

**TOWN OF LEEDS
ORDINANCE NUMBER 2015-01**

**Amended and Restated Sign Ordinance
Chapter 22 of the Land Use Ordinance**

AN ORDINANCE AMENDING CHAPTER 22 OF THE LEEDS, UTAH, LAND USE ORDINANCE 2011-01

WHEREAS, the Town Council has reviewed Chapter 22 (Signs) of the Town of Leeds, Utah, Land Use Ordinance 2011-01 and determined that it is advisable, and in the best interests of the Town and its residents, to revise and amend the provision of such chapter of the Leeds, Utah, Land Use Ordinance 2011-01; and

WHEREAS, the Planning Commission of the Town of Leeds has held a Public Hearing on the 3rd day of December, 2014; and discussed the amendments to the Land Use Ordinance, Chapter 22, Signs; and

WHEREAS, the Planning Commission recommended to the Town Council approval of the amendments to the Land Use Ordinance, Chapter 22, Signs, on the 3rd day of December, 2014.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS, UTAH THAT THE SIGN ORDINANCE, TO BE CODIFIED AS CHAPTER 22 OF THE LAND USE ORDINANCE IS HEREBY AMENDED, THIS 11 DAY OF March, AS SET FORTH ON THE ATTACHMENT HERETO.

The remaining sections of the Land Use Ordinance, Chapter 22, Signs not affected by this Ordinance remain unchanged.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	✓			
COUNCILMEMBER: ANGELA ROHR	✓			
COUNCILMEMBER: RON CUNDICK	✓			
COUNCILMEMBER: JOE ALLEN				✓
COUNCILMEMBER: NATE BLAKE				✓

ORDINANCE 2015-01- was adopted on 3-11, 2015 and became effective on 12 day of March, 2015.

Signed: Wayne Peterson
Mayor, Wayne Peterson

Attest: Kristi Barker
Deputy Clerk/Recorder, Kristi Barker

LAND USE ORDINANCE 2008-04

CHAPTER 22

SIGNS

Amended by Ordinance 2009-01, 2011-01, 2015-01

22.1 PURPOSE AND OBJECTIVES

22.1.1 Purpose.

Signs have a strong visual impact on the quality and character of the community; they can attract the viewing public, enhance the safety for both pedestrians and motorists and set an overall tone for the community. Accordingly, the Town of Leeds (hereinafter, the Town) adopts these regulations to provide for a healthy community considering safety aspects while maintaining those historical and aesthetic qualities reflective of the natural surroundings.

22.1.2 Goal.

The goals to be achieved by these regulations are: 1) stimulating harmony within the community while maintaining protection of property values, to preserve a healthy business environment and a sustainable economy 2) effective identification of each business, and; 3) provisions for the safety of pedestrians and motorists and promotion and protection of the public welfare.

22.1.3 Objective.

This chapter establishes standards and guidelines to preserve and enhance the appearance of the community as a place in which to live and work. These standards and guidelines ensure that signage is used as identification, advertising when necessary to the success of the business and not as a notice or attracting device. Furthermore, these standards prevent the installation of an excessive number of signs, avoid visual clutter and eliminate hazards to pedestrians and motorists brought about by distracting signs.

22.1.4 Ordinance Categories.

This Ordinance is comprised of three categories of signs: 1) signs that do not require approval by the Town; 2) signs that have to be approved by the Town Official; and 3) signs that are mandatory. All signs in the three categories must comply with the regulations within this Ordinance as well as other applicable Town Ordinances. All requests for approval of a sign must be submitted using the appropriate form and supplying all required information in order to be considered. All signs requiring approval must be approved by the Town Official prior to being installed or before any work is done toward the installation of such sign.

22.2 CATEGORIES OF SIGNS

22.2.1 Signs Not Requiring Approval

The following signs shall be allowed without approval by the Town Official; however, they must comply with the Town's Ordinances:

22.2.1.1 **Temporary Flags.**

Flags flown on a temporary basis for purposes of honoring national or civic holidays providing such flag does not exceed eight (8) feet long in its longest dimension.

22.2.1.2 **Official Flags.**

The Official flag or emblem of the United States or of the federal, state or local government, or the official flag of any nation, provided all such flags or emblems shall not be attached to a building or structure. Flag poles shall not exceed thirty-five (35) feet in height.

22.2.1.3 **Flags on Residential Property.**

Flags flown on residential property, provided however, that the flag pole shall not exceed thirty-five (35) feet in height.

22.2.1.4 **Construction sign.**

One non-illuminated sign per construction project not to exceed sixteen (16) square feet in total area and not to extend more than six (6) feet in height above ground level. The sign is to be used to indicate general contractor and all other pertinent construction data. Such sign shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, and shall be removed within five (5) days after completion of construction or upon occupancy, whichever occurs first.

22.2.1.5 **Government signs.**

Government signs for traffic control and other regulatory purposes, street signs, danger signs and signs of public service companies indicating danger, notices issued by any court and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty.

22.2.1.6 **Civic signs.**

Signs identifying Town buildings, parks, or other governmental entities, shall be appropriately sized for the location and shall not exceed sixteen (16) square feet in total area unless otherwise approved by Town Council. Signs placed at the entrances of the Town identifying the Town shall be monument type signs and shall not exceed seventy-two (72) square feet in total area.

