



WEST HAVEN CITY
SPECIAL COUNCIL AGENDA

December 21, 2021 5:00 P.M.
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON TUESDAY **December 21, 2021** THE COUNCIL OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS: **5:00 PM:** SPECIAL CITY COUNCIL MEETING. JOIN US ON ZOOM AT [HTTPS://US06WEB.ZOOM.US/J/88407749662](https://us06web.zoom.us/j/88407749662). WATCH A LIVE STREAM AT [HTTPS://WWW.YOUTUBE.COM/CHANNEL/UCEEQNQBTFZJWGTGOPHMCNCBA](https://www.youtube.com/channel/UCEEQNQBTFZJWGTGOPHMCNCBA).

1. MEETING CALLED TO ORDER: Mayor Bolos
2. ACTION ON CONSENT AGENDA

A. TEXTMYGOV	\$11,250.00	Contract
B. PRIMEGOVE AGENDA	\$38,046	Contract
C. GARDNER ENGINEERING	\$21,309.75	Inv.#1121133-1121125
3. ACTION ON RESOLUTION 36-2021-OPIOID SETTLEMENT AGREEMENT
4. ACTION ON RESOLUTION 37-2021-VOTER PARTICIPATION AREAS
5. ACTION ON ORDINANCE 36-2021-SIGN ORDINANCE
6. ADJOURNMENT

Emily Green

Emily Green, City Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: emilyg@westhavencity.com at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed city recorder, does hereby certify that the above notice and agenda has been posted in the West Haven City Recorder's office; at the West Haven City Complex on the Notice Board and at westhavencity.com; emailed to the Standard-Examiner with a request that it be posted in their special Monday night meeting section; mailed and emailed to the West Haven City Mayor and each West Haven City Council Member who has email capacity and to the city

Resolution No. 36-2021

**RESOLUTION OF WEST HAVEN CITY APPROVING THE CITY'S PARTICIPATION IN
A NATIONAL OPIOID SETTLEMENT AGREEMENT AND DIRECTING THE CITY
MANAGER TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE
CITY'S PARTICIPATION IN THE SETTLEMENT AGREEMENT**

WHEREAS, the City Council finds that the City of West Haven ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution, and

WHEREAS, the City Council finds it necessary to address opioid issues that are occurring in the City; and

WHEREAS, the City Council has been briefed regarding a national opioid settlement agreement; and

WHEREAS, the City Council finds that it wishes to participate in such a settlement and finds that involvement in such a settlement would be advantageous to the City; and

WHEREAS, the City Council finds that the public convenience, health, and necessity requires the actions contemplated,

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
WEST HAVEN AS FOLLOWS:**

SECTION II -

The City Council hereby authorizes and approves the City's participation in any national opioid settlement agreement and the City Manager is authorized to sign any and all documents necessary to effect this authorization and approval. The Mayor is authorized to sign this Resolution. This Resolution shall become effectively immediately.

The foregoing recitals are fully incorporated herein.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, and Resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Resolution, are, for such conflict, repealed,

except this repeal will not be construed to revive any act, order or resolution, or part repealed.

SECTION V - SAVINGS CLAUSE

If any provision of this Resolution be held or deemed or shall be invalid, inoperative or unenforceable such will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed the separate independent and severable act of the City Council of West Haven City.

SECTION VI - DATE OF EFFECT

This Resolution will be effective on the 21st day of December, 2021, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH,** on this 21st day of December, 2021.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ORDINANCE NO. 36-2021

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, REVISING
AND AMENDING THE CITY CODE; MAKING CERTAIN
CHANGES TO THE ZONING CODE REGARDING AMENDING THE
CHAPTER FOR SIGNS REGULATIONS; AND MAKING NECESSARY
LANGUAGE CHANGES TO THE ZONING CODE TO EFFECT THOSE
CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE
CHANGES.**

Section 1. Recitals:

WHEREAS, West Haven City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the city may revise, codify and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, in conformance with Title 10, Section 9a – the Municipal Land Use, Development and Management Act, the governing body of the city may pass ordinances defining zoning and what are acceptable uses within each zone and within the city; and,

WHEREAS, West Haven City has adopted and promulgated city ordinances and rules regarding zoning and acceptable uses within those zones in the City; and,

WHEREAS, the City Council finds that certain changes to the West Haven City Zoning Code in regards to amending the language for Chapter 24 Signs Regulations Ordinance should be made; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH that the West Haven City Zoning Code be, and the same is, changed and amended to read as follows:

- a. Chapter 24 – Signs Regulations amended in its entirety and the following language shall be added in its place:**

See Exhibit “A” – Chapter 24 - Signs Regulations

The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:

All orders, ordinances and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the 21st day of December, 2021 and after publication or posting as required by law.

