

Ordinance 09-01-2011

AN ORDINANCE MODIFYING CITY CAMPAIGN SIGNS REGULATIONS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Santaquin recognizes the need to protect the constitutionally guaranteed freedom of speech, which the courts have found may only be abridged under limited circumstances pertaining to signage within communities; and

WHEREAS, Santaquin City has adopted signage regulations as part of its land use laws in accordance with Utah State Code Annotated 1953, Section 10-9a-102; and

WHEREAS, Santaquin desires, through these sign regulations, to protect the community's aesthetics, promote traffic safety and the convenience and enjoyment of public travel by preventing visual distraction, which can occur with a proliferation of unregulated signage. Furthermore, the City desires to protect the voting public from unlawful electioneering practices in accordance with Utah State law, section 20A-3-501(2), Electioneering; and

WHEREAS, By amending its campaign signage laws at this time, the City can better protect freedom of speech for its citizens while achieving its desired interests and better complying with Utah State electioneering guidelines.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I.

Santaquin City Sign Code, Section 10-13-7.A.13 is amended as follows: (underlined text is added, stricken text is deleted)

13. Political or Campaign Signs: In addition to signage otherwise authorized by this chapter, ~~political or campaign electioneering signs on behalf of candidates for public office or measures on election ballots~~ are allowed as follows:

a. ~~Said signs for all candidates, regardless of participation in a primary election, may not be erected earlier than thirty (30) days prior to a primary election and shall be removed by the Monday following a general election. Candidates who lose a primary election shall remove signs by the Monday following the primary election. Signs relating to elections on special issues may be installed and must be removed on the same basis.~~

ba. Any one sign shall not exceed sixty four (64) square feet in aggregate area and, if freestanding, shall not exceed eight feet (8') in height. Such sign shall not be erected in a manner as to constitute a roof sign. Signs may not be placed on public property, in a public right of way, or in any place which would impede traffic visibility or safety. ~~Signs along roadways which do not contain improvements of curb, gutter, and/or sidewalks may not be placed closer than ten feet (10') to the edge of the paved surface.~~

eb. Campaign Electioneering signs or other such materials may not be placed within a polling place or in any public area closer than within one hundred fifty feet (150') to of any building where any an official voting station is located.

Section II. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished, sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do no affect the intent of this ordinance may be corrected without need of public hearing by filing a corrected or re-codified copy of the same with the City Recorder.

Section III. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to the section, subdivision, sentence or part of the section held to be unconstitutional or otherwise invalid.

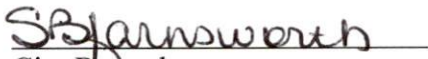
Section IV. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on September 8, 2011, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on September 8, 2011.

PASSED AND APPROVED this 7th day of September, 2011.


James E. DeGraffenried, Mayor

ATTEST:


City Recorder



Councilmember Filip Askerlund	Voted <u>yes</u>
Councilmember Martin P. Green	Voted <u>yes</u>
Councilmember James F. Linford	Voted <u>yes</u>
Councilmember Rick Steele	Voted <u>yes</u>
Councilmember Brent Vincent	Voted <u>yes</u>