22.2.1.7

Real estate signs.

One (1) real estate sign advertising property for sale or open house may be placed on the property being advertised. The sign shall not exceed eight (8) square feet in total area. Real estate signs shall not be placed on any private property other than the property being advertised for sale. Real estate signs shall not be placed on Town property or street rights-of-way. Open house signs shall be off-site, portable signs, placed on private property (with the owner's permission), containing directions to the location of an open house which is for sale, limited to one sign per intersection, not to exceed a total of three (3) signs. Open house signs shall not exceed four (4) square feet in total area and shall be removed immediately following a scheduled open house.

Promotional Signs for Real Estate Development: Promotional signs shall be allowed for residential developments to market and advertise the entire development for sale and provide pertinent sales information to the public. Signs shall not exceed 12' in height above ground level, and must be within the boundaries of the development and setback at least 10' from a street curb or edge and not located within a public right of way. Also the sign shall not obstruct the clear view of any street intersection. The sign shall be considered temporary and removed when all original lots have been sold, or within three (3) years, whichever occurs first. Residential developments may have up to 2 signs with each sign not exceeding 32 square feet.

22.2.1.8

Residential signs.

Each home may have a residential sign to display the address and, if desired, the name of the resident. No business advertising may exist on this sign. The sign shall not exceed three (3) square feet in total area.

22.2.1.9

Multi-family residential signs.

Each residential unit may have a residential sign to display the address and if desired the name of the resident(s). No business advertising may exist on this sign. The sign shall not exceed three (3) square feet in total area.

22.2.1.10

Menu signs.

Menus displayed on the exterior of premises occupied by restaurants shall not exceed four (4) square feet. Such display menus shall be attached to the structure.

- 22.2.1.11 Political and Campaign signs.**
Political and campaign signs shall be non-illuminated signs on behalf of candidates for public office or measures on election ballots. The political or campaign signs shall be removed within seven (7) days following said election. The signs shall be placed only on private property with permission of the property owners and not placed on or within any public right-of way.
- 22.2.1.12 Temporary non-illuminated window signs.**
Temporary non-illuminated window signs are permitted on commercially zoned property, providing the sign is not displayed for more than thirty (30) consecutive days.
- 22.2.1.13 Illuminated window signs.**
Illuminated signs are prohibited except for “Open” and “Closed” and “Vacancy” and “No Vacancy” signs.
- 22.2.1.14 Previously approved non-complying signs.**
Legal signs that were previously approved by the Town and existing as of the date of adoption of this Ordinance, but which are not in compliance with this Ordinance, shall be deemed non-complying signs. Such signs do not need to conform to these regulations unless and until there is a sign change, as defined by section 22.10.2. At such time that there is a sign change the application for a sign must be submitted for review and approval and shall comply with all standards in this Ordinance.
- 22.2.1.15 Town-Supported Public Events signs.**
Temporary signs or banners notifying individuals of public events supported by the Town. Such signs and banners shall not be placed on private property unless written permission is obtained from the property owner, and shall not be displayed for more than thirty (30) days for any single event.
- 22.2.1.16 Town Established Wayfinding signs.**
The Town may establish wayfinding signs to direct the public to significant historic, civic, or business locations within the Town. No other advertising message shall be contained on the wayfinding signs. Only businesses that cater to the travelling public such as gas stations, restaurants, hotels, convenience stores and similar businesses shall be placed on the wayfinding signs. The Town council may establish policies and criteria for what civic and historic sites, and businesses qualify for placement on the wayfinding sign. The decision of the Town Council shall be final on matters relating to the wayfinding signs. The Town may charge a fee to businesses desiring to be placed on a wayfinding sign in order to pay expenses related to the establishment and maintenance of the wayfinding signs.

22.2.2 Signs Requiring Approval

The following signs require approval of the Town Official. Requests for approval of the following signs must contain a detail of the sign showing the content of the sign, including colors, lettering, artwork, dimensions, location where it will be placed and how the sign will be anchored or fastened, as well as other information required by this Ordinance or which may be requested by the Town Official.

22.2.2.1 Business Signs in a Commercial Zone

22.2.2.1.1 Wall Signs. In commercial zones, each commercial building or tenant therein, may have one wall sign not to exceed ten percent (10%) of the building's front wall area, or ten percent (10%) of the tenant's front façade area. Such wall sign shall be attached flat against the building's wall and shall not extend above the roof peak or parapet wall. On the side or rear wall of a building not more than five percent (5%) of the wall area shall be used for one additional sign. A tenant with interior space only, may be included in the ten percent (10%) sign area allowed for the wall sign.

22.2.2.1.2 Permanent window signs. Permanent window signs are permitted. Illuminated signs are prohibited except for "Open" and "Closed" and "Vacancy" and "No Vacancy" signs. Signs required by other Town Ordinances are permitted.

22.2.2.2 Monument Signs

22.2.2.2.1 Business monument signs. Monument signs shall be mounted on the ground with a solid base. The monument sign including the base shall not exceed eighty (80) square feet for a multi business sign and 48 sq. ft. for a single business sign with the top of the sign no more than ten (10) feet above the highest ground elevation adjacent to the sign. The sign shall be within the property for which it advertises, and shall not encroach into any public right of way or public property.