DATED this 21st day of December, 2021.

WEST HAVEN, a municipal corporation

by: _____
Mayor Sharon Bolos

Attested and Recorded

Emily Green

EXHIBIT “A”

Ordinance 36-2021

Chapter 24 – Signs Regulations Ordinance

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Chapter 56- Sign Regulations

- 56.02 Purpose and Scope
- 56.04 Enforcement – Appeals – Variances
- 56.06 Definitions
- 56.08 Prohibited Signs
- 56.10 Permitted Signs
- 56.12 Application Process
- 56.14 Violation

56.02 Purpose and Scope

It is the purpose of this chapter to regulate the design, placement and use of signs within West Haven City, and to authorize the compatible uses of such signs. Such regulations may include design, location, size, type, safety impacts and aesthetics and other such standards as may be outlined in this chapter. By doing so, West Haven City will promote both short and long-term civic beauty, as well as encourage public order.

For large-scale (10 acres or more) commercial developments, it is the purpose of this chapter to facilitate a cohesive design of signs within the development in order to preserve and protect the aesthetics of the development and the surrounding streetscape.

It is not the intent of this chapter to regulate the content of public speech. The regulations of this chapter are intended to apply to both on-premise and off-premise signs, but do not apply to handheld placards and other similar devices traditionally used for public protest and the exercise of free speech.

In interpreting and applying this chapter, the rules, regulations and terms contained herein shall be construed to the most restrictive meaning possible.

Any sign not specifically permitted by this chapter is prohibited.

56.04 Enforcement – Appeals – Variances

The West Haven Community Development Director, or their designee, is hereby vested with all duties and powers necessary to enforce this chapter. Such powers and duties include the power to:

1. Issue permits for construction, repair and/or alteration of all signs regulated by this chapter.
2. Ascertain that all sign construction, repair and/or alteration is done in compliance with applicable federal, state and local building codes and other relevant regulations.
3. Conduct any and all inspections and re-inspections during the construction, repair and/or alteration process as may be necessary to determine compliance with this chapter.
4. Require changes to the construction, repair and/or alteration of a sign when such sign is found to be out of compliance with this chapter.
5. Issue notices of violation, citations, written warnings and other such enforcement proceedings as may be necessary to ensure compliance with the provisions of this chapter.
6. Abate and remove unsafe, dangerous or illegal signs
 - a. Prior to doing so, the Community Development Director or their designee shall provide the party responsible for the sign with a written notice of the violation(s) and outline what steps the party needs to take to bring the sign into compliance with this chapter.
 - i. Temporary signs shall be given seventy-two (72) hours to take the corrective steps.
 - ii. Permanent signs shall be given thirty (30) days to take the corrective steps.
 - b. Signs posted upon public property, including in the public right-of-way, may be immediately removed by the Community Development Director or their designee.

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7. Require that signs related to a business which has been discontinued be removed within thirty (30) days of the business ceasing operation.
8. Right to Appeal or Request a Variance. Any person who wishes to appeal any decision or notice of action undertaken pursuant to this chapter, or any person who wishes to seek a variance from the regulations contained herein, may do so by following remedy procedures outlined in WHZC 6. Such reasons for requesting a variance may include, but are not limited to:
 - a. Expansion of a non-conforming use
 - b. New use of a previously abandoned non-conforming sign
 - c. Sign design, placement and use outside of the regulations of this chapter

56.06 Definitions

For the purpose of this chapter, the words, terms and phrases herein shall have the following meanings:

Abandoned Sign - means any display remaining in place or not maintained for a period of ninety (90) days or more which identifies a use no longer in operation on the property.

Animated Sign. -See "Flashing Sign" and "Rotating or Revolving Sign."

Area of Sign - means the total square footage of the each and every face of a sign, but does not include any frame or other material. For signs not otherwise supported by a distinctive background, the sign area shall be calculated by enclosing all the lettering by the smallest possible six-sided polygon and calculating the area of the polygon.

Awning Sign - means a device attached to the facade of a building, usually extending over sidewalks, windows and business entries, sometimes to provide weather protection to pedestrians walking beneath such shelters. Awning structures slope downward and away from a building, and typically support canvas, wood or metal slats or glass. Canvas awnings may have a valance (vertical flap) at the bottom of the sloping plane, which may be used to mount a sign identifying the building or store.

Balloon, Fixed - means any air-filled or gas-filled balloon attached to a string, rope or similar device, and tethered to a fixed or moving place or object, including a motor vehicle. See also "Inflatable Device."

Banner - means a sign made of fabric, cloth, plastic, or paper used only temporarily that is not permanently mounted or affixed to the ground or any structure, with or without enclosing framework, used to advertise a fundraiser, promotional or sales event, special or seasonal event, or other temporary on-site informational or directional sign. Pennants, as defined herein, shall be considered "banners" for purposes of this chapter.

