

## **ORDINANCE # 23-03**

AN ORDINANCE REVISING TITLE 21 OF THE SANDY CITY MUNICIPAL CODE CHAPTER 26, "SIGNAGE AND OUTDOOR ADVERTISING", SECTION 8, "TEMPORARY SIGNS" TO ALLOW TEMPORARY SIGNS ON FENCES ON PRIVATE PROPERTY IN RESIDENTIAL ZONES, ALSO PROVIDING A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to revise Title 21 of the Sandy City Municipal Code, Chapter 26, "Signage and Outdoor Advertising", Section 8, "Temporary Signs" to allow temporary signs on fences on private property in residential zones; and

WHEREAS, the Planning Commission held a public hearing on February 16, 2023, which meeting was preceded by notice posting in Sandy City Hall, the Sandy City Parks & Recreation Building, Salt Lake County Library – Sandy, on the Sandy City Website – <http://www.sandy.utah.gov>, and the Utah Public Notice Website – <http://pmn.utah.gov> on January 30, 2023; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on March 7, 2023 to consider adoption of the proposed amendment; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt land use regulations to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonable and appropriate to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the forgoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and procedures have been established by the Land Development Code and Utah Code Ann. Whereby appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

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

Section 1. Amendment. Title 21 is amended as shown on **Exhibit “A”**, which is attached hereto and by this reference made a part hereof.

Section 2. Severable. 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 judgement shall not affect, impair or invalidate the remainder of this ordinances or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted of such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. Effective. This ordinance shall become effective up on publication of a summary thereof.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Alison Stroud, Sandy City Council Chair

ATTEST:

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

PRESENTED to the Mayor of Sandy City for her approval this \_\_\_\_ day of \_\_\_\_\_, 2023.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Monica Zoltanski, Mayor

ATTEST:

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

PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 2023.

## Exhibit “A”

### Sec. 21-26-8. Temporary Signs.

(a) *General Provisions for All Temporary Signs.* The following shall apply to all temporary signage as outlined herein:

- (1) Signs shall be removed as specified herein, unless otherwise indicated in this chapter. There are no specific timeframes for noncommercial opinion signs.
- (2) Signs may only be located on private property and must have the property owner's permission. Signs may not be placed on public property, or in a public right-of-way unless otherwise allowed herein, such as banners on public light poles and public necessity signs.
- (3) Signs shall not be erected in a manner as to constitute a roof sign.
- (4) Signs may not flash, blink, be illuminated, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind.
- (5) Signs in residential zones shall not be attached to utility poles, ~~fences~~, or trees. Signs in all other zones shall not be attached to utility poles, fences, or trees.
- (6) Signs must be secured to a building or the ground.
- (7) Signs may be attached to existing permanent signs only for the grand opening period.
- (8) Signs may cover or obscure an existing permanent sign only if the business has changed ownership or changed names.
- (9) No off-premises temporary signs are allowed except those specifically allowed herein.
- (10) Signs shall require application and approval from the Department for issuance of a temporary sign permit prior to installing or erecting a temporary sign, unless exempted in this section.
- (11) All temporary signage must be subordinate to and be positioned in such a way so that any permanent ground-mounted signage on the same property remains visible.
- (12) All signs and sign supports, including decorative covers, must be maintained in a graffiti-free and clean, like-new condition. Allowed banners and flags must be repaired or replaced when the surface area is frayed, torn, defaced or damaged.
- (13) Any sign not expressly allowed by this ordinance is prohibited.
- (14) Signs may be two-faced but may not be split faced if the interior angle is greater than 45 degrees.