22.2.2.3 Sign in Residential Zones (Including RV & Mobile Home Parks)

22.2.2.3.1 Monument signs at entrance to subdivision. Monument signs for subdivision entrance shall be mounted on the ground with a solid base. The size of the base shall be no larger than twenty-four (24) square feet and a height not to exceed two (2) feet. The sign portion of the monument shall not exceed thirty-two (32) square feet, with the top of the sign no more than six (6) feet above ground level. An alternate monument sign for a subdivision could be a piece of flat stone mounted solidly below ground grade. The portion above ground shall not exceed thirty-five (35) square feet with the top of the sign no more than six (6) feet above ground level. The sign portion and the base may consist of one solid piece. The sign shall contain only the name of the subdivision and shall not be used for advertising purposes. The sign shall blend with the natural surroundings of the area. If landscaping is planned around this sign the application will include details for the landscaping.

22.2.2.3.2 Business sign for a mobile home or recreational vehicle park. Signs advertising a mobile home park or recreational vehicle park may be erected if recommended by the Planning Commission and approved by the Town Council. There shall be only one (1) sign at the entrance (if more than one entrance no more than two signs will be allowed) with a maximum size of twenty-five (25) square feet each. Two (2) additional signs within the Town limits may be authorized by the Town Council upon recommendation of the Planning Commission, providing it is necessary for directing clients to the mobile home park or recreation vehicle park. The maximum square footage for the additional sign(s) cannot exceed sixteen (16) square feet total (for both signs). None of the mobile home signs shall be animated. If any sign is illuminated it must comply with the Town's Lighting Ordinance.

22.2.2.3.3 Multi-family residential complex identification sign. Each multi-family complex owner may apply for a permit to place a monument type sign on the complex that contains only the name and address

of the complex. The size of the base shall be no larger than eighteen (18) square feet with a height not to exceed two (2) feet above ground level. The sign portion of the monument shall not exceed ten (10) square feet, with the top of the sign no more than four (4) feet above ground level. The sign shall blend with the natural surroundings of the area. If landscaping is planned around the sign the application will include details for the landscaping. The complex may have one residential identification sign, no greater than two (2) square feet, that is placed on the building and identifies the occupants of the building.

22.2.2.4 Banners and Other Miscellaneous Signs

22.2.2.4.1 Temporary Banners: Temporary banner signs may be authorized to be displayed in a commercial zone (business banners) or on Town property (civic or community banners) only. The application must contain the details of the banner including material, wording, artwork, color, size, location, mounting provisions and shall contain a signed authorization from the property owner where the banner is to be displayed. Banners may not exceed ten percent (10%) of the wall area to which the banner is attached. Business banners shall be maintained flat against a building wall or fence within the subject property. Banners must be constructed of a strong cloth or vinyl material. Banners may be displayed for a maximum period of seventeen (17) consecutive days. Businesses shall be permitted a maximum of four (4) banners per year. No consecutive approvals will be granted. There must be a minimum interval of three (3) weeks between banner approvals for the same business.

22.2.2.4.2 Applicable Zoning: Any sign in the residential/commercial/historical zone will be governed by the zone classifications applicable at the time the sign application is submitted, (e.g., residential, historical, or commercial). Until a specific district is identified as a RCH Zone all signs will comply with the signs presently authorized for the zone category in which the property is located.

- 22.2.2.4.3 **Plaques:** Plaques shall be no more than three (3) square feet in total area and shall be fastened directly to a building or a pedestal built specifically to display the plaque. The purpose of the plaque shall be to commemorate a historical event or time frame, location, or personality, or be of cultural interest, for which the Town Council has granted written permission. If the plaque is mounted on a pedestal built for mounting the plaque the pedestal shall not exceed three (3) square feet in width and depth or more than five (5) feet in height. The pedestal shall be located as to not interfere with traffic or pedestrian traffic and must be approved in writing by the Town Council.
- 22.2.2.4.4 **Historical or Memorial Signs:** A memorial signs or plaques erected by a recognized historical agency, including the names of the buildings, date of erection and related information, provided the sign is cut into any masonry surface or inlaid so as to be part of the building and does not exceed two (2) square feet in area.
- 22.2.2.4.5 **Billboards:** New billboard type signs are not permitted in accordance with the Billboard Ordinance.
- 22.2.2.4.6 **Service Station Fuel Price Signs:** Each service station or other business selling vehicle fuel may display one price sign. The sign shall be a Monument type sign. The size of the sign shall be no larger than twelve (12) square feet in area and no more than eight (8) feet in height located at least eight feet from the public right-of way.

22.2.3 Signs That Are Mandatory

- 22.2.3.1 **Mobile Home Park Signs.** Each mobile home park shall have a bulletin board for the listing of each mobile home site and the name of the occupant thereof. The bulletin board shall be located in close proximity to the office or administration building, and it shall be lighted at night. The lighting must comply with the Town's Lighting Ordinance; and
- 22.2.3.2 Each mobile home park shall have adequate signs, and markings shall be maintained to provide directions to parking areas and other facilities; and

22.2.3.3 Each mobile home park shall have established street names with street signs and maintain these signs within the mobile home park in the manner recommended by the Town Official; and

22.2.3.4 Each mobile home park shall have each space numbered in a clearly visible manner. Each mobile home park shall provide “No Parking” signs in areas where parking would prevent access for emergency vehicles.