Billboard - means a sign of any kind or nature whatsoever used to advertise (i) any business, industry, entertainment or activity not conducted, or (ii) any goods or other tangible items not produced, sold or available, or (iii) any services or other intangibles not available or rendered, on the premises upon which such sign is located; provided, however, such term shall not include any regional guide sign, nameplate, temporary real estate sign, identification sign or on-site advertising sign as such terms are defined in this chapter. Such term shall also not include any notice posted by any public officer in the performance of an official duty, or any directional, warning or informational sign required or authorized by any federal, state, county or local authority.

Building Elevation - means an exterior face of the unit for which a sign is proposed.

Corporate Flag - means a flag displaying the name, symbol or logotype of a business or corporation.

Changeable Copy Sign - means a sign, or portion thereof, with characters, letters or illustrations that can be changed or rearranged without altering the face of the display surface of the sign.

Community Sign – means a temporary sign placed by civic or educational groups or by West Haven City which is used to advertise various events held in West Haven City.

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Company Symbol - means a mark or logo that can either stand alone or be used with a company name to identify a company.

Directional Sign - means any sign that serves solely to guide or designate the location or direction to any place or area.

Display Surface - means the surface made available by the structure for the mounting of material to carry the advertising message, trademark or emblem.

Electronic Readerboard or Electronic Message Board - means a changeable copy sign upon which the copy is displayed or changed by electronic means.

Flag - means any piece of durable fabric of distinctive design attached to a permanent pole that is used as a symbol of a recognized federal, state or local governmental entity. Signs which are non-governmental in nature but similar in size and purpose to a governmental flag shall be regulated as a "Wind Sign."

Flashing Sign - means any sign which is designed to intermittently blink on and off, or which creates the illusion of blinking on and off, or which contains running, traveling, animating lights upon the sign structure or within the sign area; such term shall not include time and temperature displays, other electronic readerboard or electronic message board signs.

Freestanding Sign - is a ground-mounted sign that is typically supported by no more than two uprights or braces (e.g., pylon-supported) that are not connected to another structure. Any sign with a base that is less than seventy-five percent (75%) of the width of the sign shall be considered a freestanding sign.

Freeway-Oriented Sign - means a freestanding, on-site advertising or directional sign, not including billboards, located on property abutting a freeway right-of-way or freeway frontage road, and whose height, location and sign copy are designed in a manner which permits identification from an adjacent freeway.

Height of Sign - means the vertical distance from the uppermost point of a sign to the ground immediately below such point; provided that, if the finished grade has been raised immediately below such point, the height shall be measured from the average finished grade of the surrounding area.

Identification Sign - means any sign designed solely to identify the use or occupant of a structure or site, and which contains no other advertising copy.

Inflatable Device - means balloons exceeding two (2) cubic feet and other inflatable devices, including figure objects and caricatures that are intended to attract attention.

Illegal Sign - means any sign or advertising display constructed or erected without first complying with all applicable ordinances and regulations in effect at the time of its construction, erection or use.

Canopy Sign (Gas Station) - means an illuminated sign designed to be an integral part of the architecture of a gasoline service station, and intended to be placed above the fuel pumps of a service station for purposes of providing light for the working area and commercial identification.

Location - means a lot, parcel, site or premises, building, wall or any place whatsoever upon which a sign is erected, constructed or maintained.

Marquee (Changeable Copy) Sign - means a sign or readerboard that is characterized by non-electronic changeable copy, whether said sign is freestanding or mounted on a structure.

Monument Sign - means a ground-mounted sign, single-sided, double-sided or three-sided, supported from grade with a solid base or the appearance of a solid base that is at least seventy-five (75%) of the width of the sign, that is not connected to another structure. Such sign is oriented for vehicular view along roadways, and is often used at entries to a building or project.

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Multiple-Faced Sign - means a sign with more than one (1) sign face.

Mural - means a painting, tile or other materials deemed appropriate that comprise artwork on an exterior wall in public view, whose primary purpose is commemorative or artistic rather than advertising.

Nameplate - means any lighted or unlighted sign mounted on or near an entry that identifies the name and occupation or profession of the occupant of the premises.

Nonconforming Sign - means any sign that complied with all applicable ordinances and regulations in effect at the time it was erected, but which does not conform to one or more of the requirements of this chapter.

Off-Site Advertising Sign - means the same as the term "Billboard" as defined in this section.

On-Site Advertising Sign - means a sign of any kind or nature whatsoever which directs attention to any business, industry, entertainment, occupancy, activity, goods or other tangible items, services or other intangibles, or other activity, conducted, produced, sold, offered, rendered or available upon the premises where the sign is located, as distinguished from an off-site advertising sign. A political or other noncommercial message may be substituted for the advertising copy of any on-site advertising sign allowed under this Code.

