an automatic dimmer to reduce sign intensity at least to 60% intensity after dusk, or a greater reduction as may be necessary, including turning off the sign to mitigate impacts on nearby residential uses.
 - b. The sign shall not display flashing or rapid blinking that may resemble strobe lighting, mimics police, emergency vehicles, traffic control lighting, or similar.
 - c. Each message shall remain visible for enough time for a person to read said sign without distraction or transition between messages.
 - d. Signs are limited to the commercial zone, manufacturing zone, and nonresidential uses in a residential zone.
 - e. Signs shall follow the requirements for marquee signs.
 - f. The electronic message display area shall not exceed forty percent (40%) of the overall sign face which may include gaps and design space for aesthetic purposes.
 - g. The land use authority can impose conditions to mitigate impact on surrounding residential uses, support dark sky principles common to municipalities, and to mitigate any possible public nuisance impacts.
 - h. Only one electronic message sign is allowed per shopping center location.
7. Calculating allowed sign size. The sign face area is used to determine the sign area allowed for any sign. The sign area for signs that do not have a frame but are individual letters or symbols mounted to a wall shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display. In calculating sign area, only one face or faces which can be seen from any one direction at one time shall be counted. The allowable area of a sign, unless otherwise stated, is determined by the length of a building fronting a public street multiplied by the square footage of signage allowed per lineal foot of frontage.
8. Location of signs. No part of any sign shall be permitted to extend across any property line nor located in any required front or side yard except as follows:
- a. Business and identification signs attached to a building may project into a required front or side yard not more than two (2) feet and not less than ten (10) feet above the ground or sidewalk.
 - b. Freestanding signs, including monument style and all portable type signs for conforming uses only, shall not be located closer than one (1) foot to a front or side property line and will be setback ten (10) feet from the building if located in a side yard.
 - c. Property identification and service signs shall not be located closer than three (3) feet to any property line.
 - d. Name plates may be located anywhere on the property.
9. Maintenance of signs. Signs regulated by this chapter shall be maintained in good visual appearance and structural condition at all times. The city, building official(s), and any other city agents shall in no way be liable for negligence or failure of the owner, or the person responsible for maintaining any sign, to keep such sign in good condition, or be responsible for any damage caused by defective conditions.
10. Prohibited signs. The following signs are prohibited:
- a. Generally. No signs shall be erected or maintained, or be permitted to remain

publicly displayed which are of a misleading, fraudulent, obscene, indecent, or unsightly character as determined by the applicable case law or other governing law.

- b. Adhesive. No sign shall be pasted or glued directly on any wall or roof or affixed directly on any wall or roof by means of any similar adhesive substance. No paper or cloth sign shall be tacked directly on any wall or roof.
 - c. Animated signs are prohibited.
 - d. Noise and transmitting prohibited. No sign shall use any audible sound, noise making device, or transmitting device or any similar instrument.
 - e. Signs over streets. It is unlawful to erect and/or maintain any sign over any street or public right-of-way, unless the sign is a legitimate traffic control device or unless otherwise expressly provided in the municipal code.
11. Removal of dangerous signs. Where immediate action is deemed by the building official to remove a sign to protect limb, life, or property, or where a sign constitutes a public nuisance, and where the owner of a sign or the owner of the property on which the sign is erected fails to remove such sign pursuant to notice from the building official within a specified time fixed in such notice, the building official may proceed in any manner deemed necessary to cause the immediate removal of such sign. The building official shall certify a statement of the expenses incurred in such removal to the city treasurer who in turn shall assess and charge the same against the real estate upon which the sign was erected, and unless said assessment is paid within ninety (90) days after and from the date of the notice thereof, the same shall when recorded in the office of the county recorder, become a lien upon the real estate where the sign is erected and collectible in the same manner as general taxes.
 12. Closed location. Upon vacating a premises, or discontinuing the business advertised, the owner or responsible party of any sign(s) shall cause the sign face to be removed, properly enclosed, and made weather tight so that the interior systems of the sign are protected from the elements and not visible to public view. Failure of the owner or responsible party to remove the sign within thirty (30) days after notice from the building official is a violation of this chapter.
 13. Violating signs. Any sign erected that is not in conformance with the provisions of this chapter after adoption of this chapter, or any sign erected or installed without a permit, shall be removed or a permit obtained within thirty (30) days upon notification from the building official.
 14. Non-conforming off-premises signs. Off premises signs which are non-conforming are governed by *Utah Code Annotated* §10-9-511. Relocation of such signs may be made in accordance with Title 72, Chapter 7, Part 5 of the Outdoor Advertising Act as set forth in the *Utah Code Annotated*.
 15. Sign inspection. The building or code enforcement official may inspect any signs and require the proper maintenance of the same.
 16. Sight triangle and clear view. No sign or other advertising structure less than ten (10) feet in height, or as may otherwise be regulated by the municipal code, shall be located on a corner lot at the intersection of any streets within a triangular area formed by the street

