

ORDINANCE NO. 2001-07

AN ORDINANCE EXTENDING THE TERM OF ORDINANCE 2001-03, PROVIDING FOR TEMPORARY RESTRICTIONS FOR THE ERECTION OF OUTDOOR ADVERTISING SIGNS IN THE CITY OF WENDOVER, TOOELE COUNTY, UTAH.

RECITALS

1. Pursuant to U.C.A. §10-9-404 the City of Wendover (the "City") is authorized to enact temporary zoning regulations, with an effective term not exceeding six (6) months, prohibiting or regulating the erection, construction, reconstruction or alteration of any building or structure or subdivision approval.

2. The City Council of the City of Wendover (the "City Council") has been, and is now faced with growing concern and dissatisfaction expressed by residents and businesses in the City on the issue of outdoor advertising, and in particular, off premise signs, which are regulated under Chapter 9 of the City's zoning ordinance and under the Utah Outdoor Advertising Act, U.C.A. § 72-7-501, et. seq.

3. The City is presently involved in the preparation of a general plan for the City, and in connection therewith, intends to revisit its zoning regulations, including regulations relating to outdoor advertising in the City.

4. The City Council hereby makes a finding of continuing compelling countervailing public interest with respect to the proliferation of off premise signage within the City. The City Council finds that it is reasonable, appropriate and necessary that the City extend its temporary regulations prohibiting the erection, construction, reconstruction or alteration of off premise signs within the City.

5. Ordinance 2001-03, An Ordinance Providing Temporary Restrictions of the Erection of Outdoor Advertising Signs in the City of Wendover, Tooele County, Utah, was passed and adopted by the City Council on April 4, 2001.

6. The City Council deems it appropriate and necessary and in the best interest of the public to continue the temporary regulations stipulated by Ordinance 2001-03 until October 4, 2001; the full six-month period allowed pursuant to U.C.A. §10-9-404.

BE IT ORDAINED BY THE WENDOVER CITY COUNCIL:

Section No. 1. Temporary Regulations Extended. The following temporary regulations are hereby extended by the City of Wendover:

A. Pending further action by the City Council relating to the adoption of a general plan and the adoption of an amended or restated zoning code, or subparts thereof, the erection,

construction, reconstruction or alteration of off premise signs within the City is hereby prohibited.

B. The City is authorized to issue permits for the repair, alteration or maintenance of off premise signs where required for public safety.

C. The City is authorized to consider and approve new applications for the construction or reconstruction of off premise signs where the same will have the effect to removing an existing off premise sign from the corridor parallel to and within 300 feet from the center line of Wendover Boulevard (State Highway 40) between Interstate 80 on the east and extending to the state line on the west or from residential areas of the City.

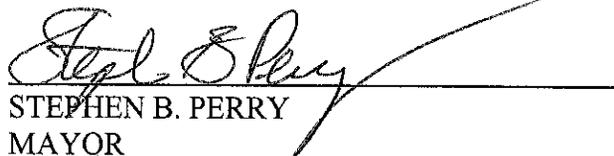
D. A new application for such a use shall be submitted to the City Planning Commission for review under its conditional use program and to the City Building Inspector. The current rules of the City's sign ordinance as to distances between signs, measured in all directions, shall be strictly enforced. Upon approval by the City Planning Commission and the City Building Inspector, the application may be considered by the City Council for final approval.

Section No. 2. Effective Dates of Temporary Regulations. This Ordinance shall be effective upon passage and posting as required by law. This Ordinance shall remain effective until October 4, 2001, unless otherwise repealed or extended by the City Council. In no event shall the temporary regulations adopted herein extend beyond a term of six (6) months,

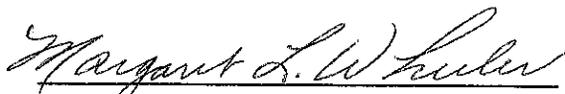
Section No. 3. Temporary Repealer. Except as provided herein, all previous ordinances, rules and regulations adopted by the governing body of the City relating to off premise signage in the City are temporarily repealed.

Section No. 4. Severability Clause. The provisions of this Ordinance and all regulations which may be adopted hereunder, are severable. If any provision of this Ordinance is held invalid or unenforceable for any reason, said invalidity or unenforceability shall not affect any other provision of this Ordinance or its application under a different circumstance.

PASSED AND ADOPTED BY THE WENDOVER CITY COUNCIL THIS 15th DAY OF AUGUST, 2001.


STEPHEN B. PERRY
MAYOR

ATTEST:


MARGARET L. WHEELER
CITY RECORDER