Parcel or Lot - means any "Parcel" or "Lot" of real property under separate ownership from any other "Parcel" or "Lot," or under separate lease of at least ten (10) years' duration, with option to renew, which has street or highway frontage.

Pennant - means any plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, string,, or other similar device, usually in series, designed to move in the wind.

Permanent Sale Sign - means a sign that indicates a sale in progress and is posted more than thirty (30) days during any sixty (60) day period.

Planned Commercial Centers - Small regional centers consisting of individual large and small scale commercial uses selling a broad range of goods or services to a market beyond the local community. It must contain at least ten (10) acres of commercial land and 100,000 square feet of commercial floor space.

Pole-Mounted Freestanding Sign - means a single- or double-faced sign mounted on a single pole, as distinguished from a single- or double-faced sign that is supported by no more than two pylons.

Political Sign – means a sign advertising a candidate or candidates for public elective office, or a political party, or a sign urging a particular vote on a public issue decided by ballot.

Portable Sign - means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to, signs designed to be transported by means of wheels; signs converted to A-frames or T-frames; sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted upon vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day transportation operations of the business, and is not parked away from the business primarily to gain visibility from a public right-of-way.

Projecting Sign - means a pedestrian-oriented, double-sided sign which projects from a building and is mounted perpendicular to the building wall.

Pump Island Sign - means any sign attached to a fuel-dispensing pump, either affixed to or placed upon the pump.

Real Estate Sign - means any sign and sign structure of a temporary nature, relating to the sale, lease or other disposition of real property.

Readerboard.- See "Marquee (Changeable Copy) Sign."

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Roof Sign - means a sign upon the roof, upon a structure that appears to be a roof (such as a mansard roof), or above the roofline of the building elevation to which it is attached.

Sign - means any display, exhibit, declaration, demonstration, graphic announcement, inflatable device, illustration or insignia used to advertise or promote the interest of any person, business, institution or organization, when the same is placed outdoors, or on the inside of a window to be seen from the outside, in view of the general public; provided that this definition does not apply to the display of the flag of a nation, state, county or city or any official flag or banner of any bona fide religious or fraternal organization.

Sign Area.- See "Area of Sign."

Sign Copy - means any characters, letters or type that constitutes the message of the sign.

Sign Height. - See "Height of Sign."

Sign Structure - means the uprights, bracing, guy rods, cables, framework and other support of a sign or billboard.

Snipe Sign – means any sign or poster placed on trees, fences, light posts, or utility poles, except those posted by a government or public utility.

Street Frontage - means the lineal foot width of a building site or parcel of land, along or fronting on a street or other rights-of-way, excluding alleys.

Temporary Sign - means any sign that is used only temporarily and is not permanently mounted or affixed to the ground or any structure.

Suspended Sign - means a pedestrian-oriented, double-sided sign hung over a walkway, or beneath an awning or arcade, perpendicular to the face of the building to which it is attached.

Wind Sign – a sign, group of signs, display or group of displays, banners, non-governmental flags, balloons or other objects designed and fashioned in such a manner as to move when subjected to wind pressure.

Wall Sign - means a sign that is affixed to, or painted on, an exterior wall of a building in a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign.

Directional Sign - means an off-site sign which may contain multiple sign panels intended to advertise and direct vehicular traffic to new residential developments, districts or public venues and that is implemented in conjunction with an approved Wayfinding Sign program.

Window Sign- means any words, picture, symbol, brand name, business name logo, including any negative or clear spaces between graphics, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is applied or attached to a window or located within five (5) feet of the inside of a window in a manner that it can be seen from the exterior of the structure.

56.08 Prohibited Signs

Any sign not permitted is prohibited in West Haven City. The following signs are specifically prohibited:

1. Hot or cold air balloons, or inflatables, except when such falls under the definition of temporary sign.
2. Any sign which flashes, blinks, uses chaser lights or is animated.
 - a. Commercial electronic message signs may be permitted, so long as the messages are composed of static images.
3. Projecting signs
4. Roof signs
5. Snipe signs
6. ~~Wind signs~~

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~~7-6.~~ Any truck, trailer or other vehicle conspicuously parked in the public right-of-way for more than seventy-two (72) consecutive hours, with an advertising message displayed on the vehicle designed to attract attention to a business, product or promotion.

~~8-7.~~ Graffiti

~~9-8.~~ Spotlights directed into the night sky, except as part of an approved promotional period for temporary signs.

~~10-9.~~ Any off-premise signs, except as may be necessary to provide directions to a residential subdivision or planned unit development.

