

ORDINANCE 18-02

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Chapter 17.72 Signs of Title 17 of the Hyrum City Municipal Code establishes those regulations, conditions, and restrictions for signs to be installed on public and/or private property; and

WHEREAS, the Hyrum City Planning Commission has recommended amending Sections 17.72.010 to further define requirements and eliminate size restrictions on electronic message signs and to allow a permanent subdivision monument sign to be supported by a permanent support system, to allow electronic message signs and freestanding pole signs in Zones C-1, C-2, M-1, M-2, and PT, changing maximum size of signs to square footage rather than size, and to require murals painted on walls to be approved by Planning Commission; and Section 17.72.060 to allow small for sale, lease, or rent signs in the planting strip adjacent to the property for sale, lease, or rent.

NOW, THEREFORE, following a public hearing as required by Section 17.08.150 and upon recommendation of the Planning Commission, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING CHAPTER 17.72 THE SIGN ORDINANCE OF TITLE 17 OF THE HYRUM CITY MUNICIPAL CODE TO ELIMINATE SIZE RESTRICTIONS ON ELECTRONIC SIGNS; TO ALLOW HOME FOR LEASE, OR RENT SIGNS; AND OTHER MISCELLANEOUS CHANGES.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 17.72.010 of Title 17 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.72.010 Permitted signs.

A. The signs described in Exhibit 17.72.010 shall be allowed as indicated in Exhibit 17.72.010. Any sign not specifically permitted by this ordinance is prohibited.

B. Definition of Signs.

1. Awning Sign - means a roofed structure constructed fabric, metal, or other appropriate construction materials placed so as to extend outward from the building, providing a protective shield for doors, windows, and other openings in the building, with supports extending back to the building, supported entirely by the building.
2. A-frame Sign - means a temporary or removable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.
3. Billboard/Off Premises Sign - means an advertising sign on premises other than that occupied by the business referred to in the sign.
4. Billboard/On Premises Sign - means an advertising sign located on the premises occupied by the business referred to in the sign.
5. Business Sign - means a sign identifying a commercial or industrial business on the same premises as the sign by name and/or logo. Business sign types are, Ground, Low-profile, Nameplate, Projecting, Roof, Wall, and Billboard/On Premises signs. Business signs must be removed when a company goes out of business.
6. Electronic Message Sign - means an electronic sign which flashes on or rolls a message across it about the services or products of the business upon which the sign is located or time and temperature. The electronic message sign may be incorporated into a business sign but—may not increase that sign's maximum size or height. Electronic message signs shall not cause glare or rapid blinking, nor be intensely lighted that may create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. These signs shall have a minimum of three (3) second intervals between screen changes. Any time an electronic message sign is operating between sunset and sunrise, said signs shall be set at not more than forty percent (40%) of the maximum capable light output. Except for public service messages, no off premises advertising allowed. If

located within two hundred (200) feet from residential dwellings sign may be required to be shut down from ten o'clock (10:00) P.M. until six o'clock (6:00) A.M.

7. Flat Sign - means a sign erected parallel to and attached to the outside wall of a building and extending not more than twenty-four inches (24") from such wall, with messages or copy on the face side only. Sign proportion and design should be aesthetically pleasing. Signs flat against buildings or other structures will be allowed to extend two (2) feet above the rooflines or parapet walls of the building. When a building has more than one level, the wall on which the sign is installed will govern.
8. Freestanding / Pole Ground sign - means a sign supported by a fixed permanent frame or support in the ground with no support or guying from any building.
9. Identification Sign - means a sign displayed to indicate the name or nature of buildings or uses, other than commercial or industrial uses, located upon the same premises as the sign, i.e. schools, hospitals, churches, etc.
10. Low-profile Sign - means on-premises or identification signs having a maximum height of four (4) feet, incorporated into some form of landscape design scheme or planter box.
11. Nameplate Sign - means a sign indicating the name and/or occupation of a person or persons residing on the same premises or legally occupying the same premises, or indicating a home occupation legally existing on the same premises as the sign.
12. Off Premises Directional Sign - means a relatively small sign indicating name and direction to business, parking area, or other places, when such directional information is not otherwise apparent. Several businesses may be included on one directional sign and allowable sign size may be increased similarly as approved by the Planning Commission. Home occupation business is not eligible for off premises signs.
13. Off Premises Garage Sale or Open House Event Sign - means a relatively small, temporary sign indicating direction to an event. May be allowed on a city planting strip adjacent to property of

event and one sign off premises within one block of event with agreement of adjacent property owner. Signs may be placed for a maximum of 7 days and must be removed within 24 hours after event or be subject to a sign removal fee.

