

## ORDINANCE NO. 03-08

### LEEDS BILLBOARD ORDINANCE

WHEREAS the Town of Leeds ("Town") wishes to preserve the natural scenic beauty of lands bordering on Interstate 15, State Highways, and the Town's Right of Ways and to provide consideration to the public safety, health, welfare, convenience and enjoyment of public traveling along said roadways.

WHEREAS the Town further wishes to protect the public investment and property values in areas adjacent to Interstate 15, Utah State Highways and the Town's Right of Ways.

WHEREAS the Town further wishes to effectuate the purposes of the Federal-Aid Highway Act of 1958 (23 USC § 131) and the Utah Outdoor Advertising Act (UCA § 72-7-501 *et al*), while recognizing that said Federal and State Statutes are minimum restrictions which can be more closely regulated by Town ordinance.

WHEREAS the Town Council upon review and recommendation from the Leeds Town Planning Commission desires to adopt the following ordinance restricting the construction and maintenance of Billboards and like kind outdoor advertising devises.

BE IT THEREFORE ordained by the Town Council of Leeds, Utah:

1. DEFINITIONS. For the purposes of this Ordinance, the term "Billboard" shall be defined as follows:

A. *Billboards*: any freestanding ground signage or signage attached to a structure located within the Leeds municipal boundaries, regardless of zone, which is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the premise where the sign/structure is located, excluding any directional or informational sign erected by the Town of Leeds, the State of Utah, any governmental/historical agency, any religious organization or neighborhood.

2. SCOPE. The regulations of this ordinance is intended to apply to off-premise Billboards and does not apply to the use of on-premise signs which are regulated under provisions for individual zoning districts contained in the Leeds Town Zoning Ordinance. To the extent that signage provisions for individual zoning districts may be construed to permit or regulate off-premise signs this ordinance supercedes any conflicting provisions. It is not the intent of this ordinance to regulate the content of public or commercial speech.

3. RESTRICTION. Upon enactment of this ordinance it shall be illegal for the construction and maintenance of any new Billboard along Interstate 15, State Highways or any Right of Way within the Town's municipal boundaries, regardless of the areas zone. No variance or conditional/special use permit shall be granted for the construction and maintenance of a

Billboard.

4. LEGAL NON-CONFORMING (GRANDFATHERED) BILLBOARDS. Any existing Billboard established in conformance with the adopted zoning regulations at the time of construction or placement, shall be considered a legal non-conforming use but shall not be modified, expanded or repositioned in anyway upon the premise where it is currently located. A legal nonconforming Billboard which is not utilized for 180 days or is left in disrepair after being given notice by the Town Building/Zoning Administrator or the person delegated by the Town Council to enforce this ordinance pursuant to Section 5 below, shall be considered abandoned and shall be removed within 30 days of receiving a notice from the Town deeming the Billboard abandoned.

5. ENFORCEMENT. Violation of this ordinance shall be a Class-C Misdemeanor. Each and every day during which the violation continues shall constitute a separate offense. The Town Building/Zoning Administrator or a person designated by the Town Council shall be responsible for the enforcement of this ordinance. Said person may issue notice of violations, notices of disrepair, notices of abandonment and notices to remove any non-conforming or abandoned Billboards and may refer matters to the Washington County Attorneys office for prosecution and swear to information.

6. IMPLEMENTATION. This ordinance shall become effective immediately upon passage and posting.

7. SEVERABILITY. If any portion of this ordinance is held to be unconstitutional, invalid, or unenforceable, the remainder of this ordinance shall be deemed severable and shall not be affected, and this ordinance shall remain valid.

PASSED AND ADOPTED by the Leeds Town Council on this 23 day of July, 2003.

TOWN OF LEEDS

Norma Gier  
Norma Gier, Mayor

ATTEST:

Joy Stevens  
Joy Stevens, Town Clerk/Recorder

ROLL CALL VOTE:

5 Aye votes      0 Nay votes  
0 Abstentions. Ordinance # 03-08 is

✓  
\_\_\_\_ Passed \_\_\_\_\_ rejected.

*Joy Stevens*  
\_\_\_\_\_  
Joy Stevens, Town Clerk/Recorder