

## **VIRGIN TOWN ORDINANCE**

### **“Amendments to Sign Regulations” #PZ-24-A February 2024**

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 52.06 “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, a primary system, has been designated as, both, 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 I

A. That Chapter 2.12 “Definitions” of the Virgin Uniform Land Use (VULU) Code 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 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 II

B. 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:

**“1. Purpose:**

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

**2. 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”)*

**3. Prohibited:**

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

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

**4. Existing Billboard “Grandfathered Use”:**

*The (1) legally constructed and installed existing billboard (April, 2024 ) located at approximately 200 W. and SR-9, shall be, hereby, deemed a legally non-conforming sign (“Grandfathered Use”) and shall, thereby, be exempt from Section C of this ordinance, and permitted to remain, subject to all other applicable State, Municipal, and UDOT regulations, until such a time as it is abandoned, falls into irremediable disrepair, or its owner chooses to remove or substantially alter it. “*

### Section III

C. That Chapter 52, Section 6: Item E. “Billboard Type Signs” be revised to read, as follows:

*1. “E. Billboards. Prohibited.”*

### Section IV

D. That Chapter 52:14 “Sign Table” be revised such that the appropriate line and columns of the table shall read, as follows:

1. “Billboard: Prohibited in all Zones.”

*Section*

E. 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.

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

G. 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

Council Member:

April McKeon	AYE___	NAY___
Marci Holm	AYE___	NAY___
Mistie Baird	AYE___	NAY___
Paul Luwe	AYE___	NAY___
Jean Krause, Mayor	AYE___	NAY___

VIRGIN TOWN  
a Utah municipal corporation

\_\_\_\_\_  
Jean Krause, Mayor

ATTEST:

\_\_\_\_\_  
Krystal Percival, Town Clerk