~~11-10.~~ Any handbill or sign which is affixed, painted, marked or written on any part or portion of the public-right of way, including sidewalks, crosswalks, curbs, park strip, light pole, lamp post, hydrant, tree, shrub, power pole or any other structure.

a. This does not apply to the painting of house numbers on curbs

56.10 Permitted Signs

Commercial, industrial and residential signs are permitted in the sizes and zones outlined in the matrix below. Certain signs may contain additional regulations, which can be found below the matrix.

Sign Type	Building Permit Required	Max Height (ft)	Max Area (Sq ft)	Permitted Zones	Lighting Permitted
Awning	Y	(see below)	(see below)	C-1, C-2, C-3, M-1	No
Banner	N	6	96	All	No
Billboard	Y	(see below)	675	(see below)	Yes
Canopy	Y	20 (see below)	(see below)	C-1, C-2, C-3, M-1	Yes
Community	N	8	32	All	No
Directional	N	8	32	All	No
Flag ¹	N	N/A	(see below)+2	All	YesNo
Freestanding	Y	(see below)	(see below)	C-1, C-2, C-3, M-1	Yes
Institutional	Y	6	32	All	No
Monument	Y	(see below)	(see below)	C-1, C-2, C-3, M-1	Yes
Nameplate	N	2	2	All	No
Notice	N	6	32	All	No
Political	N	6	32	All	No
Public Necessity	N	4	4	All	No
Real Estate	N	(see below)	(see below)	All	No
Suspended	N	2	3	All	No
Temporary	N	(see below)	(see below)	All	No
Wall	Y	Top of building wall	15% of wall surface (max 600 sq ft)	C-1, C-2, C-3, M-1	Yes
Warning	N	4	16	All	No
Wind	N	(see below)	16	C-1, C-2, C-3, M-1	No
Window	Y	(see below)	(see below)	All	No

1. Regardless of type, height and area, all signs in West Haven City shall comply with the following:

- a. All signs erected in West Haven City shall comply with all building, electrical, fire and other such relevant codes as may be in affect at the time the permit is issued.
- b. All signs are required to maintain appropriate vertical and horizontal clearances as may be required by any public utility company.

¹ Does not apply to the flag of the United States or the flag of the State of Utah. Applies to only to corporate flags.

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- c. No building permits will be issued for signs that involve electrical wiring or connections unless designed/built by a licensed electrical contractor, nor shall any building permit be issued for a sign unless the required drawings are prepared by and stamped by a licensed structural engineer.
- d. Any sign which has a foundation and/or footing requires a building permit, regardless of its designation on the above matrix.
- e. Any sign which is illuminated shall be required to comply with the West Haven City lighting ordinance.
- f. No sign over 36" in height shall be placed within the public right-of-way or on public property, unless the sign is related to a specific event sponsored by West Haven City and unless the sign complies in all other respects to this ordinance.
- g. No sign shall be placed, built or located, nor shall any sign exist, in a manner which creates a nuisance, safety hazard or other unsafe condition.
- h. When in proximity to traffic signals, street intersections or traffic signs, no sign shall be designed similar to such traffic signs or signals and shall not be permitted to use words which may reasonably create confusion as to the nature and purpose of the sign.
- i. Any sign placed at any intersection throughout West Haven City shall be placed outside of the sight-triangle (25' x 25' at the corner) area to not create a traffic hazard.
- j. No sign over two feet (2') high shall be permitted in the line of sight triangle (7' x 50') next to driveway entrances.
- k. Changeable copy and/electronic message portions of the sign may not exceed fifty percent (50%) of the area of any one face of the sign.
- l. When more than one sign is proposed for a commercial or industrial project, a developer shall submit a plan for the overall placement and design of all signs throughout the development, except for those which are attached to buildings. Developers shall present a sign proposal demonstrating a consistent theme throughout the project signage. The Planning Commission shall review the sign proposal as part of the site plan review.

2. Awning Signs.

- a. Awning signs shall be limited to single story buildings or to the first level of multi-story buildings.
- b. Awning signs shall be placed over a doorway, window or walkway.
- c. Awning signs are not allowed on or above a sloping or mansard roof.
- d. Awning signs shall not:
 - i. Extend more than eighteen-inches (18") either side of the door, window, archway or walkway over which they are located.
 - ii. Project less than two feet (2') or more than eight feet (8') from the wall on which they are anchored.
 - iii. Project above the highest part of the building's vertical wall.

3. Banner Signs. New businesses shall be permitted to use a single banner sign during construction and for no more than six months after receiving final occupancy and a West Haven City business license.

