

ORDINANCE NO. 2006-02

AN ORDINANCE PROVIDING TEMPORARY RESTRICTIONS OF 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 is authorized to enact temporary zoning regulations, with an effective term not exceeding six (6) months, prohibiting or regulating the erection, construction, reconstruction or alternation of any building or structure or subdivision approval.

2. The City Council of the City of Wendover is 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 compelling countervailing public interest with respect to the proliferation of off premise signage within the City. The Council finds that it is reasonable, appropriate and necessary that the City adopt temporary regulations prohibiting the erection, construction, reconstruction or alteration of off premise signs within the City.

BE IT ORDAINED BY THE WENDOVER CITY COUNCIL:

Section No.1. Temporary Regulations Enacted. The following temporary regulations are hereby adopted 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 remove an existing off premise sign form 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.

POSTED: 03/22/06: Fred's Market, Wendover City Offices, Wendover Post Office, and faxed to the Wendover Times.

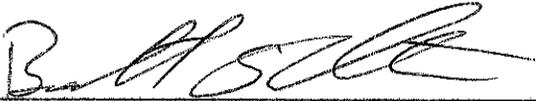
D. A new application for such a use shall be submitted to the Planning Commission for review under its conditional use program and to the Building Inspector. The current rules of the City's sign ordinance as to distances between signs, measured in all directions, shall be strictly enforced. Upon approval by the Planning Commission and 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 first day of June, 2006, 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 1ST DAY OF FEBRUARY, 2006.



Brett Shelton: Mayor

ATTEST:



Margaret L. Wheeler: Clerk/Recorder

MAYOR
Brett Shelton

CITY ADMINISTRATOR
Glenn Wadsworth



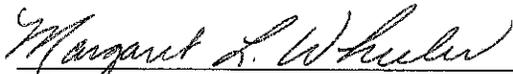
CITY COUNCIL
Ms. Gertrude Tripp
Mr. Stephen Lawrence
Mr. Karl Jorgenson
Mr. Mike R. Crawford
Mr. Gary Bean

CERTIFICATE OF POSTING ORDINANCES

I, THE DULY APPOINTED AND ACTING RECORDER FOR THE CITY OF WENDOVER, UTAH
HEREBY CERTIFY THAT COPIES OF THE FOREGOING ORDINANCE #2006-02 WERE POSTED AT
THREE PUBLIC PLACES WITHIN THE MUNICIPALITY THIS 22ND DAY OF MARCH 2006 WHICH
PLACES ARE:

1. WENDOVER, UTAH CITY OFFICES
2. FRED'S MARKET
3. WENDOVER, UTAH POST OFFICES
4. FAXED TO THE WENDOVER TIMES

DATED THIS 22ND DAY OF MARCH, 2006.


CITY CLERK/RECORDER