14. Public General Interest Event Signs - may be placed for a maximum of 30 days in several locations, and a deposit may be required. Signs must be removed within 24 hours after event or be subject to a sign removal fee. Public General Interest signs and details must be approved by City Administrator, Recorder, and Zoning Administrator.
15. Projecting Sign - means a sign attached to a building or other structure and extending in whole or in part more than twenty-four inches (24") beyond any wall of the buildings or structures. The sign may not project above the roof line or tallest part of the structure.
16. Property Sign - means a sign related to the property upon which it is located and offering such property for sale or lease, or announcing improvements to the site during the construction of the project. Property signs may also be used to warn against trespassers.
17. Public Necessity Sign - means a sign informing the public of any danger or hazard existing on or adjacent to the premises on which the sign is located.
18. Roof Sign - Roof signs shall be permitted only in zones C-1 and M-1. Roof signs shall not project above the roof line of the highest building located on the same premises.
19. 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 direction to parking lots, location of restrooms, or sale of agricultural products produced on the premises.
20. Street Banner Sign - means a fabric sign suspended across a City street. The banner may only advertise a state, county or City-sponsored event such as State Park Days, Star Spangled Week, etc. Sign approval and installation are the responsibility of the City electrician.

21. Subdivision and Monument Signs - Subdivision sign means a sign erected at the entrance-way to a platted subdivision identifying lots for sale within the subdivision. Subdivision signs must be removed within three (3) years of their erection unless an extension is approved by the Planning Commission. In addition to the name of the Company developing the property, the name and the phone number of the President or principal owner of the developing company must be emplaced on the sign. A subdivision sign may also be a permanent monument sign (a sign supported by a permanent support in the ground such as concrete, block, etc.) generally located at the entrance of a subdivision to identify the development.
22. Temporary Sign - any sign, banner, pennant, balloon or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed outdoors for short periods of time usually no more than 30 days. Examples: Political signs, grand openings, garage sales, school activities, chuck wagon breakfasts or other City-sponsored events. Temporary signs must be removed within 24 hours of the event for which it was erected. Gas filled balloons (unmanned) must be securely tethered and must not exceed ten feet in height at the end of the tether.
23. Wall Sign - means a sign that is either painted on a wall or its facing, or is painted in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing. (Ord. 09-04); (Prior Code 18-02)

Exhibit 17.72.010 Permitted Signs

Type of Sign	Max Size in Feet	Max Height in Feet	Permitted Zones	Condition al Use Zones	Illuminati on Type	Building Permit Required	Planning Commission Approval Required *****
Awning	4x *	12	C-1, C-2, M-1, M-2, PT	None	Indirect	Yes	Yes
A-Frame	12 sq ft	4	C-1, C-2,	OS, RA,	None	No	

			M-1, M-2, PT	R-1, R-2, R-3, R-4			
BillBoard/ Off Premises			Not Permitted	Not Permitted			
BillBoard/ On Premises	100 sq ft	18	C-1, C-2, M-1, M-2, PT	None	Indirect	Yes	Yes
Electronic Message	Determine by sign type	Determ ine by sign type	C-1, C-2, M-1, M-2, PT	None	Projection	Yes****	Yes
Flat	300 sq. ft. *****	2 ft. above roof	C-1, C-2, M-1, M-2, PT	None	Indirect, Flood, Neon	Yes ****	
Freestandin g/Pole		30	C-1, C-2, M-1, M-2, PT	None	Indirect, Flood, Neon	Yes	Yes
Identificat ion	12 sq ft	8	All Zones		Indirect, Flood	Yes ****	
Low Profile	12 sq ft	4	C-1, C-2, M-1, M-2, PT	OS, RA, R-1, R-2, R-3, R-4	Indirect	Yes ****	Yes
Nameplate Includes Home Occupation	3 sq ft	8	All Zones	None	None	No	
Off Premises Directional	3 sq ft	8		C-1, C-2, M-1, M-2, PT	None	No	Yes
Off Premises Garage Sale or Open House	5 sq ft	8	All Zones ***		None	No	
Off Premises General Interest Event	32 sq ft	8	All Zones ***	None	None	No	City Admin., Recorder, & Zoning Admin.
Projecting	20 sq ft	30**	C-1, C-2, M-1, M-2, PT	None	Indirect, Flood, Neon	Yes	Yes
Property	6 sq ft	8	All Zones	None	None	No	
Public Necessity	8 sq ft	8	All Zones	None	None	No	