22.3 REQUIREMENTS

All signs allowed, approved or required by this Ordinance within the Town shall comply with the requirements below. In addition (see Section 22.11.1) the building inspector may impose requirements on the construction of signs to satisfy or comply with weight and wind load requirements and safety concerns with regard to materials used.

22.3.1 Material.

Signs may be constructed of painted, stained or carved wood; brick or stone; or metal which is painted or anodized, or otherwise treated to prevent reflective glare. Wood signs shall be solid wood, or plywood of, MOD grade or equivalent. Other sign materials, such as plastics, may be approved by the Town Council.

22.3.2 Attachment.

No sign shall be suspended by non-rigid attachments that will allow the sign to swing in the wind.

22.3.3 Placement.

No sign shall be erected, altered or maintained so as to obstruct any fire escape, required exit, window, or door opening. No sign shall be attached in any manner which will interfere with any ventilation opening. Signs shall be located so as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with Electrical Code specifications. In no case shall a sign be installed closer than thirty-six (36) inches horizontally or vertically from any conductor or wire.

22.3.4 Sign Placement.

No sign shall project above the eaves or parapet wall of the building on the premises to which it is appurtenant.

22.3.5 Distractions.

No sign shall be revolving, have flashing lights, intermittent lights, or any type of motion either attached to the sign or adjacent to the sign intending to call attention to the sign.

22.3.6 Signs on Town Property.

No business signs may be located on Town property, including street rights-of-way, without written approval of the Town Council. Requests for signs on Town property must include a diagram and dimensions of the sign and how the sign will be anchored or fastened. Approved signs on Town property may be removed by the Town following a five (5) day notification. Unapproved signs on Town property may be removed at any time by the Town Official. In general, requests for signs on Town property will not be granted except under extremely unusual conditions.

22.3.7 Lighted Signs.

All lighted signs shall comply with the Town's Lighting Ordinance. An illuminated sign shall not be installed in such a manner which permits the light to penetrate beyond the property so as to constitute a nuisance.

22.3.8 Free Standing Signs.

Free standing signs may be considered for approval providing they comply with all requirements of the zone they are in and if:

22.3.8.1 They are replacement signs for the ones listed in this Ordinance and are not additional signs;

22.3.8.2 The signs shall not exceed eight (8) square feet in total area (four square feet per side for two-sided free standing signs), and the top of the sign shall be no higher than four (4) feet above ground level. The sign shall be located a minimum of eight (8) feet from the public right-of way.

22.3.9 Wall Mounted Signs.

Wall mounted signs are to be permanently attached or painted and shall not extend more than three (3) inches from the wall.

22.3.10 Business Lighting Sign Hours.

Businesses open to the public during hours of darkness shall be allowed lighted signs approved in accordance with the Town's Lighting Ordinance. In order for the business to be considered open, the doors shall be unlocked and the owner, manager or an employee shall be physically present. Present by an electronic means in not considered open. All exterior lighted signs associated with a business shall be turned off when the business is closed and in no case shall the light be on after midnight. Lights used for security purposes or for lighting parking areas are regulated by the Town's Lighting Ordinance.

22.3.11 Traffic Safety Considerations Related to Signs.

- 22.3.11.1** No sign shall be permitted at a street or driveway intersection which would create a condition that is unsafe for vehicular or pedestrian traffic, or is inappropriate with respect to location, size, time or duration of display, or is maintained in a deteriorated condition. No sign shall be placed near a roadway which would mislead traffic that a road is closed or not open to the public. Signs placed near an intersection shall not make use of the words "Stop", "Danger", "Slow", or other words or phrases ordinarily identified with traffic direction that may cause confusion or interfere with the safety of vehicular and pedestrian traffic. Nor shall the illumination of any sign impair the vision of those passing by.
- 22.3.11.2** No sign shall be located where it may block a driver's view entering a street. No portion of any sign shall be placed closer to the public right-of-way than eight (8) feet.

22.4 PERMIT APPLICATION.

22.4.1 Permit Application. Any person desiring to place or construct a sign in any location shall obtain a sign permit and submit a completed application, signed by the property owner and the applicant, to the Town Clerk/Recorder. The applicant must include the following information with the returned application:

- 22.4.1.1** A rendering, to scale, showing the proposed sign as it will appear on the property and illustrating its relationship to its surroundings; and
- 22.4.1.2** In the case of a freestanding sign, a site plan showing the location of the proposed sign in relation to property lines and other structures on the site; and
- 22.4.1.3** Front and side elevations of the sign, drawn to scale, which indicate dimensions of the sign, lettering and corresponding building; construction supports; foundation; method of attachment; and style of lettering showing the complete lettering; and
- 22.4.1.4** Description and samples, if feasible, of sign materials for background and lettering, including samples of finishes of the background and lettering to demonstrate light transmission or reflection; and
- 22.4.1.5** Color samples; and

- 22.4.1.6 A description of any proposed illumination; sufficient technical data of all proposed illumination systems so as to allow evaluation of proposed light levels and all fixtures, types, locations, mounting and wattage shown on plans and elevations; and
- 22.4.1.7 Landscaping plans for the base, if monument style sign; and
- 22.4.1.8 The relationship of the sign to any public property within ten (10) feet; and
- 22.4.1.9 For commercial property, the information required above shall be included for all signs for the entire property; and
- 22.4.1.10 Any additional information the Town Official deems relevant to the application.

