

VIRGIN TOWN
ORDINANCE 2024-09

Amendment to Ordinance 2024-06 Sign Regulations

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 1: **AMENDMENT.** “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 2: **AMENDMENT.** “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 Virgin Town 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: The (1) legally constructed and installed existing billboard (April, 2024) located at approximately 200W and SR-9, shall be, hereby, deemed a legally non-conforming sign 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 3: **AMENDMENT.** Chapter 52, Section 6: Item E. “Billboard Type Signs” be revised to read, as follows:

1. “E. Billboards. Prohibited.”

Section 4: **AMENDMENT.** 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.”

Severability Clause: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid;

Effective Date: This Ordinance shall be in full force and effect after the required approval and publication according to law.

Repealer Clause: All Virgin Land Use Ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE OF UTAH, ON THE 25th DAY OF June 2024.

VIRGIN TOWN
a Utah municipal corporation

Attest:


Jean Krause, Mayor


Krystal Percival, Clerk/Recorder

Town Council Vote as Recorded:

Town Council Member, Mistie Baird

Town Council Member, Marci Holm

Town Council Member, Paul Luwe

Town Council Member, April McKeon

Mayor, Jean Krause

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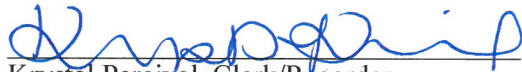
RECORDED this 27 day of June 2024

PUBLISHED OR POSTED this 27 day of June 2024.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I the Clerk/Recorder of Virgin, Utah hereby certifies that the foregoing Ordinance was duly passed and published or posted at:

- 1) Utah Public Notice Website, utah.gov/pmn/
 - 2) Virgin, Utah website, virgin.utah.gov
 - 3) Virgin, Utah Town Hall
- on the above referenced dates.



Krystal Percival, Clerk/Recorder
Virgin, Utah