



Regular City Council Meeting
Tuesday, May 5, 2020
City Hall Council Chambers
5249 South 400 East, Washington Terrace City
801-393-8681
www.washingtonterracecity.com

*** Note: Due to COVID19 restrictions, the meeting will be available for viewing and citizen comments through the City's Facebook live stream.**

1. WORK SESSION 5:00 P.M.

Topics to include, but are not limited to:

- Fiscal Year 20 adjusted budget, Fiscal Year 21 Tentative Budget, And Fiscal Years 22-25 Budget Plan ; Major Budget Items

2. ROLL CALL 6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

5.2 APPROVAL OF APRIL 21, 2020 MEETING MINUTES

6. CITIZEN COMMENTS

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes.

7. COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN COMMENTS

Council and staff will consider and address concerns and take appropriate measures to follow up on any comments made in the citizen comments item on the agenda.

8. NEW BUSINESS

For more information on these agenda items, please visit our website at www.washingtonterracecity.com

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

8.1 PRESENTATION: FY 2020 AMENDED BUDGET, FY 2021 TENTATIVE BUDGET, AND FY 2022-25 BUDGET PLAN

Follow up on work session discussion topics.

8.2 MOTION: TO TENTATIVELY APPROVE THE TENTATIVE BUDGET

State law requires that the tentative budget be reviewed, considered, and tentatively adopted by the governing body and may be amended or revised prior to its final adoption.

8.3 PRESENTATION: INTRODUCTION OF CHIEF BUILDING OFFICIAL/ COMMUNITY DEVELOPMENT DIRECTOR

Introduction of Tyler D. Seaman as the new Chief Building Official/Community Development Director

8.4 MOTION/ORDINANCE 20-02: LAND USE ADMINISTRATION AND SIGN AMENDED TO REGULATE REAL ESTATE SIGNS AND VEHICULAR ADS

An ordinance regulating the size, placement, and number of signs relating to signs in residential areas, along with regulations concerning vehicular ads.

9. COUNCIL COMMUNICATION WITH STAFF

This is a discussion item only. No final action will be taken.

10. ADMINISTRATION REPORTS

This is an opportunity for staff to address the Council pertaining to administrative items.

11. UPCOMING EVENTS

May 19th: City Council Work Session 5:00 p.m.(tentative)

May 19th: City Council Meeting 6:00 p.m.

May 28th: Planning Commission Meeting 6:00 p.m.

12. ADJOURN THE MEETING: MAYOR ALLEN

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City of Washington Terrace

Minutes of a Regular City Council meeting
Held on April 21, 2020
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

9 * **Note: Due to COVID19 restrictions, the meeting was available for viewing and citizen comments through the City’s Facebook live stream.**

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13 **MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT**

- 14 Mayor Mark C. Allen
- 15 Council Member F. Carey Seal
- 16 Council Member Blair Brown
- 17 Council Member Larry Weir
- 18 Council Member Scott Barker
- 19 Council Member Jeff West
- 20 Finance Director Shari Garret
- 21 Public Works Director Jake Meibos
- 22 Fire Chief Clay Peterson
- 23 South Ogden Animal Control Officer Kim Busby
- 24 City Recorder Amy Rodriguez
- 25 City Manager Tom Hanson
- 26 Lt. Brett Butler, Weber County Sheriff

27
28 **Others Present**

29 The meeting was held via zoom, live streamed on the Washington Terrace City facebook page.

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31 **2. ROLL CALL 6:00 P.M.**

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33 **3. PLEDGE OF ALLEGIANCE**

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35 **4. WELCOME**

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37 **5. CONSENT ITEMS**

- 38 **5.1 APPROVAL OF AGENDA**
- 39 **5.2 APPROVAL OF APRIL 7, 2020 MEETING MINUTES**

40 **Items 5.1 and 5.2 were approved by General Consent.**

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43 **6. SPECIAL ORDER**

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45 **6.1PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**
46 **SECOND PUBLIC HEARING TO HEAR CITIZEN INPUT CONCERNING THE**
47 **PROJECTS THAT WERE AWARDED UNDER THE 2020 COMMUNITY**
48 **DEVELOPMENT BLOCK GRANT PROGRAM**

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COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING

Mayor Allen opened the second public hearing for the CDBG program. Mayor Allen stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2020 Grant Year Community Development Block Grant Program.