4. Billboard Signs.

- ~~a. Billboard signs are allowed only on property adjacent to and fronting I-15.~~
- ~~— Billboard signs must be oriented for freeway viewing only and be within one hundred feet (100') of the nearest freeway lane.~~
- ~~b. The maximum sign height for billboard signs shall be twenty-five (25') above the grade of the travel lane nearest to the sign.~~
- ~~b. No billboard may be erected within 500 feet of another billboard.~~
- ~~b. All billboards shall be monopole construction.~~

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a. **Billboard Height:** In any permitted area along I-15, billboards shall not exceed a height of 60' above the grade of the interstate perpendicular to the billboard. Billboards shall always be allowed at a minimum height of 45'.

e-b. **Billboard Size:** Billboards along the I-15 Corridor are limited to 672 square feet.

d-c. **Billboard Spacing:**

- i. Billboards must be a minimum of 500 lineal feet from any other billboard on the same side of a street and 75 lineal feet from any on-premise sign on or off the same property.
- ii. Billboards may be located within the 75' buffer of an on-premise sign when setback from the front property line 20' or more, measured to the closest edge of the billboard. In no case shall a billboard be located within the 75' buffer of an on-premise sign and be closer to the front property line than the on-premise sign.
- iii. Billboards shall be setback from any on-premise sign at least six feet measured from the closest edge of each sign face.

e-d. **Billboard Setbacks:** No billboard shall be closer than two feet to a front property line, measured to the closest edge of the billboard.

f-e. **UDOT Permit Required:** A sign permit may be issued for a billboard however, prior to issuance of a building permit, applicants shall be required to provide West Haven City with a letter of approval from the Utah Department of Transportation stating that the billboard meets their requirements for the I-15 corridor.

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5. **Canopy Signs.** Canopy signs shall only be permitted in gas/fuel stations over the gas/fuel islands, subject to the following:

- a. The height to the top of the canopy may not exceed twenty feet (20') from grade, with no more than four feet (4') of height containing fascia.
- b. Individual letters, logos or symbols may not exceed four feet (4') in height or project out from the canopy's surface more than eighteen inches (18").
- c. This does not limit the ability to have a monument or other sign wherein gas/fuel prices may be displayed.

6. **Community Signs**

- a. May be located at a variety of locations throughout the City, with the written permission of the property owner.
- b. May not be attached to another temporary, traffic or business sign.
- c. May be part of the City's annual rotating events, such as West Haven Days, cultural arts events, holidays or changes in the seasons.
- d. May be located at gateways to the City, at major intersections and along major streets.
- e. Shall be made of durable, weather resistant ~~material. material and primarily use logos so as to not create a potential traffic hazard~~
- f. Shall be appropriate in size and scale to their location.
- g. Shall be displayed for not more ~~thenthan~~ thirty (30) days.

7. **Directional Signs.**

- a. Written consent of the property owner on which the directional sign is located shall be presented to the Community Development Director or their designee, prior to such a sign being erected.
- b. Directional signs shall be removed either two (2) years from the time the first building permit in the subdivision is issued, or upon the sale of the final lot in the subdivision, whichever comes first.

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- i. An extension may be granted by the Community Development Director or their designee, if it can be shown that a substantial number of the lots are not ready for development or have not sold.

8. Flags/Flagpoles

- a. Flagpoles shall be less than the height of the tallest building on the property where they are located, but no more than 50', whichever is less.
- b. The length of the flag shall not exceed 1/3 the height of the flagpole.

~~8.9.~~ Freestanding Signs.

- a. Freestanding signs shall only be allowed on commercial parcels greater than ten (10) acres. One freestanding sign per three hundred (300') feet of street frontage is allowed.
- b. Freestanding signs shall include the numeric street address of the property upon which it is located. The numbers shall be between nine inches (9") and fifteen inches (15") in height.
- c. Freestanding signs shall be incorporated into a landscaped design or planter box.
- ~~d. No sign may be located closer than two hundred feet (200') to any intersection.~~
- ~~e.d.~~ No sign may be higher than twenty-five feet (25') high.
- ~~f.e.~~ No sign may extend over a pedestrian or vehicular access area.
- ~~g.f.~~ Signs shall be setback from any adjacent property line one foot (1') for each foot of sign height, including any base or supporting structure.
- ~~h.g.~~ Structural supports shall be concealed with pole covers at least thirty-six inches (36") wide.
- ~~i.h.~~ On-premise signs located within one thousand feet (1000') of Interstate 15 may increase their height so that the sign is visible not more than twenty-five feet (25') above the nearest lane, overpass, sound wall or other view obstruction, whichever is highest.
- ~~j.i.~~ Two (2) or more owners of separate, contiguous parcels of real property may elect to combine the street or highway frontage of their respective contiguous properties. If such properties are so combined, only one (1) freestanding sign may be constructed or erected in accordance with the provisions of this chapter, and an agreement, as approved by the City, shall be recorded with the Weber County Recorder, agreeing to hold the properties together for the purpose of signage.