- property lines and a line connecting them at points forty (40) feet from the intersection of the street line.
17. Window covering signs prohibited. No sign shall completely cover a window or in part cover any doorway, or other opening providing light, ventilation, or exit facilities which are required by the building code or which are deemed by the fire district necessary for access or fire protection.
 18. Consent for sign placement. The written consent of the authorized property owner in addition to a permit shall be obtained before any person fastens or attaches, paints or places, any sign upon any private property, wall, window, door, gate, fence, or structure.
 19. Sign on public property. It shall be unlawful for any unauthorized person to fasten or attach, paint or place, any sign, handbill, poster, advertisement, or notice of any kind or sort, whether political or otherwise, or to cause the same to be done in or upon the curbstone, lamp post, telephone pole, electric light, or power pole, hydrant, bridge or tree, or in or upon any portion of any sidewalk or street. It shall be unlawful for any unauthorized person to paste, place, paint or attach any sign on any building, street, fence, or property of the city. No sign shall be erected on or project over public property without the consent of the city.
 20. Site development standards. Signs shall comply with all specified and applicable site development standards.
 - a. Sign setback. Each sign under this chapter shall comply with the specified and applicable setback regulations.
 - b. Height. No sign shall be erected or otherwise installed at a height greater than allowed in this chapter.
 - c. Zoning. All signs shall be located and installed on a site and in accordance with the applicable zone as specified in this chapter.

11.23.040. Special provisions.

1. Sign projection. Wall signs shall not project more than 24 inches from the surface of the building and/or structure to which the sign is attached. Projecting signs shall:
 - a. Not extend more than six feet (6') from the face of the building.
 - b. Be taller than the parapet wall of the building.
 - c. Be a minimum of ten feet (10') above the ground.
2. Special occasions. Decorative signs for special occasions may be temporarily erected for short periods of time as follows:
 - a. Banner signs may be placed as a free standing sign on private property or hung on the building. Freestanding banners may not be taller than six feet (6') in height, nor shall they be located in the sight triangle area of any street, driveway, or corner lot.
 - b. All signs are to be secured firmly to the building or if freestanding to poles or stakes so that the sign does not blow away. Any sign that does blow away is presumed to be in violation of this chapter.
 - c. The maximum size of the sign is limited to forty eight (48) square feet.
 - d. The sign is not lighted.

- e. The sign is made of weather proof materials and is not allowed to fall into disrepair by becoming tattered, ripped, having frayed edges or be become faded.
3. Signs using electricity. All signs which utilize or are illuminated by electricity shall comply with the applicable code.
4. Marquee signs. Marquee signs may be placed on, attached to, or constructed in a marquee. A marquee sign shall be elevated at least three feet (3') above the surface of the ground. Marquee signs shall comply with the applicable code.
5. Political or campaign signs. Political or campaign signs are permitted in accordance with the first amendment of the United States Constitution and shall:
 - a. Be non-commercial in nature.
 - b. Be properly maintained in good order and not cause or contribute to any public nuisance.
 - c. Shall not be illuminated.
 - d. Shall be removed when no longer serving the purpose for which the sign was erected.
 - e. Shall not exceed sixty-five (65) square feet per lot in any commercial or manufacturing zone.
 - f. Shall not exceed twenty five (25) square feet in any residential zone.
 - g. Shall not exceed ten (10) feet in height.
 - h. Shall not be located on any roof.
 - i. Shall not be located within the sight triangle or clear view area.
6. Shopping centers. In shopping centers, business signs shall be based on the width of the store front of each individual business, and signs for such businesses shall be attached to the front of each store and be as follows:
 - a. One detached or attached information or identification sign with a maximum size of two hundred (200) square feet of sign face for each street frontage may be used to designate the name of the shopping center and the names of the businesses located in the center or other general public information permitted by this type of sign in a commercial or manufacturing zone.
 - b. Electronic signs shall be in accordance with Section 11.23.030.6.
7. Construction project signs. Shall only be erected upon approval of the site plan by the planning commission or recording of a plat if a subdivision.
 - a. Construction project signs shall be removed within thirty (30) days after completion of the site plan project or final acceptance of the subdivision by the city.
 - b. Construction project signs are limited to providing information about the construction project and shall be non-illuminated.