The City has amended its capital investment plan and decided to apply for funds on behalf of the Completion of the Water Main Lines to Tank #1, located at 5295 South 500 West. The Mayor introduced Amy Rodriguez as Grant Manager, and Jake Meibos as the Project Manager of the Completion of the Water Main Feed to Tank #1 Project. The Mayor explained that the application was successful in the regional rating and ranking process and the Completion of the Water Main Feeds to Tank #1 was awarded \$236,606.

The Mayor explained the project to those in attendance.

The Mayor then asked for any comments, questions and concerns from the audience. The Mayor stated that copies of the capital investment plan are available if anyone would like a copy.

There were no more comments and the hearing was adjourned at 6:17 p.m.

7. CITIZEN COMMENTS

There were no citizen comments.

8. COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN COMMENTS

Due to no citizen comments in item 7, item 8 is unnecessary.

9. NEW BUSINESS

9.1 DISCUSSION: FISCAL YEAR 2019 AMENDED BUDGET, FISCAL YEAR 2020 TENTATIVE BUDGET, FISCAL YEARS 21-25 BUDGET PLAN

Hanson stated that he is working with Garrett on tightening the plan that was discussed during the Revenue shortfall plan discussion. He stated that he has met with the Sheriff's office to discuss their proposals.

Garrett stated that there are no new updates for the budget, stating that staff received clear direction at the last meeting on the direction that the Council would like to go with the approval of the Recession Shortfall Plan. She stated that the budget will address capital spending, personnel, revenues and the economic impact due to the COVID 19 response.

Council Member Barker about federal assistance to local government. Garrett stated that as of right now, she has heard that any assistance would not be due to revenue shortfalls, noting that relief might come in the form of reimbursements for additional items that the City had to spend for COVID19 response (medical supplies ,cleaning supplies, equipment). Garrett stated that the response plans are continually changing.

The mayor stated that ULCT has been doing a lot of lobbying for the cities to see if any of the relief

91 money will trickle down to the cities and towns. Hanson stated that any additional expenses relating to
92 COVID19 may be potentially covered by stated allocation. Council Member Seal stated that there is a
93 full time officer at the testing site at the hospital and asked if we could claim his expenses as part of our
94 costs. Hanson stated that it is just a vehicle, there is no one manning the vehicle. Mayor Allen stated that
95 it could be reimbursable to the Sheriff department if it was manned, as those are the types of costs that
96 are proposed to be covered.
97 Mayor Allen stated that the Sheriff Department meetings have been going well and he will meet with the
98 Sheriff before their meeting on Friday to discuss what the City is going to be doing about increases and
99 costs. The Mayor stated that we will try to keep our pass-alongs down and noted that we will not hold a
100 Truth in Taxation this year. Hanson stated that staff is working diligently and conservatively on budget
101 Projections.

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105 **9.2 PRESENTATION: FINANCE QUARTERLY REPORT**

106 Garrett stated that we started to see closures in mid-march. She stated that we will see more effects
107 of the COVID 19 beginning in April.

108 Garrett spoke on the revenue highlights in the General Fund.

109 Garrett stated that tax revenue is up in the General Fund. She stated that sales tax is up 9 percent
110 and coming in strong. She stated that sales tax has exceeded our budget projections. She stated we
111 will need to lean on that increase to help carry some of the weight.

112 Garret stated that franchise tax is up under one percent. She stated that we are seeing good strength in
113 licensing and permits, noting that we are seeing permits in the infill properties. She stated that licensing
114 and permits are really meeting their targets. She stated that it is a positive sign that the area is not slowing
115 down as a result of COVID 19.

116 Garrett stated that intergovernmental revenue through interlocals with other entities are down
117 Slightly. She stated that we are down around 40 percent in fines and forfeitures, noting that it is not
118 uncommon around the state.

119

120 Garrett highlighted expenditures in the General Fund, stating that the largest increase is for the
121 Fire Department. She stated that those were directly paid through the tax increase from last year.
122 She stated that we do not know how long the downturn will hit us and staff will be asking Council to
123 make decisions along the way. She stated that there are no estimates available at this time as to how
124 hard or long this will hit us.

125

126 Garrett stated that we are hitting operating expenses as projected. She stated that there is a lot of capital
127 that we can expend. She stated that the funds can be transferred over until next fiscal year if we cannot
128 expend them this year.

