

VIRGIN TOWN

ORDINANCE 2024-XX

An Ordinance Of The Town Of Virgin, Utah Amending The Virgin Uniform Land Use (Vulu) Code: To Define And Prohibit Billboards Throughout The Town: To Add The Definition Of Billboard To Chapter 2:12 "Definitions": To Add Section 52.05 "Billboards", To Chapter 52: To Revise Section 52.03 "Billboard Type Signs": And To Amend Section 52:14 Sign Table To Reflect These Changes.

RECITALS

WHEREAS pursuant to Utah Code Ann § 10-1-201 Virgin Town (The Town) is a Utah Municipal corporation and a political subdivision of the State of Utah.

WHEREAS pursuant to Utah Code Ann §10-3b-401 the Virgin Town Council (Town Council) is the legislative body and governing body of the Town.

WHEREAS pursuant to Utah Code Ann §10-9a-103(30) the Town Council, in addition to being the legislative and governing body of The Town, is also the Land Use Authority vested with power to enact all Land Use Regulations and make all Land Use Decisions within The Town unless the latter administrative power is delegated to another body or person.

WHEREAS, the Virgin Corridor of SR-9 has been designated as, both, a National and a State Scenic Byway; and

WHEREAS Unobstructed views along roadways and throughout the Town enhance public safety and preserve scenic integrity in ways consistent with the General Plan:

Whereas VULU chapter 52 contains a table with items that do not align with other areas of the VULU code:

ORDINANCE

NOW THEREFORE BE IT NOW ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VIRGIN, UTAH:

Section 1. That Chapter 2.12 "Definitions" of the Virgin Uniform Land Use (VULU) Code of Virgin Town, Utah be amended by adding the following definition:

Billboard: Any freestanding sign or affixed graphic or visual representation, including any lighted or unlighted drawn, printed, painted, electric, LED, digital or mechanical

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representation designed or intended to advertise or direct attention to a business, product, service, organization, idea or cause which is not sold, offered, or existing on the property whereupon the sign is located. (See: VULU 2:12 "Definitions".)

Section 2. That Chapter 52 (Sign Regulations) of the Virgin Uniform Land Use (VULU) Code be amended by adding a new section to be numbered 52:05 to read as follows:

A. PURPOSE: This section sets forth prohibition of "billboards "consistent with the General Plan and the designation of the SR-9 Virgin Corridor as a National and State Scenic Byway.

B. DEFINITION:

Billboard: Any freestanding sign or affixed graphic or visual representation, including any lighted or unlighted drawn, printed, painted, electric, LED, digital or mechanical representation designed or intended to advertise or direct attention to a business, product, service, organization, idea or cause which is not sold, offered, or existing on the property whereupon the sign is located (See: VULU 2:12 "Definitions")

C. PROHIBITED: Billboards are prohibited along all roadways and streets, in all zones, and throughout the town of Virgin and its sphere of influence.

1. Government or authorized directional and safety signs (Trailblazer Signs, traffic/ MUTCD) are not billboards. Utah Ann. Code § 72.7.504

D. EXISTING BILLBOARDS: Existing Billboards (approx. 1) Shall be removed at a time convenient to the owner, but may not be, hereafter, changed, altered, improved, or leased beyond any lease/agreement currently "in force"; and must be removed before becoming worn, dilapidated, or otherwise subject to the provisions in Section 10.1 of this chapter. (Adopted Feb. 2024). (Consider adding a time frame also is this a citation of state code? Should this info be included in the citation)

Section 3. That VULU 52.06(E) "Billboard Type Signs" be revised to read:

"E. Billboards. Prohibited."

Section 4. That Chapter 52:14 "Sign Table" be revised such that the appropriate line and columns of the table shall read:

"Billboard: Prohibited in all Zones."

Section 5. That the Town shall, as a courtesy, notify in writing the owner of the existing billboard(s) of these changes, within 30 days.

Section 6. Housekeeping: That numbered references and conflicting language throughout VULU be corrected to match these amendments.

Section 7. Severability: If any section, clause, or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 8. Conflicts/Repealer: This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

Section 9. Effective Date: This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor

ADOPTED AND APPROVED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE OF UTAH, THIS 19th DAY OF March, 2024.

Council Member:

AYE

NAE

April McKeon

Marci Holm

Mistie Baird

Paul Luwe

Jean Krause, Mayor

VIRGIN TOWN

A Utah Municipal Corporation

ATTEST:

Jean Krause, Mayor

Krystal Percival, Town Clerk/Recorder

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