22.4.2 Expiration Date. The expiration date for the completion of the sign installation shall be one hundred eighty (180) days from the time the permit is obtained.

22.4.3 Review Fee. All applications for permits filed with the Town shall be assessed fees in accordance with the Town’s Standard Fee Schedule.

22.4.4 Indemnification. All persons involved in the maintenance, installation, alterations, or relocation of signs in the Town shall agree to hold harmless and indemnify the Town, its officers, agents, and employees against any and all claims of negligence resulting from such maintenance, installation, alterations, or relocation

22.5 PERMIT PROCESS

22.5.1 Action on Permit Application.

22.5.1.1 Applications not requiring Planning Commission approval shall be reviewed by the Town Official.

22.5.1.2 Applications for permits requiring Planning Commission approval shall be placed on the agenda of the next regularly scheduled meeting of the Planning Commission following the meeting at which the requirements for the application have been met. The Planning Commission shall review such application for action in conformity with the provisions of Town Ordinances. The commission shall approve, approve with conditions, or deny a permit, or recommend to the Town Council the approval, approval with conditions or denial of a permit, based on the criteria set forth in this and other applicable Town Ordinances.

22.5.2 Unacceptable Applications.

No sign permit application shall be accepted if:

22.5.2.1 The applicant has installed any sign in violation of the provisions of this Ordinance and, at the time of the submission of the application, such sign does not comply with this Ordinance, or has not been removed or included in the application; or

22.5.2.2 Any sign, under the control of the applicant or property owner of the property where a sign was installed in violation of this Ordinance and which, at the time of submission of the application, does not comply with this Ordinance, or has not been removed or included in the application.

22.5.3 Bar on Refiling. No sign permit application shall be accepted which is substantially the same as an application previously denied, unless twelve (12) months have elapsed from the date of the final decision on the application and appeals thereof, and new evidence or proof of significantly changed conditions is furnished in the new application.

22.5.4 Permits Reviewed By Town Official. The Town Official shall review sign permit applications for signs requiring the approval of the Town Official. The Town Official shall approve or deny the application within thirty (30) working days or determine that the application has special circumstances requiring it to be reviewed by the Planning Commission. If a review by the Planning Commission is required, the application shall be placed on the agenda for the next regular Planning Commission meeting following the meeting in which the application was submitted.

22.5.5 Sign Review Findings. Prior to approving a sign permit application, the Town Official shall find that:

22.5.5.1 The sign is in proportion with and visually consistent with the architectural character of the building and the surrounding area;

22.5.5.2 The sign does not obscure from view or unduly detract from existing signing in the area;

22.5.5.3 The sign, if in a residential zone, is harmonious and compatible with the residential character of the zone;

22.5.5.4 The sign complies with all provisions of this chapter, other applicable Town Ordinances and is consistent with the Town's architectural and design guidelines.

22.5.6 Issuance or Denial

22.5.6.1 Issuance:

A permit for a sign shall be issued when the application has been given final approval as prescribed in this chapter and the proposed sign, and the building or business with which it is associated, complies with all appropriate laws and Ordinances.

22.5.6.2 Suspension, Revocation:

The Planning Commission may suspend or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of material fact or fraud. Such suspension or revocation shall be in writing.

22.5.6.3 Denial:

When a sign permit is denied written notice shall be given to the applicant by mail within ten (10) working days of the denial. Such notice shall contain a brief written statement of the reasons for the denial.

22.5.6.4 Unlawful:

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to erect or maintain an unlawful sign, nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

22.6 PERMITS REQUIRED

22.6.1 Permit Required.

No person shall paint, mark or write on, or post or otherwise affix, any hand-bill or sign to any public or private lands or structure without obtaining a permit from the Town, unless otherwise exempt in this Ordinance. No sign shall be located on or project over publicly owned land or inside an existing street right-of-way or planned rights-of-way as identified in the Leeds Master Road Plan. Any hand-bill or sign found posted upon any public property contrary to the provisions of this section may be removed by any Town official. The person responsible for any such illegal posting shall be liable to the Town for the cost incurred in the removal thereof, in addition to any other penalty or action allowed under this Ordinance.

22.6.2 Permanent Signs.

A permanent sign for which a permit is required but not obtained, or which is otherwise in violation of this Ordinance, shall conform to this Ordinance within thirty (30) days from the issuance of the Town Official's written notice to the property owner or business licensee, or such sign shall be removed. Failure to correct this violation will result in the prescribed penalties. The person responsible for said sign shall be liable to the Town for the cost

incurred in the removal thereof, in addition to any other penalty or action allowed under this Ordinance

22.6.3 Temporary Signs.

A temporary sign posted upon private property may be installed or constructed only upon the issuance of a permit, or the sign shall be in violation of this Ordinance and subject to the prescribed penalties. Such sign shall conform to the regulations of this Ordinance within seventy-two (72) hours from the issuance of the Town Official's notice to the property owner or business licensee, or such sign shall be removed, or legal action may be initiated seeking such removal. The person responsible for said sign shall be liable to the Town for all costs incurred in the removal thereof, in addition to any other penalty or action allowed under this Ordinance.

