

ORDINANCE NO. 23-08

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.36 “SIGNS”, SECTIONS 17.36.125 “TEMPORARY SIGNS”, 17.36.140 “WIND SIGN” AND 17.36.150 “PORTABLE OR WHEELED SIGN”

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

- 1. The following sections shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in yellow shall be added.

17.36.140 WIND SIGN

Any wind sign which consists of pennants, ribbons, streamers, spinners or similar devices, ~~except as permitted, are permitted for a period, not to exceed six (6) times per year with fourteen (14) day intervals between displays.~~ and shall conform with all setback and visibility requirements.

17.36.150 PORTABLE OR WHEELED SIGN

A business with a valid city business license may use a portable or wheeled sign ~~for one period not to exceed ninety (90) days after which time the sign must be removed or made to conform to the provisions of a freestanding sign, including, but not limited to, the requirements for underground power and a permanent fixed mounting.~~ during daylight hours, but the sign must be removed before dusk.

~~All portable and wheeled signs must adhere to the setback requirements of a freestanding sign.~~

17.36.125 TEMPORARY SIGNS

- A. Standards For Temporary Signs: Temporary signs shall not be placed in or over a public right of way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles or trees. They must be firmly secured to the building or ground. Temporary signs may be attached to existing permanent signs only for the promotional period. Temporary signs may cover or obscure an existing permanent sign

only if the business has changed hands or changed names. Size of the sign may not exceed forty (40) square feet. No off-premises temporary signs are allowed.

B. Temporary Signs Requiring A Permit:

1. Special Promotion Periods: A business may apply for six (6) special promotion periods during the calendar year. Each period may not exceed seven (7) days in length. The periods may be combined to run consecutively but may not exceed fourteen (14) days in length. A temporary sign permit is required and may be obtained upon submittal of an application available from the city. A banner or portable sign is allowed during this period. Special product, price, or service advertising is appropriate during these periods.

C. Temporary Signs Allowed Without A Permit:

1. Holiday Periods: A business may advertise a special service, product or sale for 14 days during the following holiday periods all approved state and federal holidays without a permit.

~~Presidents' Day February 7 days~~
~~Easter March or April 7 days~~
~~Mother's Day May 7 days~~
~~Memorial Day May 7 days~~
~~Father's Day June 7 days~~
~~July 4 July 24 7 days each~~
~~Labor Day September 7 days~~
~~Thanksgiving November 7 days~~
~~Hanukkah 10 days~~
~~Christmas, New Year's December 15 and ending January 2~~

One banner or portable sign only is allowed during these periods. A banner or portable sign not affixed to a permanent structure may not exceed thirty-two (32) square feet. The sign must be removed by the end of the first working day after the holiday period ends. No off-premises temporary signs are allowed.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 22nd day of March, 2023

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder