



ROY CITY

Roy City Council Agenda
March 1, 2016 – 6:00p.m.
Roy City Council Chambers
5051 South 1900 West

Moment of Silence and Pledge of Allegiance: Councilmember Hilton

1. Approval of February 16, 2016, City Council Minutes
2. **6:00 p.m. Public Hearing** to Consider an Amendment to the Roy City Municipal Code Dealing with the Sign Ordinance
3. Consideration of Ordinance 16-2 Establishing Title 13 of the Roy City Municipal Code as the City's Sign Ordinance
4. Request for Approval of an Alcoholic Beverage License for Kent's Market-Kent-Roy, LLC, located at 3536 W. 5600 S.
5. Consideration of Resolution 16-9 Approving an Agreement with Consolidated Paving and Concrete, Inc. for the 2800 West Storm Drain Project
6. Consideration of Resolution 16-8 Adopting the Weber County Pre-Disaster Mitigation Plan
7. Discussion of the Roy City Community Survey
8. City Managers Report
9. Public Comments
10. Mayor and Council Report
11. Adjourn

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: admin@royutah.org 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 was posted in a public place within the Roy City limits on this 26th day of February 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 26th day of February, 2016.

AMY MORTENSON,
ROY CITY RECORDER

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Roy City Council Agenda Information – (801) 774-1020

MINUTES OF THE FEBRUARY 16, 2016, ROY CITY COUNCIL MEETING

1. Approval of February 2, 2016, minutes
2. Consideration of Resolution No. 16-7 appointing Jason Sphar to the Planning Commission
3. Swearing in of new Planning Commission member
4. Consideration of Resolution No. 16-5 adopting a policy to purchase service credit through Utah Retirement Systems
5. Consideration of Resolution No. 16-6 updating the title of the person designated as Plan Coordinator for ICMA-RC
6. Consideration of Ordinance No. 16-1 creating a Roy City Arts Council
7. Consideration of approval of a conditional use permit to allow a hair salon on property located at 3462 West 4800 South
8. Presentation regarding Fire Department wages
9. Presentation by Representative Mike Schultz regarding legislative updates
10. City Manager's Report
11. Public comments
12. Mayor and Council reports
13. Adjourn

Minutes of the Roy City Council Meeting held February 16, 2016, at 6:00 p.m. in the City Council Room of the Roy City Municipal Building.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Mayor Willard Cragun
Councilwoman Marge Becraft
Councilman Bob Dandoy
Councilman Brad Hilton
Councilman Dave Tafoya

City Manager Andy Blackburn
City Attorney Clint Drake
Secretary Michelle Drago
Youth City Council Garrett MacArthur

Excused: Councilwoman Karlene Yeoman

Also present were: Ross Oliver, Public Works Director; Travis Flint, Parks and Recreation Director; Carl Merino, Police Chief; Jason Poulsen, Fire Chief; Cody Draheim, Deputy Fire Chief; Jeff Comeaux, Deputy Fire Chief; Steve Parkinson, Planner; Jason Sphar; Stephanie Sphar; Ron Spindler; Greg Sagen; Jason Kunzler; Connie Williamson; Kadee Williamson; Chris Barrow; Kathleen Yarrington; Blaine Bryant; Whitlea Phillips; Trevin Franklin; Jennie Wilder; Olivia Henderson; Alianna Green; Jill Dean, Human Resources; Mindi Martinez; Kenzi Young; Jessica Berenyi; Isela Vega; Kevin Slisze; Homberto Arregvin; Aybree McBride; Reggie Whitaker; and Mike Schultz.

Moment of Silence: Councilman Dandoy

Pledge of Allegiance: Councilman Dandoy

1. APPROVAL OF FEBRUARY 2, 2016, MINUTES

Councilman Dandoy moved to approve the minutes of February 2, 2016, as corrected. Councilman Hilton seconded the motion. Council members Becraft, Dandoy, Hilton, and Tafoya voted “aye.” The motion carried.

2. CONSIDERATION OF RESOLUTION NO. 16-7 APPOINTING JASON SPHAR TO THE PLANNING COMMISSION

Mayor Cragun stated that Councilman Dandoy’s election to the City Council left a vacancy on the Planning Commission. The Planning Commission Chair and Vice Chair recommended that Jason Sphar be appointed to fill the vacancy. Mr. Sphar lived in an area of the City that had not been represented in the past. He asked that the Council approve Resolution No. 16-7 appointing Jason Sphar to the Planning Commission.

The City Council asked that Jason Sphar introduced himself.

Jason Sphar, 4480 South 1650 West, stated that he had lived in Roy since he was seven years old. His career had taken him from an auto mechanic to an aircraft mechanic to a civil servant at Hill AFB. He was currently a production management specialist. He lived in the Herefordshire area. He introduced his wife Stephanie and other family members and friends.

Councilman Tafoya moved to approve Resolution No. 16-7 appointing Jason Sphar to the Planning Commission. Councilman Dandoy seconded the motion. A roll call vote was taken: Council members Dandoy, Becraft, Tafoya, and Hilton voted “aye.” The motion carried. (Copy filed for record).

3. SWEARING IN OF NEW PLANNING COMMISSION MEMBER

Amy Mortenson, City Recorder, swore in Jason Sphar as a Planning Commission member.

4. CONSIDERATION OF RESOLUTION NO. 16-5 ADOPTING A POLICY TO PURCHASE SERVICE CREDIT THROUGH UTAH RETIREMENT SYSTEMS

Andy Blackburn stated that the Utah State Retirement System required the City to have a purchasing policy in place in order for employees to purchase service credit in a non-discriminatory way. Resolution No. 16-5 would adopt such a policy.

Councilman Hilton asked if the City had had a policy in the past. Mr. Blackburn said it did, but not a non-discriminatory one.

Councilman Hilton moved to approve Resolution No. 16-5 adopting a policy to purchase service credit through the Utah Retirement Systems. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Hilton, Becraft, Tafoya; and Dandoy voted “aye.” The motion carried. (Copy filed for record).

5. CONSIDERATION OF RESOLUTION NO. 16-6 UPDATING THE TITLE OF THE PERSON DESIGNATED AS PLAN COORDINATOR FOR ICMA-RC

Andy Blackburn stated that Chris Davis was currently listed as the Plan Coordinator for ICMA-RC. He recommended that Jill Dean, the City’s Human Resource Coordinator, be appointed as the new ICMA-RC Plan Coordinator.

Councilwoman Becraft moved to approve Resolution No. 16-6 updating the title of the person designated as Plan Coordinator for ICMA-RC from the City Manager to the Human Resources Coordinator. Councilman Dandoy seconded the motion. A roll call vote was taken: Council members Becraft, Tafoya, Dandoy, and Hilton voted “aye.” The motion carried. (Copy filed for record).

6. CONSIDERATION OF RESOLUTION NO. 16-1 CREATING A ROY CITY ARTS COUNCIL

Andy Blackburn stated that there had been some interest in the City putting together an Arts Council. The need for an Arts Council became clearer when the City was asked to submit a grant application for a RAMP grant. In order to obtain the grant, the City had to have an Arts Council. Resolution No. 16-1 would establish an Arts Council and outline how it would be set up.