22.6.4 Signs on Public Property or Public Right-of-Way.

An unauthorized sign posted upon public property or a public right-of-way may be removed by the Town and destroyed.

22.7 UNLAWFUL SIGNS

22.7.1 Non-Complying Signs.

Any sign displayed, erected, installed, suspended, attached, moved, enlarged, replaced, converted or altered after the effective date hereof, which does not comply with the provisions of this Ordinance, shall be deemed unlawful. Any work in progress on such sign shall be ordered by the Town Official to cease immediately and said sign shall be removed in accordance with the provisions of this Ordinance

22.7.2 Previous Non-Complying Signs. Signs which were not in compliance and therefore considered unlawful and which continue to be in noncompliance according to the provisions of this Ordinance, shall be deemed unlawful and removed according to the provisions of this Ordinance.

22.8 PROHIBITED SIGNS

The following signs are prohibited and shall be removed in accordance with the provisions of this Ordinance:

22.8.1 Abandoned.

Abandoned signs, including all structure and support.

22.8.2 Unused Signs.

Signs on abandoned or unused buildings. Signs will be deemed unused if the business advertising on the sign has not been doing business in the Town with a valid business license for six (6) months or longer.

22.8.3 Advertising Devices.

Advertising devices which move in the wind, including, but not limited to, balloons or other gas or air filled figures, pennants, pinwheels and stringers.

22.8.4 Animated.

Animated signs of any and all types.

22.8.5 Beacons and Similar Lights.

Beacons, searchlights, laser lights and similar lights of any and all types.

22.8.6 Automatically Changeable.

Signs which change automatically such as electronic message boards and video screens.

22.8.7 Vehicle Signs.

Any truck, trailer or other vehicle conspicuously or regularly parked on or off-premise, with an advertising message or logo displayed to attract attention to a business, product or promotion, whether parked on public or private property. Vehicles which are used for business purposes and are used in the business being stated on the vehicle and typically driven to various locations on a daily basis during each week are exempt from this requirement.

22.8.8 Pornographic, Obscene, or Offensive Signs.

Signs which bear or contain statements, words or pictures of an offensive, obscene, or pornographic character or anything that demeans or otherwise degrades religions, races or ethnic groups.

22.8.9 Sounds.

Signs which emit an audible sound, odor or visible matter.

22.8.10 Natural Objects.

Signs painted on or affixed to any natural object in its natural location such as, but not limited to, a boulder, tree or cliff face.

22.8.11 Traffic Interference or Confusion.

Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic-control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

22.8.12 Impeding Access.

Signs, except as may be required by law, placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape.

22.8.13 Political Signs.

Political signs which are attached, maintained, painted, printed or otherwise affixed to any curb, sidewalk, post, pole, hydrant, bridge, bench, tree or other surface on public property or over or across any street or public thoroughfare.

22.8.14 Sculptures and Statues.

Sculptures, statues, fountains or other art or decorative articles, with or without advertising copy, which by reason or height, size, color or nature serve primarily to attract attention to an establishment, organization or enterprise rather than to serve a primarily decorative or landscaping function.

22.8.15 Miscellaneous Signs and Posters.

The tacking, posting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, sheds, trees, poles, posts, fences or other structures, except to identify a residence, occupant or street address unless specifically permitted by this Ordinance. Miscellaneous signs may be permitted on a temporary basis, in certain locations, with prior written approval of the Town Official.

22.8.16 Moving Signs.

Signs that rotate, move or assume any motion constituting a non-stationary or non-fixed condition.

22.8.17 Reflective Signs.

Signs made wholly or partially of highly reflective material.

22.8.18 Intensely-Lighted Signs.

Intensely-lighted or exposed luminary sources such as exposed bulbs, tubes or neon signs. Exposed neon signs shall be prohibited, except for "Open" and "Closed" and "Vacancy" and "No Vacancy" signs.

22.10 SIGN MAINTENANCE

22.10.1 Maintenance.

All signs must be maintained and kept in a good condition by the owner of the sign. The owner of any sign found not being maintained and kept in good repair will be notified by the Town Official that repairs are needed and the repairs are to be made within thirty (30) days. If the sign owner does not perform the necessary repairs the Town may remove the sign at the expense of the sign owner in accordance with the provisions of this Ordinance.

22.10.2 Maintenance Versus Sign Change.

Alteration of a sign which exceeds normal repair and maintenance constitutes the creation of a new sign and requires a new permit. Repainting, cleaning or performing other normal maintenance and repair of a sign, not involving structural, design, color or character changes or alterations shall not be considered as creating a new sign insofar as requiring issuance of a sign permit. Substitution of a new or different advertiser, owner or business name shall not be considered normal maintenance and shall be considered creating a new sign requiring the issuance of a sign permit.

22.11 CODE COMPLIANCE

All signs shall comply with the provisions of applicable building codes, electrical codes and Town Ordinances. If a conflict exists between the building codes and this Ordinance, the most restrictive interpretation shall apply.

