

**CITY OF MOAB  
PLANNING COMMISSION  
PUBLIC HEARING  
PROPOSED ORDINANCE 2014-10**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, August 28, 2014 at approximately 7:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this Public Hearing is to solicit public input on proposed Ordinance 2014-10, an ordinance to amend the Moab Municipal Code, Title 15.44, Buildings and Construction, and specifically, sections 15.44.070, Intermittent light, flashing or moving lights prohibited, and 15.44.390, B.7., Definitions, to allow computerized mechanical changes to gas prices on fuel facility signs.

The proposed ordinance is available for public review at the Moab City Planning Office located at 217 East Center Street and on the website at [www.moabcity.org](http://www.moabcity.org). Written public comment may be directed to the Planning Department at the listed address. To ensure that the Planning Commission has the opportunity to review written comments prior to the meeting, written comments will only be accepted until 5 pm the day prior to the public hearing.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Planning Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5129 at least three (3) working days prior to the meeting.

/s/ Sommar Johnson  
Zoning Administrator

Published in the Times Independent, August 14 and August 21, 2014.

**ORDINANCE #2014-10**

**AN ORDINANCE TO AMEND THE MOAB MUNICIPAL CODE, TITLE 15.44, BUILDINGS AND CONSTRUCTION, AND SPECIFICALLY, SECTIONS 15.44.070, INTERMITTENT LIGHT, FLASHING OR MOVING LIGHTS PROHIBITED, AND 15.44.390, B.7., DEFINITIONS, TO ALLOW COMPUTERIZED MECHANICAL CHANGES TO GAS PRICES ON FUEL FACILITY SIGNS**

**WHEREAS**, the City of Moab (“City”) adopted Chapter 15, Building and Construction, of the Moab Municipal Code (“Code”) and specifically, Chapter 15.44, Sign Code, in an effort to promote traffic and pedestrian safety; reduce visual clutter; increase the readability and effectiveness of signs; encourage individuality and creativity; promote city beautification; encourage fair business representation through signage; and enable the fair and consistent enforcement of the sign provisions; and

**WHEREAS**, the City has received an application from Todd Meyers (Applicant) representing Maverik at 880 West Center Street, North Salt Lake, Utah 84054, requesting that computer controlled mechanical signs be allowed for changing vehicle fuel prices at fueling facilities; and

**WHEREAS**, the Applicant has submitted proposed changes to the code, specifically, Section 15.44.070, Intermittent light, flashing or moving lights prohibited, and 15.44.390, Definitions, B.7. Electronic Signs (EVMS); and

**WHEREAS**, the Moab City Planning Commission held a duly advertised public hearing on August 28, 2014, to hear evidence and decide the merits of said amendment; and

**WHEREAS**, the Commission, after reviewing the public testimony and the recommendation of Staff, in a 0-0 vote, favorably recommended to Council that the suggested amendment be adopted; and,

**WHEREAS**, Council reviewed the requested code amendments during a regularly scheduled public meeting to hear the testimony of the applicant and review recommendations from Staff and the Planning Commission on September \_\_, 2014; and,

**WHEREAS**, Council found that the code amendments comply with the scope and purpose of the sign code as established in sections 15.44.010 A and B; and

**NOW, THEREFORE**, Council hereby declares and ordains that Ordinance #2014-10 is hereby adopted and the specified code sections are amended as noted below:

Paragraph B of Code Section 15.44.070, *Intermittent light, flashing or moving lights prohibited*, that currently reads,

“B. Electronic variable message signs, (EVMS), including time and temperature signs, and electric, electronic or computer changeable text or image signs are prohibited.”

**Shall now read,**

“B. Electronic variable message signs, (EVMS), are prohibited.”

**AND**, Code Section 15.44.390, Definitions, paragraph B. 7 that currently reads,

7. "Electronic variable message sign (EVMS)" means any lighted electric, electronic or computer changeable copy or changeable image sign, including time and temperature signs.

**Shall now read,**

7. "Electronic variable message sign (EVMS)" means a sign using electronics to display copy or graphics with changeable message where the lettering is made up of lights or matrix elements.”

In effect on the day of passage;

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on the      day of                      , 2014.

SIGNED:

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David L. Sakrison, Mayor

ATTEST:

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Rachel Stenta, Recorder