Councilman Hilton asked if there was enough interest in the community. Mr. Blackburn felt there was. There was an interest from the seniors at the Hope Center, seniors at Iomega's senior center, and there would be an art gallery in the new Weber County Library. Councilman Hilton felt this was a good idea.

Councilwoman Becraft moved to approve Resolution No. 16-1 creating a Roy City Arts Council. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Tafoya, Hilton, Dandoy, and Becraft voted "aye." The motion carried. (Copy filed for record).

7. CONSIDERATION OF APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A HAIR SALON ON PROPERTY LOCATED AT 3462 WEST 4800 SOUTH

Steve Parkinson, Planner, stated that the City had received a request for approval of a conditional use for a personal care service/hair and nail salon located at 3462 West 4800 South. The applicant currently owned a business by Kent's but was moving to the location near Winegar's. The Zoning Ordinance did not allow for a conditional use permit to be transferred from one location to another. The applicant was asking for approval to relocate. The staff recommended that the conditional use be approved. The Planning Commission held a public hearing on February 9th and recommended that the conditional use be approved.

Councilman Tafoya moved to approve a conditional use for a personal care service/hair and nail salon at 3462 West 4800 South. Councilwoman seconded the motion. Council members Becraft, Dandoy, Hilton, and Tafoya voted "aye." The motion carried.

8. PRESENTATION REGARDING FIRE DEPARTMENT WAGES

Jason Poulsen, Fire Chief, thanked the City Council for the opportunity to present his proposal for making the Fire Department better. He articulated the need for the City to address the salaries of all the City employees, not just public safety. In October, the Council held a work session to discuss the Police Department's staffing issues. All of the department heads supported Chief Merino and continued to do so. There was a drastic need to address the Police Department's situation. As the FY2017 budget was prepared and considered, he hoped the Council would hold to their intent and address wages for all of the employees. He hoped the Council would do the same thing for all of

the employees that it had done for the Police Department. All of the departments had the same issue - employees that had been with the City for a long time and had gone through the recession without salary increases. He hoped the Council would take care of them.

Chief Poulsen said the Council held all of the department heads responsible to ensure they were running a good operation that was fiscally sound. Everybody played a role in the successful operation of the City. He had looked at the needs of the Fire Department and felt his proposal made sense. He tried to copy what the City had done for the Police Department. He didn't want to create something new, and he didn't want confusion between departments. Cathy Spencer had done a good job fixing the salaries in the Police Department. The salary increases addressed the compression issue.

Chief Poulsen said the approximate cost for his proposal was \$69,000. He felt his proposal could be accommodated in the Fire Department's FY 2016 budget. It would not take money away from other departments.

Chief Poulsen explained that the Fire Department had three shifts – A, B, and C. The Fire Department was on call 24 hours a day, seven days a week, and 365 days a year. A Shift had ten full time firefighters, B Shift had nine, and C Shift had ten. Two part time firefighters worked every day. The FY2015 budget included two fulltime firefighters. The Fire Department still hadn't filled the last slot. The two positions were added to handle the lasis transports, which had steadily increased over the past three years. Their call volume kept going up. The transports were paying for the two additional firefighters.

Councilman Hilton asked if the City was still doing dialysis transports for Heritage Park Care Center. Chief Poulsen said it was on Monday, Wednesday, and Friday. The transports had been temporarily suspended due to patient illness.

Chief Poulsen stated that the Council had heard that the Fire Department was short staffed and having a hard time getting coverage on its shifts. His ultimate goal was to have twelve people on staff every day. The Fire Department only had ten. Ten had worked okay, but he felt the Fire Department needed to make a change. Obama Care had had a huge impact. It had really hurt the City because the City could not let part time employees work as many hours as they wanted. The City had to limit their hours. All of the departments that utilized part time employees had been affected. If someone called in sick it was difficult to find someone to cover. He had compared Roy's part time firefighter salaries with fourteen other fire departments. Roy had the lowest pay. Seventy-five percent (75%) of the part time firefighters were employed fulltime somewhere else. Rather than coming to the Council and asking for additional funds to make the Fire Department work, he met with his deputy chiefs to consider ways to address the Fire Department's staffing needs and stay within budget.

Chief Poulsen proposed that the Fire Department drop the staff for each shift from twelve to eleven – six at Station 31 and five at Station 32. At Station 31 there would be an engineer and a captain. The engineer would drive the truck. There would be two

paramedics on the paramedic truck, and two EMT's for the ambulance. The paramedic truck was advanced life support. The City had to have them to fulfill its contract with Weber County. A Station 32 there would be a captain, engineer, two paramedics, and an EMT. The only time the City would be hurt was if the ambulance was transporting and they got a call.

Councilwoman Becraft asked how often that happened. Chief Poulsen said it happened about 20% of the time.

Councilman Tafoya asked what would happen if both stations were out. Chief Poulsen said the City would have to rely on its mutual agreements with other cities.

Mayor Cragun stated that the mutual aid agreement had been very beneficial for Roy City.

Chief Poulsen stated that if each shift was staffed with eleven firefighters, the Fire Department would save \$110,000 in part time wages. The savings would be used to fill a full time slot on Shift B. Then each shift would have ten fulltime firefighters and one part time. He would like to use the remainder of the savings to create an engineer position. Creating an engineer position would not add additional staff, but it would create a mid-level position. The Fire Department didn't have any positions between entry level and captain. It went firefighter, paramedic, and captain. They were all tested positions. Other fire departments had engineer pay. The engineer position would be a tested position. The City's entry level pay was very competitive, but from there up the City lost ground with other fire departments. Engineers would be accountable for the truck, they were better skilled operators at fires, and more competitive with other fire departments. Creating an engineer position would leave just two classifications for part-time firefighters – paramedics and EMT's.

Councilman Tafoya asked how many engineers the Fire Department would have. Chief Poulsen said there would be four to five. Firefighters would have to qualify for the position.

Chief Poulsen said his proposal included filling the position on Shift B, creating an engineer position, paying a differential if a firefighter was called upon to fill an engineer slot on his shift, and paying part time firefighters \$2 per hour for being on call.

Chief Poulsen knew the City could not compete with Salt Lake salaries, but it needed to be competitive with local fire departments. Two years ago the City had 90 applicants for part time firefighters. Last year it had twelve; this year it had fourteen. He felt the FY2017 budget needed to include a City-wide wage increase for full employees. He would like to fix the part-time wages now.

Councilman Dandoy asked if the Fire Department had money in the current budget to implement an engineer position without overspending. Chief Poulsen said it did.

Councilman Tafoya asked how the Fire Department would be saving money. Chief Poulsen said the savings would come from staffing each shift with eleven firefighters rather than twelve. The \$110,000 savings would be used to pay for an additional fulltime fighter on Shift B. The remaining funds would be used to pay for the engineer position. By eliminating one part-time position, the Fire Department could do four or five different things.

Councilman Hilton stated that Chief Poulsen's proposal was a restructuring of the Fire Department.

Mayor Cragun liked that the Fire Department had discussed the problem internally and come up with an internal solution. He asked if a department could shift funds from one line item to another within its budget. Andy Blackburn said he could but adjustments would have to be made either at mid-year or year's end.

Councilman Dandoy felt Chief Poulsen had presented a workable solution. If there was money in the budget to fund the change for the remainder of the year, he could not see a reason not to do it as long as it did not compromise the service the City was providing. If the proposal was acceptable to the City Manager he couldn't see a reason not to approve it.

Andy Blackburn felt department heads knew their operations better than anyone else. He deferred operational issues to them. He wanted to verify Chief Poulsen's numbers before the Council made a decision. He wanted to address wages City-wide as part of the budget when all of the facts had been gathered. There were a lot of things the Council wanted to accomplish, and there were limited funds. He wanted to make sure the needs of every department were represented.

Councilman Dandoy felt Chief Poulsen's proposal was defensible. He asked if the administration would ask the Council to make these financial adjustments before the end of the fiscal year. Mr. Blackburn said it would not. Councilman Dandoy said the Fire Department was going to execute their plan. Any financial changes would be taken care of when the budget was presented to the Council. Mr. Black said that was correct.

Andy Blackburn stated that Chief Poulsen's proposal was an operational issue. He wanted to wait to address salaries across the board. There was a compression issue across the board. He wanted to address the City as a whole so all of the departments would have the same vision. He did not feel the City could afford to apply the formula used for the Police Department to every department. He didn't want to raise anyone's expectations. He wanted to have all of the facts. He would like to be able to give everyone a merit increase. Merit increases would take care of the compression issue.

Mayor Cragun said he had told the Council and the employees that he wanted to look at wages. The salary problem was the result of slim budgets starting in 2008. The City would have to address wages in the coming year.

Andy Blackburn stated that a 1% merit increase City-wide would cost \$110,000. A 5% tax increase would generate about \$130,000. The City Council would have to take all of that into consideration.

Councilman Tafoya stated that historically he had never been satisfied about the way the City did its budget. The department heads never give freedom to do what they needed to do with a certain amount of money. They never really presented their budgets to the City Council. He felt that was a policy decision the Council needed to look at. Chief Poulsen was not asking for additional money. He should have the discretion to make changes in his department as long as the numbers were correct. He shouldn't have to wait for the City Council to approve it.

Councilman Dandoy felt a department head needed to be able to make decisions regarding his department because he was the one that was accountable.

Chief Poulsen stated that he would prepare job descriptions that would support the salary increase for the Council to approve. His only remaining concern was part time wages. If the City waited until the FY2017 budget was effective in July to increase part time wages, it would difficult for Parks and Recreation and Public Works to hire their seasonal employees.

Travis Flint, Parks and Recreation Director, stated that he was not prepared to make a statement regarding part time wages or employees.

Andy Blackburn stated that Cathy Spencer, Management Services Director, had indicated there was a need to make changes in the City's part time wages.

Mayor Cragun stated that the City Council had committed to increasing wages. He wanted to see all of the employees treated fairly. If there were salary problems, they would be addressed in the FY2017 budget. Each department head was given money to manage and to handle staffing.

Councilman Hilton stated that he would like to see each department head present their budget to the City Council. Then Council members would know they had a grasp of and accountability for of their budget.

Andy Blackburn stated that he had a legal obligation to present a budget to the City Council. The City used the same process other cities used to prepare a budget. He was willing to do what he could to make the budget process easier for the Council members.

Councilman Tafoya stated that the budget needed to be an easy read.

After the presentation by Mike Schultz, Councilman Tafoya stated that if the numbers were correct the City Council agreed that Chief Poulsen could make the operational changes he proposed. Part time wages would have to wait. They would be discussed during the budget along with the salary compression issue.

9. PRESENTATION BY REPRESENTATIVE MIKE SCHULTZ REGARDING LEGISLATIVE UPDATES

Representative Mike Schultz stated that it was an honor to represent the Roy community at the State Legislature. He provided the Council with a legislative update. In years past the State had some budget surplus. That was not the case this year. Education was one budget area that had seen some growth. The State's General Fund was pretty flat because there had not been growth in sales tax revenues. He asked if the Council members had specific concerns.

Councilwoman Becraft asked if he could help get Midland Drive opened. Mr. Schultz said he did not have much pull with UDOT.

Councilman Dandoy was concerned about the projected growth in Weber County. Much of that growth would be west of Roy. Roy was sandwiched between the projected growth and major north/south thoroughfares. The current road system was not competent to handle the growth. Mr. Schultz agreed that the State's growth was predicted to double in the next 25 years and that there were huge concerns about roads. He felt it was important to look at options, such as public transit. He felt the West Davis corridor was critical.

Councilman Dandoy was concerned about the State shifting transportation funds for water projects in Washington County. Mr. Schultz explained that the funds would be used as a loan for water projects for the entire state. The money would be paid back. UDOT and the State's water managers had worked out an agreement.

Mayor Cragun was concerned about transportation funds being used for water projects in central and southern Utah yet the roads in northern Utah were in deplorable condition. Mr. Schultz said he ran for office because he was tired of State funds being funneled to other areas of the State. He felt northern Utah had good representation at this time.

Mayor Cragun encouraged Representative Schultz to continue holding his town meetings.

10. CITY MANAGER'S REPORT

Andy Blackburn asked Travis Flint, Parks and Recreation Director, to make an announcement. Mr. Flint stated that during the winter his staff worked on an applicant for a RAMP grant. Due to the team effort, Roy City had been successful in obtaining a \$150,000 grant for amenities, such as ball fields and lights, for George Wahlen North Park.

Andy Blackburn, City Manager, reported that:

- The Council needed to hold a special meeting on February 24th or 25th. The Weber County Library's grand opening was scheduled for February 29th. The

Library wanted to operate a sandwich shop, which was a conditional use in the Business Park Zone. The Planning Commission would hold a public hearing on the 23rd. The City Council needed to meet to consider the conditional use on the 24th or 25th. The Council agreed to meeting on February 25th at 5:00 p.m.

- Darren Douglas, a Public Works employee, would be retiring on February 29th. The Council was invited to attend an open house for him on Friday, February 26th at 11:00 a.m. at the Public Works Building. Darren had worked for the City for 30 years in both the Water and Streets Departments.

11. PUBLIC COMMENTS

Jill Dean stated that she had worked for Roy City for 22 years as a Human Resource Coordinator. She explained the process for changing any employee position which Chief Poulsen would have to follow: A job description would be created and approved by the City Council; a salary survey would be conducted; and the position would be advertised internally or externally. She was conducting a part time salary survey, which would be ready next week. When she advertised and hired the City's part time, seasonal employees, they would start at a slightly increased wage. If the FY2017 budget included a wage increase for part time employees, the City could implement a mid-season raise. It would be up to the department heads to not exceed their budget for part time salaries. She felt an increased wage for part time employees would enhance the part time applicant pool, which was where the City pulled full time employees from. The City really did have good employees. They were honest and hard working. Roy City had awesome benefits. It was important to retain those good employees.

Councilman Tafoya asked if the slight increase in part time wages would increase the FY2016 budget. Ms. Dean said each department had a part time salary line item. Each department head was responsible to manage their employees and not go over budget.

12. MAYOR AND COUNCIL REPORTS

Mayor Cragun

Mayor Cragun asked each Council member to give him a list of three to four items they would like to see addressed in the FY2017 budget. He would forward those lists to the City Manager and Management Services Director so they could be included in the budget preparation. After the budget was prepared, a work session would be scheduled for the Council to review the budget with the administration and department heads.

Mayor Cragun stated that the City Council needed to make a decision about how to proceed with the City's dumpster program. The City was starting to receive calls about scheduling dumpsters. He recommended that the City provide dumpsters at the shop where the City had some control. The dumpsters could be provided in April, July, and October.

Councilman Tafoya felt the cost of having to cover the dumpsters was prohibitive. He agreed the City should offer dumpsters at the City shop several times a year. He felt the City needed to wait a year to see how much money it really saved on the dumpster program making changes to any fees.

Councilman Hilton agreed the program should be discontinued, and that dumpsters should be provided three times a year.

Councilwoman Becraft asked if the City would still hold a City-wide cleanup.

Councilman Dandoy stated that due to changes in state and federal laws regarding water quality the City could no longer afford to offer the dumpster program on the streets. Public Works had to find a viable way to cover dumpsters at the shop so they complied with state and federal regulations. The City could not afford to be fined.

Councilwoman Becraft suggested that the Council schedule the dumpster dates so they could be included in the next newsletter. Mayor Cragun felt Public Works could determine what dates fit their schedule then give those dates to Amy Mortenson. The dates could also be placed on the City's EMC sign.

Mayor Cragun stated that he had asked some Council members to be part of the community survey committee. Councilman Dandoy contacted Weber State regarding a survey. They put together an outline to give the Council direction in determining what the community wanted. In order to get good feedback, the City needed to be specific about what it asked. He felt any survey should ask about the services the City already provided.

Andy Blackburn asked if the survey would be conducted door-to-door. Councilman Dandoy said the survey could be conducted by mail or phone calls. The three professors he spoke with felt the most accurate survey would be door-to-door. If the City could round up 50 to 80 volunteers, the survey could be completed in one night. Weber State would then analyze the information.

Mayor Cragun felt the volunteer resources in the community were available.

Mayor Cragun stated that Roy Days was coming up. Last year's Roy Days was very, very good. He had asked Councilman Tafoya to lead the Roy Day's Committee along with Councilwoman Yeoman. The committee would put together a line item budget.

Mayor Cragun asked that Councilwoman Becraft and the Youth City Council provide the administration with a list of Roy students who had distinguished themselves academically, athletically, etc. so the City Council could recognize them.

Councilman Tafoya

Councilman Tafoya stated that North Davis Sewer had been cleaning the lines on 5600 South. The lines on 5600 South were historically the worst in the area, but the lines had

not been as bad as in the past. North Davis would be cleaning the lines on 5600 South, 4800 South, and 4000 South. He hoped there would not be a conflict with Roy Days.

Councilman Dandoy

Councilman Dandoy stated that according to UDOT's project schedule they were bidding out a new surface for 5600 South. The project would start in June. He asked that the Public Works Department coordinate with UDOT. Ross Oliver said they had already met with UDOT about the project.

Councilman Dandoy asked about the CDBG money. When the public hearing was held, a specific project was not discussed. He asked that the City look at using the CDBG money to make improvements to the Recreation Complex. Ross Oliver said the CDBG money was already designated for a specific area. Councilman Dandoy said that next year he would like the City to look at the Recreation Complex.

Councilman Hilton

Councilman Hilton updated the Council on the website redesign. Clint Drake, City Attorney, had found a company that offered matching grants for web design. The City had applied for a grant, and the staff was going to send out a Request for Proposal.

Councilwoman Becraft

Councilwoman Becraft stated that two scouts had asked if the City had any possible Eagle Scout projects. Travis Flint, Parks and Recreation Director, stated that painting fire hydrants was always available. Other projects depended on timing. He asked that the scouts contact the City.

Youth City Council

Garrett MacArthur didn't have anything to report.

Councilman Hilton stated that Connor Kirkland, a Roy High School wrestler, had a 42-0 season.

13. ADJOURN

Councilwoman Becraft moved to adjourn at 8:11 p.m. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, Hilton, and Tafoya voted “aye”.

Attest:

Willard Cragun
Mayor

Amy Mortenson
Recorder



SYNOPSIS

Application Information

Applicant: Steve Parkinson
Request: To approve Ord. No. 16-2; to amend the Roy City Municipal Code; Title 9 chapter 4 and the Roy City Zoning Code; Title 10 chapter 20, and the creation of a new Title 13 - Sign Regulations

Staff

Report By: Steve Parkinson; Planning & Zoning Administrator 
Recommendation: Recommends approval

APPLICABLE ORDINANCES

- Roy City Municipal Code; Title 9 chapter 4 – Sign Regulations
- Roy City Zoning Code; Title 10 chapter 20 – Signs

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing during the February 23, 2016 meeting, the hearing was opened at 18:03 for public comments, which were as follows:

- No public comments were made.

With no comments the public hearing was closed at 18:04.

After which, the Commission voted of 7-0 to forward to the City Council a recommendation to *Approve* the amendments to the Roy City Municipal Code; Title 9 chapter 4 and the Roy City Zoning Code; Title 10 chapter 20, and the creation of a new Title 13 - Sign Regulations

ANALYSIS

Background:

This item was originally brought to the Planning Commission by staff, at the time the Sign Ordinance was in two (2) different titles, Title 9 which is part of the Building and Construction Code and Title 10 which is part of the Zoning Code. Staff felt it all needed to be combined into one chapter or Title

Staff first introduced this issue during the January 27, 2015 work-session and then over the course of one year had seven additional work-session meetings (Feb 24, 2015; Apr 28, 2015; May 26, 2015; Jul 28, 2015; Oct 27, 2015; Nov 24, 2015; and Jan 12, 2016)

Process: Text amendments require public hearing at the Planning Commission. A recommendation will then be forwarded to the City Council for review and a final decision. If the Planning Commission approves language to be added or text to be changed, staff will put those recommended changes into a “Proposed Ordinance” format to be presented to the Council. That ordinance, if approved, can then be adopted, officially amending the text.

Proposed changes: It is proposed to remove and add the following language. Typically the language that is to be removed has been struck through and the language to be added is bolded. In this case the removal is as mentioned, but the language to be added will not be bolded because Title 13 is what will be added. See exhibit “A” for the proposed changes.

FINDINGS

- The proposed amendments of Title 9, chapter 4 and title 10, chapter 20 and the creation of Title 13 are consistent and in accordance to the discussions of the Planning Commission.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the Roy City Municipal Code; Title 9 chapter 4 and the Roy City Zoning Code; Title 10 chapter 20, and the creation of a new Title 13 - Sign Regulations.

EXHIBITS

- A. Ord. No. 16-2
- B. Planning Commission minutes – Jan. 27, 2015; Feb. 24, 2015; Apr. 28, 2015; May 26, 2015; Jul. 28, 2015; Oct. 27, 2015; Nov. 24, 2015 and Jan. 12, 2016

ORDINANCE NO. 16-2

AN ORDINANCE ESTABLISHING TITLE 13 OF THE ROY CITY CODE AS THE CITY’S SIGN REGULATIONS.

WHEREAS, the Roy City Council finds that it is advisable and beneficial to establish a Title 13 in order to have the Sign Ordinance all in one Title.

WHEREAS, the Roy City Council finds that the addition of Title 13 will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held public hearings as required by law and has favorably recommended an amendment to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 13 – Sign Ordinance as attached

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

This Ordinance has been approved by the following vote of the Roy City Council:

	AYE	NAY	ABSTAIN
Councilman Becraft	_____	_____	_____
Councilman Dandoy	_____	_____	_____
Councilman Hilton	_____	_____	_____
Councilman Tafoya	_____	_____	_____
Councilman Yeoman	_____	_____	_____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this ____ day of _____, 2016.

Willard S. Cragun; Mayor

Attested and Recorded:

Amy Mortenson; City Recorder

Remove

Title 9, Chapter 4—SIGN REGULATIONS

~~9-4-1:— DEFINITIONS: The words and terms defined in this chapter shall have the meanings as indicated. Words used in the present tense include the future, and words in the singular number include the plural, and words in the plural include the singular. Words defined herein but defined differently elsewhere in city ordinances shall be construed as set forth in this chapter. Words not included herein but defined elsewhere in city ordinances shall be construed therein. The word "shall" is mandatory.~~

- ~~● ARCHITECTURAL PROJECTION:— Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.~~
- ~~● BLANKETING OR BLANKET: When applied to signs or sign structure, shall mean the partial or complete shutting off of the face of one sign by another sign.~~
- ~~● BUILDING CODE: The current edition of the building code as adopted by Roy City.~~
- ~~● BUILDING FACADE: The portion of an exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.~~
- ~~● BUILDING FAÇADE FACING: A resurfacing of an existing facade with approved material, illuminated or non-illuminated.~~
- ~~● BUILDING OFFICIAL: The official or other person charged with the administration and enforcement of this chapter or his duly authorized agent.~~
- ~~● CHANGEABLE COPY PANEL: A panel which is characterized by changeable copy, regardless of method of attachment.~~
- ~~● FRONTAGE: The linear measurement of building front. If a building fronts on more than one street, the frontage shall be computed on the longest single building front.~~
- ~~● MAINTAIN: To keep in an existing state of repair and shall include, but is not limited to, repainting, repairing and servicing. It does not include removal of signs. It may include re-lettering with substantially the same message, but does not include an increase in size of display area. It may also include strengthening the structure by changing or adding supports or performing other structural changes designed for strengthening the sign and increasing safety thereof.~~
- ~~● MARQUEE: A permanent structure attached to and supported by a building front and projecting no more than seventy two inches (72").~~
- ~~● NONCONFORMING USE: The prior lawful use of a building or structure which subsequently is prohibited by law in which the building, land or structure is situated.~~
- ~~● PERSON: One or more persons, an association, a co-partnership, or a corporation or firm, either by themselves or by an agent, employees, guardian or trustee.~~
- ~~● SHOPPING CENTER: Two (2) or more businesses operating under binding, written legal agreements as a joint enterprise and licensed by Roy City as a shopping center business with more than forty thousand (40,000) square feet of combined building area doing business as a shopping center and with common parking area to be used by all of the businesses included within the center.~~
- ~~● SIGN: A presentation or representation of words, letters, figures, designs, pictures or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also the structure or framework or a natural object on which any sign is erected or is intended to be erected or exhibited, or which is being used or is intended to be used for sign purposes.~~
- ~~● SIGN, ADVERTISING: See definition of Sign, Off Premises.~~
- ~~● SIGN, ANIMATED: A sign which involves movement or rotation of any part, created by artificial means or displays flashing or intermittent lights, but not including electronic message signs or time, temperature or public-service message signs.~~

- ~~SIGN, BACKGROUND AREA: The entire background area of a sign upon which copy is placed. In computing area of a sign background, only the face or faces which can be seen from any one direction at one time shall be counted.~~
- ~~SIGN, BUSINESS: An on premises sign which directs attention to a use conducted, a commodity sold, or service performed on the premises.~~
- ~~SIGN, CLOTH: Any sign executed upon or composed of any flexible fabric.~~
- ~~SIGN, COMBINATION: A sign incorporating any combination of the features of projecting, roof or freestanding signs.~~
- ~~SIGN, COPY AREA: The area of a sign that is used for display purposes, excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least perimeter large enough to frame the entire display.~~
- ~~SIGN, DEVELOPMENT: An on premises sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and address of the construction firm, architect and development.~~
- ~~SIGN, DIRECTIONAL: On premises incidental signs designated to guide or direct pedestrians or vehicular traffic.~~
- ~~SIGN, ELECTRONIC MESSAGE: A sign which is operated by a programmable computer system which displays messages or numbers with alternating lighted messages.~~
- ~~SIGN, FAÇIA: A flat business sign on the face of a building.~~
- ~~SIGN, FLAT: Any sign attached to a building or other structure that projects less than eighteen inches (18") beyond the building but extends parallel or substantially parallel thereto.~~
- ~~SIGN, FLOODLIGHT: See lighting of signs at subsection 9-4-3E of this chapter.~~
- ~~SIGN, FREESTANDING: A sign which is supported by one or more columns, uprights or braces in or upon the ground.~~
- ~~SIGN, IDENTIFICATION AND INFORMATION: A sign displayed to indicate the name or nature of a building or use, including all professional and business offices and buildings, apartment complexes and public and semipublic buildings. (See subsections 9-4-9A1, A2 and A5 of this chapter.)~~
- ~~SIGN, ILLUMINATED: A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.~~
- ~~SIGN, INCOMBUSTIBLE: A sign which is constructed entirely of incombustible material.~~
- ~~SIGN, MARQUEE: Any sign attached to or made an integral part of a marquee.~~
- ~~SIGN, MULTIPLE COPY: A sign which advertises other than the name of the business and the principal product or service.~~
- ~~SIGN, NAMEPLATE: A sign indicating the name of a person or persons residing on the premises.~~
- ~~SIGN, OFF PREMISE: A sign which directs attention to a use, product, commodity or service not related to the premises on which it is located.~~
- ~~SIGN, ON PREMISE: An on premises sign which directs attention to a use conducted, a commodity sold or a service performed on the premises.~~
- ~~SIGN, PROJECTING: Any attached sign extending in whole or in part more than twenty four inches (24") beyond the building line.~~
- ~~SIGN, ROOF: Any sign erected upon or supported by the roof or parapet of a building.~~
- ~~SIGN, SHOPPING CENTER: A sign which may be attached or detached within a shopping center to designate the name of the shopping center and the names of the tenants. In shopping centers with more than five (5) acres, it may include an electronic message sign as a conditional use.~~
- ~~SIGN, STRUCTURE: Any structure which supports any "sign", as defined in this section. A sign structure may be a single pole or poles or an integral part of a building.~~
- ~~SIGN, TEMPORARY: A sign which is intended to advertise community or civic projects, and real estate for sale or lease on a temporary basis. Such sign shall be erected not earlier than thirty (30) days prior to date of beginning of event and shall be removed within thirty (30) days after the event is concluded.~~
- ~~SIGN, TIME AND/OR TEMPERATURE AND PUBLIC SERVICE: A display containing illuminated~~

numerals to show the time and/or temperature and public service messages.

- ~~SIGN, WALL:~~ See definition of Sign Facia.
- ~~STREET:~~ A public thoroughfare, dedicated, abandoned or condemned for public use prior to the initial enactment of the zoning ordinance, which affords the principal means of access to abutting property and is more than twenty six feet (26') wide; and any public thoroughfare dedicated to the public and accepted by proper public authority or condemned for public use after said date.
- ~~STRUCTURAL ALTERATIONS:~~ Any change in supporting members of a building, such as bearing walls, columns, beams or girders.
- ~~STRUCTURE:~~ Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.
- ~~TRIM, NONSTRUCTURAL:~~ Nonstructural trim is the molding, battens, caps, nailing strips, latticing, cutouts or letters and walkways which are attached to the sign structure.
- ~~ZONE:~~ The geographical area of the city for which the zoning regulations have been established by the zoning ordinance.
- ~~ZONING ORDINANCE:~~ The zoning ordinance of Roy City, Utah, as set forth in title 10 of this code, and as amended from time to time. (Ord. 593, 6-26-1984; amd. 2003 Code)

~~9-4-2: MAJOR SIGN TYPES:~~ Business signs, identification and information signs, and specialty signs are considered as major sign types for the purpose of this chapter. All signs will be classified as belonging to one of the major sign types for regulatory measures. (Ord. 593, 6-26-1984)

~~9-4-3: RULES, REGULATIONS AND REQUIREMENTS, GENERALLY:~~

- A. ~~Conformity And Safety:~~ If a sign does not conform with the requirements of this chapter or if the construction, design, manner of use or method of anchoring or supporting any sign makes such sign unsafe, the public works director or a designated representative shall proceed in any manner he deems necessary to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter or to remedy the defects herein. All signs must meet the requirements of the building code and safety regulations and codes promulgated by the city. (Ord. 647, 8-1-1988; amd. 2003 Code)
- B. ~~Clearance:~~ There shall be a minimum clearance of ten feet (10') between the ground or sidewalk and any part of a projecting sign with the exception of public necessity signs and nameplates.
- C. ~~Copy Area:~~ Copy area of building facade signs or multiple copy signs shall not exceed forty percent (40%) of the background facing to which it is applied.
- D. ~~Height Of Signs:~~ No sign shall exceed the height limitations established for each zone as set forth in section 9-4-9 of this chapter and section 10-12-2 of this code.
- E. ~~Lighting Of Signs:~~ Except for electronic message signs or as otherwise specifically permitted, signs may be illuminated by indirect lighting, or luminous tubes only. No lighting shall be installed in any way which will permit direct rays of such light to penetrate onto any adjoining property in residential zones or in any manner constituting a nuisance. Floodlighting is prohibited. Any other lighting which constitutes a hazard to traffic or by reason of position, shape or color, it may obstruct, interfere with, or be confused with any authorized emergency vehicle light, traffic signal or similar device is prohibited.
- F. ~~Location Of Signs:~~ No part of any sign shall be permitted to extend across any property line nor be located in any required front or side yard, except as follows:
 - 1. ~~Business and identification signs attached to a building may project into a required front or side yard not more than six feet (6') and shall be not less than ten feet (10') above the ground or sidewalk.~~
 - 2. ~~A freestanding business sign shall not be located closer than one foot (1') to a property line and shall be not less than ten feet (10') above the sidewalk or ground level.~~
 - 3. ~~Property identification and service signs shall not be located closer than three feet (3') to any property line.~~
 - 4. ~~Nameplates may be located anywhere on the property.~~
 - 5. ~~Section 10-11-9 of this code, as amended, shall apply to signs in order to provide a clear view~~

of intersecting streets.

6. Home occupation signs must be located flat on the building.

- G. Maintenance Of Signs: Signs regulated by this chapter shall be maintained in good visual appearance and structural condition at all times. The city, its public works director, and its other agents shall in no way be liable for negligence or failure of the owner, or the person responsible for maintaining any sign, to keep such signs in good condition, or be responsible for any damage caused by defective conditions.
- H. Obscene And Nuisance Signs Prohibited: No signs shall be erected, maintained or permitted to remain publicly displayed which constitute a public nuisance as defined by law or are obscene as defined by law, or are misleading or fraudulent.
- I. Noise Prohibited: It shall be unlawful to use in connection with any sign or to use for advertising purposes any radio, photograph, whistle, bell or any other sound or noisemaking or transmitting device or instrument for the purpose of commercial advertising.
- J. Pasting And Gluing Prohibited: No sign shall be pasted, glued or affixed by adhesive substances directly on any wall or roof. No paper or cloth sign shall be tacked directly on any wall or roof. Painted signs must be maintained in a neat and orderly fashion pursuant to regulations to be promulgated by the public works director regarding their maintenance. The size of such signs shall not exceed regulations set forth herein for other signs as provided in 9-4-9 of this chapter.
- K. Permit Required: It shall be unlawful to erect or maintain or remodel any sign upon or over public or private property within the city until a sign permit with respect to such sign has been obtained from the public works department. The public works director may at his discretion request the planning commission to review a sign application.
- L. Public Nuisance Signs; Removal By Public Works Director: All signs not maintained in compliance with this chapter are hereby declared a public nuisance and may be repaired or removed as provided for by notices and procedures relating to nuisances in title 4, chapter 3 of this code. Where immediate action is deemed necessary to protect life, limb or property, the public works director shall attempt to contact the sign and/or property owner demanding immediate remedy of the dangerous condition. If said dangerous condition is not remedied immediately, and notwithstanding this code, the public works director may proceed in any reasonable manner to remedy the dangerous condition and all expenses connected therewith shall be assessable under title 4, chapter 3 of this code, as if all notice and related requirements of that title 4, chapter 3 had been fully complied with.
- M. Removal Of Conforming Signs: Any person occupying a building or portion of a building, who owns or maintains a sign in connection therewith, shall upon vacating the premises, or discontinuing the business advertised, cause the sign to be removed. Any person who owns and maintains a sign which is maintained for the benefit of another person who occupies a building or part of a building whereon the sign is located shall cause the sign to be removed once the person for whom the sign is maintained has vacated the premises. Failure of the owner of the sign or of the person responsible for maintaining same to remove the sign within thirty (30) days after notice from the public works director shall be considered as a violation of this chapter and shall subject the owner of the sign and the owner of the property to the penalties herein.
- N. Nonconforming Signs:
 - 1. Any sign not in conformance with the provisions of this chapter and which was erected or installed without a permit, shall be removed within ten (10) days upon notification from the public works director.
 - 2. Signs for which permits were previously issued and which are made nonconforming by the provisions of this chapter shall be permitted to remain. Under no circumstances shall such nonconforming signs be remodeled or replaced except as specifically provided for in this chapter. The provisions of subsection L of this section shall also apply to such nonconforming signs.
 - 3. Any existing sign, conforming to the provisions of this chapter relative to size and location, but nonconforming as to structure requirements, shall be removed or replaced within ninety (90) days upon written notice from the city. However, if they are deemed to be a hazard, or more than fifty percent (50%) damaged, they shall be removed or repaired in accordance with the

structural requirements of this chapter within ten (10) days after receiving notice from the city.

4. ~~Any sign on a building determined to be abandoned shall be removed within ten (10) days of notification by the public works director to the property owner and/or owner of the business advertisement and/or owner of the sign.~~
5. ~~Nonconforming uses in residential zones; one sign per use. One square foot of sign area per lineal foot of building frontage, with a maximum of fifty (50) square feet.~~
6. ~~Nonconforming uses in other than residential zones; one sign per use. Area of the sign shall be in accordance with the provisions of regulations set forth in this chapter for the respective zone in which the nonconforming use is located.~~
- O. ~~Sign Inspection: The public works department shall inspect each sign for which a permit has been issued and shall require the proper maintenance of all signs subject to the provisions of this chapter.~~
- P. ~~Sign Not To Cover Windows, Doors Or Similar Openings: No sign shall cover a window, doorway or other opening providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire and rescue department to be necessary to give the fire and rescue department access to the building, or to afford fire protection in the event of a fire.~~
- Q. ~~Sign On Private Property: It shall be unlawful for any person to fasten or attach, paint or place, any "sign", as defined in this chapter, upon any private wall, window, door, gate, fence, or upon any other personal property without the consent of the owner or lessee, or someone authorized to act on behalf of such owner or lessee. (Ord. 593, 6-26-1984)~~
- R. ~~Sign On Public Property: It shall be unlawful for any person to fasten or attach, paint or place, any sign, handbill, poster, advertisement or notice of any kind or sort, whether political or otherwise, or to cause the same to be done in or upon the curbstone, lamp post, telephone pole, electric light or power pole, hydrant, bridge or tree, or in or upon any portion of any sidewalk or street. It shall be unlawful, except under the direction of the city, for any person to paste, place, paint or attach any "sign", as defined in this chapter, on any building, street or property of the city. No sign shall be erected on or project over public property, except as provided herein. Signs that are deemed to be a hazard pursuant to lawfully established regulations shall be immediately removed by the public works department as provided in this chapter. If the sign is in violation, but does not constitute a hazard, the public works department shall issue written notice demanding removal of the sign within ten (10) days. If the sign is not then removed, the public works department may then impound it or otherwise remedy the violation as provided in this chapter. (Ord. 593, 6-26-1984; amd. Ord. 848, 12-15-1998)~~
- S. ~~Sign Over Streets Prohibited: It shall be unlawful to erect and/or maintain any sign over any street or alley, except as herein expressly provided.~~
- T. ~~Sign Setback: For purposes of this chapter, the entire sign must comply with the specified setback regulations as outlined in this chapter.~~
- U. ~~Size And Height; Zones Permitted And Controls: It is unlawful for any person to erect or otherwise install a sign having a size or height greater than allowed in this chapter. It is unlawful for any person to erect or otherwise install a sign located on a site or in a zone in violation of the regulations specified in this chapter. (Ord. 593, 26-1984)~~

9.4.4 — SPECIAL PROVISIONS:

- A. ~~Animated Signs: No animated signs shall be erected or maintained, except for electronic message signs and time, temperature and public service message signs in the community commercial zone (C-2) and planned commercial zone (CP-2), and shall not be permitted in neighborhood commercial zones. Rotating signs shall be prohibited. Any animated signs permitted hereunder shall be permitted only as a conditional use. (Ord. 642, 8-4-1987)~~
- B. ~~Blanketing: To prevent blanketing, no projecting canopy or marquee sign shall be erected to project more than seventy two inches (72"). Projection shall be measured from the facing of the building and/or structure to which the sign is attached.~~
- C. ~~Cloth Signs: Permits may be issued by the public works director upon approval by the city council for hanging of display banners or other cloth decorations for special occasions, such as religious,~~

charitable, civic or festive occurrences, or for Christmas decorations, or in celebration of some event of religious, national, state or civic significance, or in honor of a visit from a person or persons of note. It is specifically prohibited to incorporate in any such decorations any political advertising or advertising of a commercial nature. The public works director may permit such signs to be hung over public streets or walks after proper approval. Permits issued pursuant to this subsection may be issued without charge of any fee, but shall specify a period of time, not to exceed fifteen (15) days, during which such signs shall be permitted to be used, unless otherwise approved by the city council.

- D. ~~Electric Signs: All signs which utilize or are illuminated by electricity shall comply with the adopted electrical code and fire prevention code of the city.~~
- E. ~~Marquee Signs: Marquee signs may be placed on, attached to or constructed on a marquee. No sign added to a projecting marquee shall exceed the height of the marquee.~~
- F. ~~Political Or Campaign Signs: Political or campaign signs are permitted in accordance with the following provisions; provided, that any such sign shall be erected not earlier than sixty (60) days prior to the election at which the candidate or measure will be voted upon and shall then be removed within fifteen (15) days after such election, campaign or event, subject to these additional restrictions:~~
 - 1. ~~In any residential zone, there is permitted not more than one stationary, unlighted, temporary sign on any lot or contiguous parcels of land under one ownership on behalf of candidates for public office or questions on the ballot; provided, that any such sign shall not exceed four feet (4') in height or six (6) square feet in area. All such signs shall comply with subsection 9-4-3R of this chapter.~~
 - 2. ~~In commercial and industrial zones, there is permitted one or more temporary signs on a lot on behalf of a candidate for public office, or of a question on the ballot or announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization; provided, that:~~
 - a. ~~The total area of such sign or signs on any lot shall not exceed sixty five (65) square feet, except that larger signs may be placed upon any legally existing sign structure. If detached, signs shall not exceed fifteen feet (15') in height, and if attached not more than twenty five feet (25') in height.~~
 - b. ~~No such sign shall be a roof sign, except upon a legally existing sign structure, and no signs shall be erected in any required yard setback area unless attached to a building.~~
- G. ~~Time Limitation For Construction Project Or Land Development Signs: No construction project or land development sign shall be erected prior to site plan approval by the planning commission and shall be removed not more than thirty (30) days after project completion or expiration of site plan approval.~~
- H. ~~Roof Signs: Roof signs must be at least six feet (6') and not more than eight feet (8') above the roof surface, measured to the bottom of the sign. (Ord. 593, 6-26-1984)~~

9-4-5: — EXEMPT SIGNS: The following signs shall be exempt from this chapter or subject to the stipulations below:

- A. ~~Memorials: Memorial tablets or tablets containing the names of buildings and/or the date of the erection and/or use of the building, when built into the walls of the building and constructed of bronze, brass, marble, stone or other noncombustible material are exempt.~~
- B. ~~Nameplates: Nameplates not to exceed two (2) square feet. Nameplates exceeding two (2) square feet are prohibited in all zones.~~
- C. ~~Nonilluminated, Flat, Wall And Freestanding Signs: Nonilluminated and flat signs, wall signs and freestanding signs having an area not in excess of thirty six (36) square feet, announcing the destruction or construction or remodeling of a building or announcing the enterprise to be located in a building under construction or announcing the name and address of the architect or contractor of the building, or the owner thereof; provided, that no more than one such sign shall be erected on each street frontage; and also provided, that said signs shall not be erected more than thirty (30) days prior to construction and shall be removed not more than thirty (30) days after completion.~~

- ~~D. Home Occupation Signs: Home occupation signs shall be nonilluminated and have an area not in excess of two (2) square feet, advertising the home occupation.~~
- ~~E. Traffic, Municipal Signs, House Numbers: Traffic and other municipal signs, house numbers, legal notices, railroad crossing signs, and danger signs and warning signs are exempt.~~
- ~~F. Repainting Or Cleaning: Repainting or cleaning of an advertising structure or the changing of the advertising copy of the message thereon shall not be considered an erection or alteration which requires a sign permit unless structural change is made thereto. (Ord. 593, 6-26-1984)~~

~~9-4-6: — DESIGN STANDARDS: All design standards shall be in accordance with the latest adopted revision of the building code and to withstand winds of one hundred (100) miles per hour. (Ord. 593, 6-26-1984; amd. 2003 Code)~~