22.11.1 Additional Requirements.

The building inspector may impose requirements on the construction of signs to satisfy or comply with weight and wind load requirements, distance from overhead electrical conductors and safety concerns with regard to materials used.

22.11.2 Sign Condition.

All signs shall be maintained in a safe, presentable and good structural condition, including the repair, replacement of defective parts, painting, repainting, cleaning, and other acts required for proper maintenance. The Town Official shall have the authority to order the painting, repair, alteration or removal of signs which are in disrepair, dilapidated or are abandoned, or which constitute a hazard to the public safety.

22.11.3 Removal of Signs.

The Town Official shall cause to be removed any sign not in compliance with this Ordinance. Repeat offenders will not be notified and are subject to penalty's in 22.12.

22.11.3.1 For any sign not in compliance with this Ordinance, the Town Official shall prepare a notice which shall describe the sign and specify the violation involved and state that if the sign is not removed or the violation is not corrected within thirty (30) days, the sign shall be removed at the expense of the sign owner in accordance with the provisions of this Ordinance.

22.11.3.2 Any prohibited sign must be removed by the owner within fifteen (15) days following notification by the Town Official. Any sign prohibited and not removed within fifteen (15) days may be removed by Town personnel, and persons responsible for placing the sign shall be liable for the cost of removal.

22.11.3.3 Repeat offenders will not be notified and the sign will be removed at the expense of the sign owner in accordance with the provisions of this Ordinance.

22.11.4 Unsafe Sign.

If an unsafe sign is not made safe within five (5) working days after the Town Official gives written notice to the property owner or business licensee, the Town Official may remove the sign. The owner or business licensee of such sign shall be liable to the Town for the costs incurred in such. If the Town Official determines that a sign is dangerous to the health and welfare of the public, the sign may be removed immediately.

22.11.5 Notices.

All notices shall be mailed by certified mail to the last known address of the owner or business licensee of the property on which the sign is located. If the owner or business licensee cannot be found, notice shall be posted on said sign or on the property where the sign is located.

22.11.6 Time Periods.

Any time periods provided in this section requiring notice by certified mail shall be deemed to commence on the date the certified mail is postmarked.

22.11.7 Appeal.

The sign owner or property owner on whose property the sign is located may appeal the determination of the Town Official requiring removal or compliance, by filing a written notice of appeal with the Board of Adjustment within ten (10) days after receiving the notice.

22.11.8 Emergency Removal.

In cases of emergency, the Town Official may cause the immediate removal of a dangerous or defective sign without notice.

22.12 PENALTIES

Any person or business entity violating the provisions of this Ordinance shall be guilty of a Class B misdemeanor. Fines will be in accordance with the Utah Uniform Bail Schedule. In addition to any criminal prosecution, the Town may pursue any other legal remedy to ensure compliance with this Ordinance including, but not limited to, seeking injunctive relief. Each day a violation continues shall be considered a separate violation and offense.

22.13 EFFECTIVE DATE

This Ordinance supersedes or repeals the provisions of any prior Ordinances or Resolutions that are inconsistent with the provisions of this Ordinance.

22.14 DEFINITIONS AND TABLES

22.14.1 Definitions

Banner.

A flexible sign characteristically hung or otherwise suspended on or from a building or other structure. It is generally made of fabric or other non-rigid materials with no enclosing frame.

Building Frontage or Front Footage.

The linear width of that side of a building which contains the main entrance for pedestrian ingress and egress. If more than one main entrance exists, the one that more nearly faces or is oriented to the street of highest classification shall be considered the frontage. If all streets are the same classification, the side of the building with the smallest lineal dimension shall be considered the building frontage for measurement purposes.

Business Center.

A group of two (2) or more duly licensed businesses associated by a common agreement or common ownership with common parking facilities or housed in one or more structures. This includes multiple businesses in a single building as well as multiple buildings.

Copy.

The working text and artwork on a sign surface.

Lettering, Size of.

The maximum height of any letter and all lettering on the sign.

Lighting.

Any light source, whether internal or external, designed to illuminate the face of a sign.

Logos.

Symbolic representation of the business or products being sold. Logos utilized are calculated as part of the authorized sign area.

Lot Frontage.

The linear width of the lot at the front of the lot along the street line.

Sign.

Any displayed, structure, fixture, placard, banner, flag, or similar devices using graphics, symbols, or writing designed specifically for the purpose of advertising or identifying any establishment, product, goods or services. "Sign", as defined in this Ordinance, is intended to be interpreted broadly. Moreover, certain categories of signs, such as flags, banners, and plaques, are also governed by specific sections of this Ordinance. In the event of conflict regarding the application of this Ordinance to these various categories of signs, the more restrictive provisions of this Ordinance shall apply. This definition does not include official government signs, window displays, religious symbols, or the display of street numbers.

Sign, "A-Frame".

A sign constructed of plywood or other light material which is not supported by any other materials, and is assembled in such a manner where two sides are attached at the top so as to allow the sign to stand in an upright position.

Sign, Abandoned

A sign, including all structural supports and other componential elements, which is located on a property, premises or structure which becomes vacant and unoccupied for a period of six (6) months or more, any sign which pertains to a time, event or purpose which no longer applies, or a sign pertaining to an occupant or business different from the present occupant or business.