129 She stated that residences are consuming more water. She stated that we will have to reevaluate the
130 capital budget due to the recession shortfall. She stated that non-critical capital projects may be pushed
131 back to help balance out the funds.

132 Garrett stated that there are more operating expenses in the sewer fund as pass-alongs from the Sewer
133 District are rising.

134 Garrett stated that we are meeting budget projections for the storm water fund. She stated that we have a
135 lot of projects that we may have to defer this year.

136 Garrett stated that refuse is meeting budget projections. She stated that we may have to dip into reserves
137 if we see changes in the revenue stream.

138 Garrett stated that there will be a budget adjustment in May. She stated that according the COVID

139 Recession plan approved by Council, staff will be scaling back to balance any of the negative
140 effects on the revenue side. She stated that we are taking full advantage of the franchise tax
141 to the maximum level.
142

143 **9.3 PRESENTATION: FIRE DEPARTMENT QUARTERLY REPORT**

144 Chief Peterson stated that the goal of the Department is to be fully staffed with 30 people.
145 He stated that we currently have 24 and 2 more will be joining in the next few weeks.
146 In regards to the retention issues of last year, he stated that we have only lost one person this
147 Year, due to an out of state move. He stated that the retention efforts are working.
148 Peterson stated that another change in the Department is a sense of ownership. The firefighters
149 morale has changed and they are taking on more initiatives and self- trainings. Chief Peterson noted that
150 they have cancelled the monthly training due to social distancing.
151 Peterson stated that there were two house fires in the last quarter.
152 He stated that there were 62 calls to nursing homes, which is 37 percent of their calls during the
153 third quarter.
154 Chief Peterson stated that the Department took part in the “Thank you” parade for the hospital staff
155 for all the work that they are doing. The Mayor stated that he heard a lot of praise on the parade. He
156 thanked Chief Peterson and Deputy Chief Davies on their great work with the Department.
157
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159 **9.4 PRESENTATION: SHERIFF’F OFFICE QUARTERLY REPORT**

160 Lt Butler stated that calls are down only 31 calls from last year even with COVID19 occurring.
161 He stated that court revenue is down because there are less traffic stops. He stated that the officers are
162 seeing activity pick up. He stated that juvenile crimes are going up since the schools have been out.
163 Butler stated that the call volume for juvenile runaways are high, most likely because the school has been
164 let out. He stated that simple assault numbers are moving up.
165 Lt. Butler stated that there was an officer involved shooting in the beginning of the quarter which took a
166 lot of man power.
167 Butler stated that domestic violence calls have increased, with 36 jus this quarter. He stated that because
168 people are working from home and are around more, there have been 64 suspicious instances calls.
169 Butler stated that if the testing site needs an officer they will be there to help.
170 He stated that the school resource officers are being put on swings shifts resulting in more man power.
171 Council Member Barker asked if the domestic calls are repeat offenders or individual cases involving
172 36 families in the City. Lt Butler did not know if they are repeat offenders, but that they
173 are all logged as separate cases.
174
175

176 **9.5 PRESENTATION: ANIMAL CONTROL QUARTERLY REPORT**

177 Karen Disney reported to Council on activity during the Jan-Mar 2020 quarter. She stated that
178 have been more calls involving roaming animals. She stated that they were tasked by Council for more
179 park patrols. She stated that her officers feel that if there were more clean up stations at the park, the
180 problem of owners not cleaning up after their dogs would lessen. She stated that the leash law signs are
181 very small and they suggest bigger and more signs. Kim Busby stated that the signs may be too small
182 for people to see. Council Member Seal suggested that the signs be made bigger and placed at the
183 entrance of the park. Disney asked if notices could be put in the water bill to remind people about
184 licensing and dog barking issue. Busby would like the City to post information about the leash law,
185 stating that there are more dog bites when the animals are not on leashes. She stated that they will cite
186 residents if they violate the law twice. She suggested that a dog park may be one answer to the dogs in
187 the park issues. Busby stated that dog bites are on the rise, however, this is typical this time of year.

188 Mayor Allen stated that he receives a lot of dog barking calls. Busby stated that the deputies may address
189 these calls, and she will issue the citation at a later time if she is not available for the call.
190
191

192 **9.6 DISCUSSION/MOTION: APPROVAL TO AWARD CONTRACTS FOR**
193 **2020 STREET MAINTENANCE PROJECTS**

194 Hanson stated that Class “C” Road funds are one time money and can only be used for roads.
195 Meibos stated that the project came in lower than expected, with the low bid for the asphalt and
196 Paint striping projects combined was from Staker Parsons for \$222,117.85. He stated that the
197 Crack seal project low bid was CKC Field Services for the amount of \$35,765.74.
198 Meibos stated that we have more Class “C” road funding and would like to the option to add more
199 Quantities to either or both contractors for a grand total of the engineers estimated amount of
200 \$350,854.97.
201 Meibos stated that the streets to be included in this project were determined by himself and our engineer
202 using the LTAP study on roads in our city. He stated that he worked with the engineer to design a plan on
203 which areas would receive the repairs.
204 He stated that we can get a lot more work done with these prices and prolong the life of our roads for the
205 future.
206 Meibos stated that the work will happen in phases: crack seal, surface projects, then paint striping. A
207 Schedule and timeline will be worked out with the awarding of the projects.
208 Mayor Allen clarified that Meibos is asking for the approval of not only the contractors, but also the
209 estimated amount of \$350,854.

210 **Motion by Council Member Weir**
211 **Seconded by Council Member Barker**
212 **To approve the bids as quoted and approve**
213 **further work if needed up to \$350,854.97**
214 **Approved unanimously (5-0)**
215
216

217 **9.7 MOTION: APPROVAL OF THE STANDER TOWNHOMES AMENDED**
218 **PHASE II SUBDIVISION**

219 Meibos stated that this is an amendment for the Stander infill subdivision on 5000 South. He
220 noted that 6 additional lots have been added, along with some infrastructure.
221 The site plan has been approved by the Planning Commission.
222 Mayor Allen stated that the products are a continuation from a project a few years ago and are
223 coming along nicely.
224

225 **Motion by Council Member West**
226 **Seconded by Council Member Barker**
227 **To approve the Stander Townhomes Amended Phase II subdivision as described**
228 **Approved Unanimously (5-0)**
229
230

231 **10. COUNCIL COMMUNICATION WITH STAFF**
232

233 Council Member Seal inquired on the status of the intersection by 5700 South. Hanson stated that he
234 spoke with the owner and the trees will be trimmed back and cleaned up. Hanson will review the sign
235 ordinance to see if it is a legal sign.
236

237 Council Member Brown stated that he was approached by resident Jimmy Clatterback to see if it would
238 be possible to use the senior center parking lot for a garage sale. Council Member Brown stated that the
239 parking lot is right next door to his house. He stated that he realizes there is an issue of “if we do it for
240 one, we need to do it for all”, however, he stated that Mr. Clatterback has done a lot of service for the
241 City and wondered the Council’s thoughts. Council Member Weir suggested letting him use the old fire
242 station slab of concrete.

243 Hanson stated that he supports the idea. He stated that one suggestion would be to allow people to sign
244 up and use the old fire station lot as someone would do for the bowery. Council Member Brown stated
245 that he has concerns that it would become a junk yard. Council Member West suggested a special use
246 permit could be issued, however, he cautioned that someone might want to use it for other purposes.
247 Mayor Allen agreed, stating that we don’t know what is going to go in there. He suggested maybe
248 allowing it once, and have other families sign up and participate together.

249 Council Member Barker stated that if we are going to do that, we should use the senior center since there
250 is more parking. Otherwise people will be parking down the road and make other residents mad.
251 The Mayor stated that we would have to check and see if it would interfere with parking for fire vehicles.
252 Hanson stated that anything would have to be after COVID19. Council Member Brown stated that he
253 would hate to attract a lot of people who have junky items. He would hate to see it get out of hand and
254 become a junky area. Council Member Weir suggested involving the high school parking lots. Council
255 Member Barker stated that we might be able to work out a deal with the Methodist Church and make it a
256 community event.

257 Mayor Allen stated that we do not want to have crowds in the city during COVID19 outbreak. Mayor
258 Allen stated that we are willing to work with Mr. Clatterback, noting that he does a lot for the City. He
259 advised Council Member Brown to let him know we are interested to help, but we may have to open it up
260 and allow many participants.

261 Council Member Seal stated that it should not be put on the table until COVID 19 is over and address it
262 again then.

263

264 Council Member Weir asked if we are working on the sidewalks this summer. Meibos replied that the
265 south end of the town project will be starting tomorrow, noting that we will add to it through the summer
266 if we can. Meibos stated that if sidewalks are not a trip hazard, they are not a high
267 priority. If they are an offset trip hazard, they will be a higher priority above one that is just bowed.

268 Council Member Weir wanted to say thank you to Republic Services for their spring clean up this year,
269 noting they exceeded their “once” through mark. Meibos stated that 20 tons of green waste was picked up
270 in two days.

271

272 Council Member Barker asked if the loud music code violation has been resolved. Hanson stated that the
273 Sheriff’s Office was going to follow up on the request.

274 Council Member Barker asked if we have had a lot of residents having trouble keeping up with their
275 utility bills. Hanson stated that they have had a lot of positive feedback on our response and have
276 negotiated a few accounts that may have been shut off otherwise. He stated that those who have made
277 arrangements have been keeping up with the arrangements.

278

279 Mayor Allen asked about the lighting issue on Adams Ave and 5700 South. Meibos stated that there was
280 an issue when the lights were hooked up by the transformers and will be reconnected by the end of the
281 week.

282 Mayor Allen stated that he was approached by the Senior class president of Bonneville High School.
283 They would like to put up a “Seniors sign” at the entrance to the city. Mayor Allen stated that the City
284 would be interested to help, however they will need to keep up in the loop before they do anything, as

285 there are rules to the types of signs that we can put on thorough fares. They need to follow our sign
286 ordinance because there are things that we can and cannot do.
287 Mayor Allen stated that he spoke to the man in charge of the drive through testing area. He stated that he
288 he thanked our Public Works crew and the Sheriff's Office for their help. Mayor Allen stated that is is
289 working very well, averaging 400 tests per day.
290 Mayor Allen stated that he was involved with a meeting with the county, stating that there will be a news
291 conference tomorrow regarding a regional plan directive for a soft opening on May 1st for Davis, Weber,
292 and Morgan counties. He stated that parks and facemasks may be brought up in the news conference.
293

294 **11. ADMINISTRATION REPORTS**

295 Hanson stated that our staff will continue to work split shifts and isolate as much as possible. Hanson
296 stated that staff has done a great keeping everything going in the background even though we have been
297 isolated to keep everything moving and provide the best possible service to the residents. He noted that
298 staff is using the extra capacity for training and development for their
299 Certifications and using any gaps appropriately.
300 Mayor Allen stated that the Weber Center will be staffed as normal during the soft opening beginning in
301 May. Hanson sated that we will remain cautious.
302

303 **12. UPCOMING EVENTS**

304 April 30th: Planning Commission (cancelled)
305 May 5th: City Council Work Session 5:00 p.m.
306 May 5th: City Council Meeting 6:00 p.m.
307 May 19th: City Council Work Session 5:00 p.m.
308 May 19th City Council Meeting 6:00 p.m.
309 May 28th: Planning Commission Meeting 6:00 p.m.
310

311 **13. ADJOURN THE MEETING: MAYOR ALLEN**

312 Mayor Allen adjourned the meeting at 8:02 p.m.
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316 _____
Date Approved

City Recorder

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City Council Staff Report

Building & Planning

Author: Planning Dept.
Subject: ADOPTING WASHINGTON TERRACE CITY MUNICIPAL CODE SECTION 17.56. TITLED "SIGNS" TO REGULATE RESIDENTIAL REAL ESTATE SIGNS AND VEHICULAR ADVERTISING.
Date: May 5, 2020
Type of Item: ACTION: Ordinance

Summary Recommendations: Staff recommends adopting Ordinance 20-02 to amend Section 17.56. Titled "Signs", by adopting regulations for the purpose to regulate residential real estate signs and vehicular advertising.

Description:

A. Background:

It was directed by Council to amend the signs ordinance to set regulations that outline the standards for the number of signs and type of signs for advertising for the sale, lease and rental of a real estate advertised property. The ordinance establishes the size of the sign, as well as what can be advertised on a property or lot. The amendment stipulates that it should not create a nuisance due to lighting or illumination. The ordinance shall define the placement of signs for advertising on fences, walls, roofs or public property which may become a nuisance.

Additionally, a second added amendment is related to "**Vehicular Advertising**", which does not allow a vehicle, equipment or trailer to be parked on a property for advertising on the property or lot of someone else. This does not limit a person from parking a work truck or trailer that belongs to the individual from parking on his/her own property which is their primary residents.

This item was brought before Planning Commission on January 30, 2020. At that time, a public hearing was held with no citizen comment. The Planning Commission gave an unfavorable recommendation to pass the ordinance, stating they did not like real estate businesses singled out. They wanted the language to be changed to cover all businesses in residential areas. The direction was taken and the language has been changed by legal. The new ordinance is attached.

B. Department Review: Staff recommends approval of the amendment.

Alternatives:

- A. **Approve the Request:** Council may approve the Ordinance as written.
- B. **Deny the Request:** Council can deny the Ordinance.
- C. **Continue the Item:** Council may table the request to a later meeting, or approve the Ordinance with changes.

Significant Impacts: no significant impact if amended.

**CITY OF WASHINGTON TERRACE
ORDINANCE 20-02**

LAND USE ADMINISTRATION AND SIGN AMENDED

AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, ADOPTING 17.56. ENTITLED “SIGNS” TO REGULATE RESIDENTIAL REAL ESTATE SIGNS; REGULATE VEHICULAR ADVERTISING; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84, 1953 as amended, grants municipalities broad authority to provide for safety and preserve health, and promote prosperity, improve morals, peace and good order, comfort, convenience, and for the protection of property;

WHEREAS, *Utah Code Annotated* §10-8-60, 1953 as amended, grants municipalities broad authority to declare what shall be a nuisance, abate the same, and to impose fines for the such nuisances;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on January 30, 2020, to take public comment on this Ordinance, and subsequently gave its recommendation to deny this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on May 5, 2020, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1: Repealer.

Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment.

Section 17.56.256, Section 17.56.270, and Section 17.80.080 of the *Washington Terrace Municipal Code* is hereby adopted to read as follows:

17.56.265 Residential Signage.

In all residential zones, the following is permitted:

1. Purpose. All residential signs must be exclusively for the sale, lease, or rental of the property on which the sign is located.
2. Number. One (1) freestanding sign in the front yard of each lot is permitted only to advertise the sale, lease, or rental of real estate. One (1) window sign is also permitted only to advertise the sale, lease, or rental of real estate.
3. Size. No sign shall exceed eight (8) square feet in aggregate total display.
4. Removal. Any sign under this section shall be removed five (5) days after completion of the sale, lease, or rental of the real estate where posted.
5. Limitations. No signage shall be placed on fence, wall, roof, or structure. No signage shall be placed on or overhang any street, sidewalk, or public property. No sign shall be placed that constitutes a nuisance or creates a hazard condition.
6. Illumination. No sign shall be illuminated.
7. Open House. Special regulations for open house signs for the sale, lease, or rental of property are permitted as follows:
 - a. A maximum of four (4) off-premise open house signs not to exceed four (4) square feet are allowed for each open house, and shall be directional.
 - b. Signs shall only be posted when the selling agent is present at the property where the open house is being held.
 - c. One (1) sign is allowed on the property where the open house event is being held not to exceed eight (8), in addition to any real estate sign under this chapter, and the open house sign shall be removed at the end of the open house event.
 - d. All signs must be appropriate for a neighborhood environment, must harmonize with their surroundings in design, and be continually maintained to ensure an attractive appearance.
 - e. Signs are permitted only between the hours of 8:00 a.m. and 8:00 p.m. on the day of the open house.
 - f. Signs must be placed a minimum eighteen (18) inches from the curb or edge of street, not block or overhang the sidewalk, and not obstruct traffic or traffic control device.

17.56.270 Advertising Vehicles.

No vehicle, equipment, or trailers may be parked on the property of another for the primary purpose of signage, marketing, or advertising. A person's primary residence is exempt from this Section. For the purpose of this Section, equipment means personal property with advertising to solicit business including but not limited to: machinery, device, tools, or any portable storage container.

17.80.080 Penalties.

In accordance with *Utah Code Annotated* §10-9a-803 and §10-3-703, the following penalties apply:

1. Criminal. Any person who violates the Title is guilty of a class C misdemeanor and a fine not to exceed \$750.
2. Civil. Any person who violates this Title is subject to a civil fine not to exceed \$1,000, per violation, per day that the violation continues after the City gives notice in accordance with *Utah Code Annotated* §10-9a-803.

Section 3: Severability.

If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date.

This Ordinance takes effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this _____ day of _____, 2020.

Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2020.

PUBLISHED OR POSTED this _____ day of _____, 2020.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with *Utah Code Annotated* §10-3-713, as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) City Hall, 2) _____, and 3) _____ on the above referenced dates.

City Recorder