

ORDINANCE 2009-02

AN ORDINANCE AMENDING SUBSECTION 24-4-4(1)(b), PROHIBITED SIGN DEVICES, AND PART 24-6, TEMPORARY SIGNS, OF THE TOOELE COUNTY LAND USE ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - PURPOSE. This ordinance seeks to modify the sign ordinance created by the Planning and Zoning Department in response to recent concerns from public agencies and citizens of Tooele County. The Erda, Pine Canyon, and Tooele County Planning Commissions held public hearings on the issue and recommend passage of this ordinance.

SECTION II - SUBSECTION AMENDED. Subsection 24-4-4(1)(b), Prohibited Sign Devices, of the Tooele County Land Use Ordinance, is hereby amended to read as follows:

(b) any sign which flashes, blinks, uses chaser lights, or moves in any way, animate or inanimate, except message centers associated with a permitted and approved on-premise sign. Electronic message centers shall be restricted to the display of public service information to include, but not limited to, date/time/temperature, service, direction, or courtesy information and community events intended to assist the public. No commercial message or advertisement of products or services are allowed. Community events include those that are non-profit and non-partisan in nature, and further a legitimate government or community purpose. The square footage of the electronic message center shall be included within the sign area measurement.

SECTION III - PART AMENDED. Part 24-6, Temporary Signs, of the Tooele County Land Use Ordinance is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION IV - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Ord. 2009-02

SECTION V - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

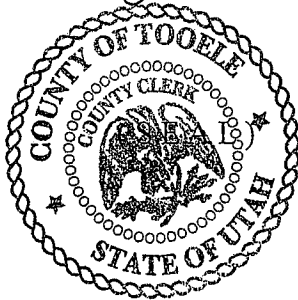
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 27th day of January 2009.

ATTEST:

TOOELE COUNTY COMMISSION:



Marilyn K. Gillette, Clerk


Colleen S. Johnson, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted absent
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

**Part 24-6
TEMPORARY SIGNS.**

Section

24-6-1. General regulations.

24-6-2. Permit application requirements.

24-6-3. Business related temporary signs.

24-6-4. Temporary signs not requiring a permit.

24-6-5. Repealed.

24-6-1. General regulations.

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 traffic hazard, or cause a public nuisance. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building or ground. Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed ownership or changed names. No off-premise temporary signs are allowed except those specifically for real estate purposes or otherwise noted in this chapter.

24-6-2. Permit application requirements.

(1) Temporary signs are permitted through a sign permit. The zoning administrator or designee may approve temporary signs.

(2) Temporary signs require the following information to be issued permits:

(a) a plot plan showing relationship of the signs to buildings, property lines, the setback from public rights-of-way, intersections, easements, and driveways; and

(b) the length of period for display and type of request.

(3) The following information is required on all sign permit applications:

(a) proof of current Tooele County business license;

(b) business address and phone number;

(c) address of property owner and phone number; and

(d) value of the sign.

24-6-3. Business related temporary signs.

(1) (a) Temporary signs announcing the initial opening of a business or the relocation or change of ownership of an existing business may be allowed provided the event shall not continue for more than 60 days and that the permit is issued within the first year of operation. There shall be no more than two such signs allowed per business. The signs must comply with general size and location standards in this chapter and must be removed at the end of the 60 day period. Temporary signs shall be limited to a maximum of 40 square feet and a temporary sign permit is required.

(b) Signs advertising a business's special promotions require a temporary sign permit. Such promotions shall not exceed 60 days in a calendar year.

(c) Signs advertising the liquidation of inventory for a failing business require a permit, which shall not exceed 90 days. Such permit will be allowed only once for any business license.

24-6-4. Temporary signs not requiring a permit.

(1) Community event banners

Community event banners are allowed for groups and events for advertisements or promotions and shall be described as, but not limited, to the following: community organizations, community events, activities sponsored by the County of Tooele, The State of Utah, or governmental owned agencies, and welcome messages for such events as class reunions, conferences, athletic tournaments or major events that are non-profit, non-partisan in nature or subject to a special event, and further a legitimate government or community purpose.

(a) These banners are allowed subject to the following:

(i) banners may be erected on private property with the expressed written consent of the property owner and public property with the expressed written consent of the applicable government entity only. No banner shall be erected in a public right of way, within the clearview zone on corners, or in any place which would impede traffic visibility or safety.

(ii) no more than 7 total signs are allowed per applicant or organization in the entire unincorporated county area and they shall be separated by no less than 1 mile.

(iii) such banner signs shall not exceed 60 days in a calendar year.

(iv) such banner signs shall be limited to a maximum of 40 square feet.

(v) all banners must be removed within two days of the conclusion of the event.

(2) Temporary signs are allowed without a permit for:

(a) The following holidays:

Civil Rights Day – January, 5 days

Presidents Day – February, 5 days

Easter – March or April, 5 days

Memorial Day – May, 5 days

Independence Day – July 4th, 5 days

Pioneer Day – July 24th, 5 days

Labor Day – September, 5 days

Thanksgiving – November, 7 days

Hanukkah, Christmas, and New Year's; 21 days starting December 15 and ending January 2. One banner sign only is allowed during these periods. The sign must be located on the building and such signs shall be limited to a maximum of 40 square feet. The sign must be removed by the end of the first working day after the holiday period ends.

(3) Directions to subdivisions and planned unit developments, subject to the following:

(i) written permission of the property owner must be obtained and presented to the zoning administrator before such signs are erected.

(ii) Three directional signs may be allowed for a developer to guide traffic to a subdivision or development. They are limited to 32 square feet in area and eight feet in height and must be placed entirely upon private property. The zoning administrator may allow two additional 16 square foot directional signs if an unusual circumstance can be demonstrated. They may not encroach upon any public right-of-way and may not be located within the 40-foot

clearview zone on corners except where they are not more than three feet in height or receive approval from the zoning administrator.

(iii) Such signs shall be removed within two years of the issuance of the first building permit in the project or if the lots are sold out before two years immediately upon sale of the last lot. The zoning administrator may grant an extension if a substantial number of the lots have not been sold at the end of the two-year period.

(4) The applicant may appeal any decision by the zoning administrator or designee to the planning commission, who will make a final decision regarding conformance with this section. The zoning administrator or designee may defer to the planning commission any application that is questionable in conformance with this section.

24-6-5. Repealed.