11.23.050. Exempt signs.

The following signs shall be exempt from sign regulations:

1. Memorial. Memorial tablets or tablets containing the names of buildings and date of the erection and use of the building when built into the walls of the building and constructed of metal, stone, or similar noncombustible material.

2. Plates. Nameplates not to exceed two (2) square feet. Any nameplates exceeding two (2) square feet are prohibited in all zones.
3. Non-commercial. Non-illuminated religious, charitable, and education freestanding signs having an area not in excess of twelve (12) square feet.
 - a. Non-illuminated and non-floodlighted signs having an area not in excess of four (4) square feet, that advertise a licensed home occupation, or the place of business of a doctor, dentist, attorney, or other profession.
 - b. Traffic and other municipal signs, house numbers, legal notice, railroad crossing signs, danger signs, and warning signs.
 - c. Painting, repainting, or cleaning of an advertising structure, or the changing of the advertising copy of the message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made thereto.
 - d. Residential use of seasonal banners provided there is no commercial advertising.

11.23.060. Design standards.

All signs shall be designed and constructed to the standards set forth in the latest edition of the applicable building codes and shall include the following:

1. Wind and seismic standards. Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in the applicable building codes.
 - a. All bracing systems for a free standing sign shall be designed and constructed to transfer lateral forces to the foundations.
 - b. For signs on buildings the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to over stress any of the elements thereof.
2. Dead load resistance. The overturning moment produced from the lateral forces shall in no case exceed two-thirds (2/3) of the dead-load resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth superimposed over footings may be used in determining the dead-load resisting moment. Such earth shall be carefully placed and thoroughly compacted.
3. Wind load. Signs and sign structures shall be designed and constructed to resist wind forces and loads as specified in the applicable building code at a height of thirty feet (30') above the ground with adjustment in pressure for height and seismic zone III or other applicable zone for the city.
4. Additional load or change. No sign shall be placed on top of or suspended from the bottom of another sign unless said sign is duly engineered for such additional load and said engineering data is provided to the building official along with all calculations showing that the sign is structurally capable to support the additional weight, displacement area, seismic loads, and wind loads, and is properly fastened to an existing structure.
5. Plastic materials. Sufficient technical data is to be submitted to the building official to substantiate the proposed use of any plastic material. If it is determined that the evidence submitted is satisfactory for the use intended, the building official may approve the use of

such material. Design and construction with the plastic material shall be in accordance with the applicable building codes.

11.23.070. Zone regulations.

1. Residential.
 - a. In all residential zones, only the following signs are permitted.
 - i. Name plates. One (1) name plate for each dwelling unit, not exceeding two (2) square feet in area, indicating the name of the occupant, and/or a permitted home occupation.
 - ii. Identification signs. One (1) sign not exceeding sixteen (16) square feet in area for permitted nonresidential buildings is permitted. The types of sign allowed as an identification or information sign is limited to a wall mounted sign or freestanding sign.
 - iii. Construction project sign. One (1) per approved development, and one (1) additional sign for regulatory notices relating to the development, both signs not to exceed thirty-two (32) square feet for specific
 - b. Non-commercial uses within any residential zone allow for the following additional signs:
 - i. One (1) or more signs not exceeding in total area two (2) square feet for each one (1) linear foot of frontage occupied by a non-conforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet.
 - ii. Uses not occupying frontage may each have one or more signs not exceeding forty (40) square feet.
 - iii. The types of signs allowed are limited to wall mounted type and monument style signs only.
 - iv. One (1) electronic sign is permitted on a parcel where public and quasi-public uses are the primary function of the property.
 - c. Yard and height regulations. No sign shall be erected to a height greater than ten (10) feet, or if attached to the building project no sign shall be above eave line of the building to which it is attached.
2. Commercial and manufacturing zones. In commercial and manufacturing zones, only the following signs are permitted:
 - a. Business signs. One (1) or more commercial or business type sign(s) not exceeding three (3) square feet in combined total area for each linear foot of frontage except that the maximum size of a business sign face shall be three hundred (300) square feet in area and the maximum total area of all commercial or industrial business sign faces on a lot or parcel shall be six hundred (600) square feet. Shopping centers may be allotted additional subject to the formula provided in this part, and if the signage is delineated on the overall site plan approved by the land use authority for business type signs so long as no single sign face exceeds six hundred (600) square feet. The types of signs allowed as a business sign are limited to wall mounted, freestanding, electronic message display,

