

**CITY OF WASHINGTON TERRACE  
ORDINANCE 20-02**

**LAND USE ADMINISTRATION AND SIGN AMENDED**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, ADOPTING 17.56. ENTITLED “SIGNS” TO REGULATE RESIDENTIAL REAL ESTATE SIGNS; REGULATE VEHICULAR ADVERTISING; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §10-8-84, 1953 as amended, grants municipalities broad authority to provide for safety and preserve health, and promote prosperity, improve morals, peace and good order, comfort, convenience, and for the protection of property;

**WHEREAS**, *Utah Code Annotated* §10-8-60, 1953 as amended, grants municipalities broad authority to declare what shall be a nuisance, abate the same, and to impose fines for the such nuisances;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, as amended, enables municipalities 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 30, 2020, to take public comment on this Ordinance, and subsequently gave its recommendation to deny this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on May 5, 2020, and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of the City of Washington Terrace as follows:

**Section 1: Repealer.**

Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Amendment.**

Section 17.56.256, Section 17.56.270, and Section 17.80.080 of the *Washington Terrace Municipal Code* is hereby adopted to read as follows:

**17.56.265 Residential Signage.**

In all residential zones, the following is permitted:

1. Purpose. All residential signs must be exclusively for the sale, lease, or rental of the property on which the sign is located.
2. Number. One (1) freestanding sign in the front yard of each lot is permitted only to advertise the sale, lease, or rental of real estate. One (1) window sign is also permitted only to advertise the sale, lease, or rental of real estate.
3. Size. No sign shall exceed eight (8) square feet in aggregate total display.
4. Removal. Any sign under this section shall be removed five (5) days after completion of the sale, lease, or rental of the real estate where posted.
5. Limitations. No signage shall be placed on fence, wall, roof, or structure. No signage shall be placed on or overhang any street, sidewalk, or public property. No sign shall be placed that constitutes a nuisance or creates a hazard condition.
6. Illumination. No sign shall be illuminated.
7. Open House. Special regulations for open house signs for the sale, lease, or rental of property are permitted as follows:
  - a. A maximum of four (4) off-premise open house signs not to exceed four (4) square feet are allowed for each open house, and shall be directional.
  - b. Signs shall only be posted when the selling agent is present at the property where the open house is being held.
  - c. One (1) sign is allowed on the property where the open house event is being held not to exceed eight (8) square feet, in addition to any real estate sign under this chapter, and the open house sign shall be removed at the end of the open house event.
  - d. All signs must be appropriate for a neighborhood environment, must harmonize with their surroundings in design, and be continually maintained to ensure an attractive appearance.
  - e. Signs are permitted only between the hours of 8:00 a.m. and 8:00 p.m. on the day of the open house.
  - f. Signs must be placed a minimum eighteen (18) inches from the curb or edge of street, not block or overhang the sidewalk, and not obstruct traffic or traffic control device.

**17.56.270 Advertising Vehicles.**

No vehicle, equipment, or trailers may be parked on the property of another for the primary purpose of signage, marketing, or advertising. A person's primary residence is exempt from this Section. For the purpose of this Section, equipment means personal property with advertising to solicit business including but not limited to: machinery, device, tools, or any portable storage container.

**17.80.080 Penalties.**

In accordance with *Utah Code Annotated* §10-9a-803 and §10-3-703, the following penalties apply:

1. Criminal. Any person who violates the Title is guilty of a class C misdemeanor and a fine not to exceed \$750.
2. Civil. Any person who violates this Title is subject to a civil fine not to exceed \$1,000, per violation, per day that the violation continues after the City gives notice in accordance with *Utah Code Annotated* §10-9a-803.

**Section 3: Severability.**

If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4: Effective date.**

This Ordinance takes effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

RECORDED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PUBLISHED OR POSTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with *Utah Code Annotated* §10-3-713, as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) City Hall, 2) \_\_\_\_\_, and 3) \_\_\_\_\_ on the above referenced dates.

\_\_\_\_\_  
City Recorder