Sign, Animated

A sign which involves motion or rotation of any part by mechanical or other means, or displays flashing or blinking lights.

Sign, Area of.

The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a double faced sign with identical content shall be computed. However, when signs diverge from a common edge by more than forty-five (45) degrees both sign faces shall be computed for determining sign area, regardless of content. For irregularly shaped signs, the area shall be that of the smallest rectangle running vertically and horizontally that wholly contains the sign.

Signs, Flat.

A sign erected parallel to and attached to the outside wall of a building.

Sign, Free Standing.

A sign that does not need any other structure for support and includes such signs as A-frame. For purposes of this Ordinance, monument signs are not freestanding signs.

Sign, Height.

Sign height is the measurement from the natural ground level to the top of the sign, and not from any ground that has been moved to increase the ground level. In the case of ground that slopes the average ground level will be used.

Sign, Monument.

A sign which is mounted on the ground and has a solid base.

Sign, Off Premise.

A sign that is not on the property or location which it is intended to advertise.

Sign, Setback of.

The minimum distance which any portion of the sign or sign structure shall be located from any street right-of-way and property boundary having the same or coincident boundaries with a street.

Sign, Wall Mounted.

A sign attached to, or painted on, and parallel to, a building or wall.

Sign, Wayfinding.

A sign, mounted on a pole, located along a public right-of-way, directing the public to significant historic, civic, or business locations within the Town by indicating direction and distance to each location indicated on the sign.

Town Official.

For the purposes of this Ordinance, the Town Official shall be the Town Council, the Town Clerk, the Town Planner, the Town Prosecutor, the Planning Commission, or any other person designated by the Town Council.

Unused Buildings.

Unused buildings are buildings where occupancy does not exist for a period of six (6) months or longer.

22.14.2 Tables

Tables 1, 2 and 3 are for reference only. Where there is any discrepancy between the tables and the written text, the written text will apply.

TABLE 22-1 SIGN TIME SUMMARY

	TIME
Abandoned	After 180 days
Appeal	10 days after notice
Banner	17 days with 3 week interval; max 4/year
Construction	5 days before and after construction
Denial letter	30 working days
Permit expiration in work not completed	180 days
Permit review	30 working days unless Planning Commission required
Political	7 days after election
Refiling time (denied application)	1 year
Removal - Emergency dangerous	Immediately
Removal - Normal	30 days
Removal - Not maintained	30 days
Removal - On public property	Immediately
Removal - On Town property (business)	5 days after notification
Removal - Permanent without permit	30 days
Removal - Prohibited	15 days
Removal – Repeat Offenders	Immediately
Removal - Temporary without permit	72 hours
Removal - Unlawful	30 days
Removal - Unsafe	5 days
Temporary Town Supported Public Events	30 days
Temporary window businesses	30 days
Unused buildings	After 6 months

TABLE 22-2 SIGNS NOT REQUIRING A PERMIT

TYPE	RESIDENTIAL & RURAL RESIDENTIAL	MULTI- FAMILY	COMMERCIAL	RCH	PUBLIC PROPERTY
Construction	32 sq. ft. 6 ft. high	32 sq. ft. 6 ft. high	32sq. ft. 6 ft. high	32sq. ft. 6 ft. high	None
Government	As Required	As Required	As Required	As Required	As Required
Town Property Civic Entrance	16 sq. ft.	16 sq. ft.	16 sq. ft.	16 sq. ft.	16 sq. ft. 72 sq. ft.
Real Estate Development	32 sq. ft. 12 ft. high	32 sq. ft. 12 ft. high	None	32 sq. ft. 12 ft. high	None
For Sale Open house	8 sq. ft. 4 sq. ft.	8 sq. ft. 4 sq. ft.	8 sq. ft. 4 sq. ft.	8 sq. ft. 4 sq. ft.	None
Residential	3 sq. ft.	3 sq. ft.	NA	3 sq. ft.	None
Menus	None	None	4 sq. ft.		None
Temporary Town Supported Public Events	With written property owner permission. No size limit given	With written property owner permission. No size limit given	With written property owner permission. No size limit given	With written property owner permission. No size limit given	No size limit given

This table is for quick reference only. The details are in the text.

TABLE 22-3 SIGNS REQUIRING A PERMIT

TYPE	ALL RESIDENTIAL	MULTI-FAMILY	COMMERCIAL	RCH	PUBLIC PROPERTY
Identification			16 sq. ft.		
Business Sign			See 22.2.2.1.1		
Wall Sign					
Subdivision Entrance	See 22.2.2.4.1				
With Base					
Without Base					
Business in Residential zone	4 sq. ft*				
Business in Mobile home/RV park			1 sign/entrance Max 2.25 sq ft each. Direction		
Multi-family identification		10 sq. ft. height 4 ft.			
Banner			Business 32 sq ft. **		
RCH signs	In accordance with zone property is in.				
Plaques	3 sq ft. for all zones				
Historical/Memorial	2 sq. ft.				
Billboard	See Billboard Ordinance				

*Must have conditional use permit. * * Time limits. This table is for quick reference only. The details are in the text.