- awning, marquee, projecting and bulletin board.
- b. Development Signs. One (1) or more of a temporary nature for main buildings or uses under development provided such signs shall not exceed in combined total area one hundred (100) square feet. The types of sign allowed is limited to a freestanding sign only.
 - c. Electronic signs. Are only allowed as a conditional use issued by the land use authority and as otherwise provided in this chapter.
 - d. Illumination. Signs in a commercial or a manufacturing zone may be internally or externally illuminated. The direct lighting source, except for neon lighting or electronic message display, shall not be visible from the view of the public or from a residential use.
 - e. Limited signs. At each parcel, one (1) specialty sign, one (1) temporary sign, or up to three (3) wind signs may only be used for special occasions.
 - f. Off-premises signs. Only off-premises signs pre-existing the effective date of this ordinance are allowed.
 - g. Height regulations. No sign mounted on a building shall extend above the eave or parapet line of a building. No freestanding sign shall be erected to a height taller than the height of the building it is associated with. No sign in any zone shall be erected to a height exceeding fifty (50) feet above ground.

11.23.080. Safety.

All signs shall be erected and maintained to ensure public safety. Special measures shall be taken by the owner of any sign to ensure that no sign or sign structure is located or erected in whole or part on or over any public street or sidewalk. Persons performing maintenance and operation of any sign shall take all precautions necessary to ensure the safety of persons and property, including, but not limited to protect the traveling public on any road or sidewalk where work is being done, keeping the site clean and free of debris, installing suitable barriers and traffic control devices as may be necessary, constructing signs to code specifications, and accomplish the construction and maintenance in accordance with approved or customary safety practices.

11.23.090. Prohibited signs, non-conformity, and enforcement.

1. Prohibited signs. Signs that are not erected and/or permitted according to the provisions of this chapter are prohibited.
2. Damaged signs. When a sign has been damaged by 50% or more, as determined by the building official, the sign shall be removed at owner's expense within forty-five (45) days of notification to the owner by the city. If the owner fails to remove the said sign within the forty-five days after notification, the city may remove said sign at owner's expense.
3. Non-conformity. Existing approved signs that do not conform to this chapter may continue until the business where the signs are located are no longer in business, or the sign has been amortized out of existence as agreed in writing between the city and sign owner. The building official may seek the immediate removal of any non-conforming sign that may constitute a public nuisance, are not maintained properly and present a

safety hazard, or are dilapidated.

- 4. Enforcement. Signs in violation of this chapter may be deemed a public nuisance and removal may be sought by the building official. A violation of this chapter constitutes a class B misdemeanor. Civil fines apply to each violation of this chapter in the highest amount as authorized by state law. Each day a violation continues constitutes a separate offence.

Section 3. Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting or publication.

PASSED AND ADOPTED on this 24th day of May, 2011.



Richard Hendrix
 Richard Hendrix, Mayor
 Harrisville City

Roll Call Vote:

ATTEST:

| | | | |
|----------------|----------------|------------|---------------|
| Mr. Crowther | <u>excused</u> | yes | no |
| Ms. Tait | | <u>yes</u> | no |
| Mr. Wilhelmsen | | <u>yes</u> | no |
| Mr. Richins | | <u>yes</u> | no |
| Mr. Allen | | <u>yes</u> | no |

Jennifer Morrell
 Jennifer Morrell,
 City Recorder

RECORDED this 7 day of ~~May~~ ^{June}, 2011. June
 PUBLISHED OR POSTED this 7 day of ~~May~~, 2011.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with *Utah Code Annotated* §10-3-711, 1952 as amended, I, the City Recorder of Harrisville City, hereby certify that forgoing Ordinance was duly passed and published, or posted on the referenced date at: 1) Cabin, 2) 2150 N. 3) and at City Hall.

Jennifer Morrell DATE: 6/7/11
 JENNIFER MORRELL,
 City Recorder