

ORDINANCE NO. 06-02-2022

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW TWO DRIVE-IN RESTAURANT MENU BOARDS PER DRIVE-IN AISLE AND ALLOW LARGER DIRECTIONAL AND INSTRUCTIONAL SIGNS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

WHEREAS, the City Council has specific authority pursuant to Title 10, Chapter 9a, Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council desires to amend Santaquin City Code Title 10, Chapter 44, Section 070 to allow two drive-in restaurant menu boards per drive-in aisle and larger directional and instructional signs.; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on May 24, 2022, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Amendments

Title 10 Chapter 44 Section 070 is amended as follows: (underlined text is added, stricken text is deleted)

10.44.070 SIGNS ALLOWED WITHOUT A PERMIT

- A. All Zones: The following signs are allowed in any zoning district, except on public property, without the requirement of a sign permit.

1. Directional Or Instructional Signs: Signs which provide direction or instruction and are located entirely on premises and which do not in any way advertise a business shall not exceed five (5) ~~four (4)~~ square feet in area or seven (7') ~~four~~ feet ~~(4')~~ in height. These signs may identify restrooms, public telephones, walkways, or shall provide direction such as parking lot entrance and exit signs and those of a similar nature.
- C. Commercial And Industrial Zones: It is recognized that signs announcing the location, availability, or development of property are necessary. Because these are allowed without a permit, restraint is advised.
3. Other Allowed Signs:
- a. Window Signs: Window signs which are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of any single window, or twenty five percent (25%) of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances, or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen inches (18") of the window surface.
 - b. Menu Boards: Menu boards for drive-in restaurants are to be reviewed and approved by the community development department at site plan review. The following shall apply although the planning commission may approve additional menu boards or ~~them at~~ different locations ~~at the time of site plan review only~~, depending upon circumstances:
 1. Only two (2) menu boards are allowed per ~~site drive-in aisle~~. If the menu board is located in the front of the building, it ~~and~~ must be located behind the minimum front setback on the primary frontage. ~~landscaped setback area.~~
 2. Maximum area shall not exceed thirty-five (35) square feet per sign and six feet (6') in height.
 - c. Gasoline Price Signs: One double faced sign for each type of fuel sold is allowed per gas island with a maximum of ten (10) sets per station. The area of said sign may not exceed four (4) square feet each. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, June 8, 2022. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 7th day of June 2022.

Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted	___
Councilmember Elizabeth Montoya	Voted	___
Councilmember Lynn Mecham	Voted	___
Councilmember Jeff Siddoway	Voted	___
Councilmember David Hathaway	Voted	___

ATTEST:

Amalie R. Ottley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 7th day of June 2022, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW TWO DRIVE-IN RESTAURANT MENU BOARDS PER DRIVE-IN AISLE AND ALLOW LARGER DIRECTIONAL AND INSTRUCTIONAL SIGNS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 7th day of June 2022.

Amalie R. Ottley
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Amalie R. Ottley, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the 7th day of June 2022.

The three places are as follows:

1. Zions Bank
2. Post Office
3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

Amalie R. Ottley
Santaquin City Recorder

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by Amalie R. Ottley.

Notary Public