~~9.10.~~ Holiday Signs/Decorations. Signs and decorations commonly associated with any national, state or local holiday, as well as any faith-based observances and social customs or causes, shall comply with the following:

- a. All such signs/decorations shall be entirely confined to the property on which they are originally erected.
- b. No sign or decoration shall be placed in a manner to cause confusion with authorized traffic lights and signals.
- ~~c. All holiday decorations/signs shall be removed within a reasonable time after the holiday is over.~~

~~10.11.~~ Monument Signs. Monument signs are permitted for any non-residential lot with a minimum of thirty feet (30') of street frontage. The dimensions, area and number of permitted signs are indicated below. Maximum height includes the height of the base, which shall be a minimum of one-foot (1'), and maximum width includes any frame or support structure.

	Property Frontage (linear feet)	Max Area per sign face (square feet)	Max Height (feet)	Max Area (feet)	Max Number of Signs
Freestanding Commercial	0-99	25	6	8	1
	100-299	55, or .33 per linear foot of frontage, whichever is less	8	8	1

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	300-599	65, or .33 per linear foot of frontage, whichever is less	8	8	1
	600+	65, or .33 per linear foot of frontage, whichever is less	8	8	2
Planned Commercial Center	0-399	120, or .5 per linear foot of frontage, whichever is less	20	12	1
	400-599	220, or .5 per linear foot of frontage, whichever is less	25	16	1
	600+	220, or .5 per linear foot of frontage, whichever is less	25	16	2

- a. Properties in excess of 1,200 linear feet of frontage may be permitted an additional sign for each additional 600' feet of linear frontage (e.g- 1,201-1,799 = 3 signs)
- b. Parcels with two or more street frontages are permitted one sign per frontage, provided that such signs can be placed a minimum of 100' from each other, measured diagonally across the property.
- c. When more than one monument sign is permitted, they shall be placed a minimum of three hundred feet (300') apart.
- d. Monument signs shall be incorporated into a landscaped design or planter box.
- e. Signs shall be setback from any adjacent property line one foot (1') for each foot of sign height, including any base or supporting structure.
- f. Monument signs shall include the numeric street address of the property upon which it is located. The numbers shall be between nine inches (9") and fifteen inches (15") in height.

~~11,12.~~ Political Signs

- a. Primary Elections - No political sign may be placed or erected more than ~~forty-five (45)~~thirty (30) days prior to an primary election and shall be removed within seventy-two (72) hours after the polls have closed. Thirty days does not include the date of the election.
- ~~a-b.~~ General Elections - No political sign may be placed or erected prior October 5th.
- ~~b-c.~~ No political sign may be placed within 150' of a ballot box or polling location.

~~12,13.~~ Real Estate Signs. Signs announcing the location, availability and/or development of a property are allowed, subject to the following conditions:

- a. Signs advertising the sale of an individual lot shall be no larger than sixteen square feet (16') in area, with a maximum height of four feet (4').
 - i. On residential lots under construction, one sign is allowed advertising the sale of the lot and one sign is allowed advertising the developer of the lot.
- b. Signs announcing the future development of commercial, industrial or residential property shall not exceed ninety-six square feet (96') in area, with a maximum height of eight feet (8')
 - i. One sign per public or private street frontage is permitted.
 - ii. No sign shall be erected prior to approval of the development plan (subdivision, site plan, etc) for the property on which the sign shall be located.
- c. Signs announcing an open house on the property where the sign is located may not exceed thirty-two square feet in area (32'), with a maximum height of eight feet (8'). Open house signs may be placed on the subject property no more than twenty-four (24) hours prior to the open house and shall be removed upon completion of the open house.

~~13,14.~~ Suspended Signs.

- a. Suspended signs shall not extend beyond the out edge of the awning, marquee, canopy or façade to which they are attached.

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- b. Suspended signs shall have a minimum eight-foot (8') clearance above the sidewalk or landscaped area they are over.
- c. A minimum of five feet (5') horizontal distance shall separate suspended signs.

~~14.15.~~ Temporary Signs. Regardless of the purpose or nature of the sign, all temporary signs shall comply with the following:

- a. Temporary signs shall advertise a specific event or occasion.
- b. Temporary signs may be placed no more than forty-five (45) days prior to the event or occasion which they advertise, may remain for the duration of the event, and shall be removed within forty-eight (48) hours after the event concludes.
 - i. In the event a temporary sign is advertising a change of ownership, it shall be removed within forty-five (45) days after the ownership has changed.
 - ii. In the event a temporary sign is advertising a going out of business/bankruptcy sale, it may so advertise for a period of not longer than ninety (90) days.