Roof	160 sq ft	**	None	C-1, C-2, M-1, M-2, PT	Indirect, Flood, Neon	Yes	Yes
Service	20 sq ft	8	None	All Zones	Indirect	Yes ****	
Street Banner	120 sq ft		C-1, C-2, M-1, M-2, PT	None	None	No	
Subdivision	120 sq ft	8	All Zones	N/A	None	No	
Temporary	45 sq ft	4	All Zones ***	None	None	No	
Wall	20 sq ft ****	8	C-1, C-2, M-1, M-2, PT	None	Indirect	Yes ****	

* Width may equal the width of doors, windows or other openings being sheltered

** May not project above the roof line

*** Temporary signs must be removed within 24 hours of event

**** Building permit not required if sign is not electrically illuminated

***** Or $\pm 20\%$ of the building face, whichever is smaller

***** Signs not requiring Planning commission approval shall be approved by the Zoning Administrator. Zoning Administrator may recommend that any sign be reviewed and approved by the Planning Commission.

***** Murals painted on walls - size and location as approved by Planning Commission.

Signs not requiring application:

A. On premises personal property sign

B. Garage sale sign

C. Open house event sign

(Prior Code 18-02)

2. Section 17.72.060 of Title 17 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.72.060 Signs on public property.

No signs shall be located on or attached to public property, except signs owned and erected by permission of the authorized public agency. This includes handbills, posters, advertisements and notices of any kind. Public property includes curbstones, lampposts, telephone poles, electric light or power poles, hydrants, bridges, rocks, trees, sidewalks or streets. Small temporary political signs may be allowed with agreement from adjacent property owner. A small for sale,

lease, or rent sign may be allowed in planting strip adjacent to property for sale, lease or rent. (Prior Code 18-02)

3. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 5th day of April, 2018.

HYRUM CITY

BY: Stephanie Miller
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
Stephanie Fricke
City Recorder

Posted: April 10, 2018

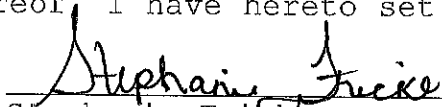
CERTIFICATE OF POSTING

STATE OF UTAH)
 : ss
COUNTY OF CACHE)

I, Stephanie Fricke, duly appointed and acting City Recorder for Hyrum City, Cache County, State of Utah, do hereby certify that a copy of the foregoing is a true, complete, and correct copy of an Ordinance adopted and passed by the City Council of Hyrum City, Utah, at a regular meeting thereof, held the 5th day of April, 2018, which appears of record in the City Recorder's office. A quorum was present and acting throughout said meeting and this Ordinance is in full force and effect in the form so adopted and has not been subsequently modified, amended or rescinded. I further certify that I, on the 10th day of April, 2018 in Hyrum City, did post the attached Ordinance in a likely manner in each of three public places as follows:

Hyrum Civic Center	60 W. Main	Hyrum, Utah
Ridley's Grocery Store	780 E. Main	Hyrum, Utah
Hyrum Library	50 W. Main	Hyrum, Utah

In witness whereof, I have hereto set my hand this 10th day of April, 2018.



Stephanie Fricke
City Recorder

(SEAL)

Ordinance 18-02

An ordinance amending Chapter 17.72 the sign ordinance of title 17 of the Hyrum City Municipal Code to eliminate size restrictions on electronic signs; to allow home for lease, or rent signs; and other miscellaneous changes.