~~15.16.~~ Wall Signs. More than one wall sign may be erected on a single building, provided that no more than seven (7) signs are erected and the total of all such signs does not exceed the square footage listed above.

- a. When multiple wall signs are erected on a single building, the design, size, lighting and other elements of the signs shall blend together to create a cohesive theme.
- b. Wall signs shall be limited to a single wall of the freestanding building. Any side with exposure may be used.
- c. No wall sign shall project more than eighteen inches (18") beyond the wall to which it is attached.
- d. Multi-tenant buildings may use a single wall sign to identify all business located within the building.

~~16.17.~~ Window Signs. Window signs and indoor illuminated signs within eighteen inches (18") of the window shall not occupy more than twenty-five percent (25%) of the surface area of a single window or group of windows.

56.12 Application Process

~~Regardless of whether or not a sign requires a building permit, no sign shall be erected in West Haven City without first obtaining a sign permit from the Community Development Department. Upon review of the sign application and determination that it complies with this chapter, the Community Development Director, or their designee, shall issue a sign permit.~~

1. Signs which require a building permit shall first obtain a sign permit. Applications for a sign permit shall include, the following:
 - a. A plot plan showing the relationship of any and all proposed signs to buildings, property lines, setbacks, intersections, easements and driveway accesses on the property, as well as properties located within three-hundred feet (300') of the property at issue.
 - b. A scaled drawing showing, where applicable, the color, dimensions, proposed landscaping, sign materials, type of illumination and street-view of the sign(s).
 - c. Details of sign construction, including any electrical plan and foundation scheme.
 - ~~d. Temporary signs shall state the length of display period.~~
 - ~~e.d.~~ Proof of a current West Haven business license.
 - ~~f.e.~~ The name, address and contact information for the business owner, business operator and property owner.
 - ~~g.f.~~ Contact information for any contractors used on the project.

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h.g. Value of the sign.

2. **If signs are proposed as part of a new commercial site plan, they shall not be required to obtain a separate sign permit. Review and approval of the site plan shall constitute approval of the sign(s).**
3. Notwithstanding the foregoing, the Community Development Director, or their designee, may require additional information if they determine that the sign requires further review.
4. Issuance of a sign permit does not exempt an applicant from any requirements or conditions of a building permit. Applicant shall be required to apply for and obtain a building permit after issuance of the sign permit.
5. The party responsible for the sign shall keep a record of any and all applications submitted and permits issued for the sign and to present them to the Community Development Department upon request.
6. The Community Development Department shall maintain such drawings as may aid a sign applicant in determining how the lighting, area and placement of the sign will be calculated.

56.14 Violation

Any violation of this chapter shall be enforced by the Community Development Department. All such violation notices, remedies and procedures for non-compliance shall following the West Haven City Zoning Code violation ordinance.

Resolution No. 37-2021

**RESOLUTION OF WEST HAVEN CITY CREATING VOTER PARTICIPATION AREAS
AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE
IMMEDIATELY UPON POSTING AND FINAL PASSAGE.**

WHEREAS, the City Council finds that the City of West Haven ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") § 10-3-717 & § 10-9a-408, the governing body of the city may exercise all administrative powers by resolution including, but not limited to creating Voter Participation Areas as provided at UC § 20A-7-401.3; and,

WHEREAS, the City Council finds it necessary to address Voter Participation Areas within the city consistent with state and federal requirements; and,

WHEREAS, the City Council finds that creating Voter Participation Areas will materially assist in achieving the purposes described in UC §20A-7-501 and §20A-7-601; and,

WHEREAS, the City Council finds that City now desires to further those ends by creating Voter Participation Areas as provided at UC § 20A-7-401.3 to effectively manage election services; and,

WHEREAS, the City Council finds that the public convenience, health, and necessity requires the actions contemplated,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF WEST HAVEN AS FOLLOWS:

SECTION II - VOTER PARTICIPATION AREAS CREATED AS PROVIDED AT UC § 20A-7-401.3.

West Haven City Voter Participation Areas Are Adopted And Approved As Set Out In **Attachment "A"**, And By This Reference Fully Incorporated. The Mayor Is Authorized To Sign And The City Recorder Is Authorized To Attest, Any And All Documents Necessary To Effect This Authorization And Approval.

The foregoing recitals are fully incorporated herein.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, and Resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Resolution, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part repealed.

SECTION V - SAVINGS CLAUSE

If any provision of this Resolution be held or deemed or shall be invalid, inoperative or unenforceable such will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed the separate independent and severable act of the City Council of West Haven City.

SECTION VI - DATE OF EFFECT

This Resolution will be effective on the 21st day of December, 2021, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH,** on this 21st day of December, 2021.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

West Haven City Council Districts