~~9-4-7: — SPECIALTY SIGNS: Portable illuminated or animated specialty signs are prohibited in the city. All other portable signs, A frame signs and wind signs are prohibited unless they are securely anchored and ten feet (10') back from the property line. The public works director from time to time may pro ulgate reasonable anchoring requirements which must be complied with. Specialty signs shall not exceed a maximum of twelve (12) square feet of display area on each side and shall not exceed one sign per one hundred ten (10) linear feet on each street facing each business. (Ord. 593, 6-26-1984)~~

~~9-4-8: — OFF PREMISES SIGNS PROHIBITED: The effective adoption of this chapter hereby prohibits erection of any off premises sign in the city, except as provided herein. (Ord. 848, 12-15-1998)~~

~~9-4-9: — SIGN ZONE REGULATIONS:~~

- ~~A. Residential Districts: In residential districts and Rmh-1 (mobile homes), the following regulations apply:
 - ~~1. Nameplates: One nameplate for each dwelling unit, not exceeding two (2) square feet in area, indicating the name of the occupant and/or a permitted home occupation.~~
 - ~~2. Identification And Information Signs: One sign, not exceeding eight (8) square feet in area for conforming buildings or conforming uses other than dwellings, boarding houses or lodging houses. (Ord. 593, 6-26-1984)~~
 - ~~3. Development Signs: One or more signs not exceeding eight (8) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development and located on said subdivision property; providing that not more than one such sign be located at each major approach to the subdivision but not closer than ten feet (10') to the street property lines. Signs on corner lots shall comply with section 10-11-9 of this code. Said signs shall not exceed in combined total area two hundred (200) square feet for any one subdivision, and no one sign shall exceed one hundred (100) square feet in area. The period for display of such temporary signs shall be limited to one year; provided, that at the expiration of this time the public works director may grant an appropriate extension of time for periods not to exceed one year, provided not more than seventy five percent (75%) of the project has been developed. Application for said extension shall be made at least thirty (30) days before expiration of the original permit. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed in combined total area one hundred (100) square feet. No construction project or land development sign shall remain more than thirty (30) days after project completion or expiration of site plan approval. (Ord. 593, 6-26-1984; amd. 2003 Code)~~
 - ~~4. Public Necessity Signs: One or more public necessity signs; provided that no sign shall exceed twenty four (24) square feet in area.~~
 - ~~5. Business Signs: One or more signs not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying~~~~

- frontage may each have one or more signs not exceeding forty (40) square feet.
- ~~6. Bulletin Board: One bulletin board not exceeding eighteen (18) square feet in area for a church or other institution for the purpose of displaying the name and character of services or activities conducted therein. If any nameplate, bulletin board or sign is illuminated, indirect lighting only shall be used, the source of light shall not be visible from the street, and no flashing or intermittent illumination shall be employed.~~
 - ~~7. Projecting Signs: Projecting signs are not permitted. (Ord. 593, 6-26-1984)~~
 - ~~8. Yard And Height Regulations: Providing the location does not conflict with any other provision herein or any other provision of the zoning ordinance, the following regulations shall apply: (Ord. 593, 6-26-1984; amd. 2003 Code)~~
 - ~~a. Front Yard Regulations: Business and identification signs shall be located flat against the building. Nameplates may be located anywhere on the property.~~
 - ~~b. Side Yard Regulations: Business and identification signs may be located anywhere on the property.~~
 - ~~c. Rear Yard Regulations: Business and identification signs shall be located flat against the building. Nameplates may be located anywhere on the property.~~
 - ~~d. Height Regulations: No sign shall be erected to a height greater than ten feet (10') or project above the height of the building to which it is attached.~~
 - ~~9. Public Building; Identification And Information Signs: Public buildings, public schools and public hospitals shall be allowed one freestanding identification and information sign. Said sign shall not exceed one hundred five (105) square feet in area. The height, location and illumination is to be in accordance with the general provisions for signs within commercial districts as provided by this chapter.~~
- ~~B. Commercial And Manufacturing Districts: In commercial districts and manufacturing districts, the following regulations apply:~~
- ~~1. Development Signs: One or more signs of a temporary nature for main buildings or uses under development, provided such signs shall not exceed in combined total area one hundred (100) square feet and be in accordance with subsection 9-4-4G of this chapter.~~
 - ~~2. Public Necessity Signs: One or more public necessity signs; provided, that no such sign shall exceed twenty four (24) square feet in area.~~
 - ~~3. Business Signs: One or more permitted signs not exceeding four (4) square feet in combined total area for each linear foot of building frontage of licensed business, except that the maximum size of a business sign shall be three hundred (300) square feet in area and the total area of all commercial or industrial signs used shall not exceed six hundred (600) square feet. Each commercial or industrial use backing on a freeway shall be permitted not more than one business sign, provided the total sign area shall not exceed the six hundred (600) square feet. (Ord. 593, 6-26-1984)~~
 - ~~4. Shopping Center Signs: In addition to the permitted business signs, shopping centers with less than five (5) acres may have a sign which is attached or detached, which may include the names of the tenants; provided, however, that each tenant shall be allowed no more than one hundred (100) square feet per side and the total size of the shopping center sign shall not exceed three hundred (300) square feet. Where a shopping center sign has been permitted hereunder, the additional signage for each business shall be attached to each business building and in compliance with other provisions of this chapter. In the event the tenants cannot agree on the amount of sign space each may have, their pro rata share based on number of square feet, up to one hundred (100) square feet, shall be used in determining each tenant's share of the total sign space. (Ord. 644, 9-15-1987)~~
 - ~~5. Large Shopping Center Signs: As a conditional use, the following may be permitted in shopping centers five (5) acres or more in size:~~
 - ~~a. In addition to the permitted business signs, one electronic message sign in lieu of a regular shopping center sign is permitted. This sign shall not exceed six hundred (600) square feet in size. This sign may only advertise the name of the center, businesses in the center, advertise for businesses in the center and may provide time, temperature and public service messages. It shall not exceed fifty feet (50') in height nor be less than ten feet (10')~~

from the ground. "Flashing" and "blinking" shall be prohibited, except as the same is reasonably required to display the words, numbers or graphics in the computerized messages.

- b. ~~All other business signs in a shopping center shall be only permitted business signs pursuant to regulations of this chapter and shall be attached to each business building, and the size shall be determined by the lineal footage of building frontage as provided elsewhere in this chapter; except on perimeter pads of a five (5) acre or larger shopping center which fronts on a public street where a business building also fronting on the public street is not less than nine hundred (900) square feet in size, in lieu of attaching all signing to each business building, one freestanding sign not to exceed one hundred (100) square feet in size and not more than forty feet (40') high may be permitted as a conditional use. In the event such a freestanding sign is erected, it shall be included as a part of the square footage permitted for that business as provided elsewhere in this chapter.~~
- c. ~~No conditional use permit shall be approved under this section until the planning commission and city council have included in their considerations:
 - (1) Architectural compatibility with the shopping center and surrounding areas and uses.
 - (2) Additional landscaping. It is the intent of this section to consider the desirability, feasibility and practicality of additional landscaping of an area equal to the size of the sign at the base of the sign or elsewhere in the shopping center to ensure that the shopping center will remain aesthetically desirable with the addition of the sign. This consideration shall include expense and financial burden of owner for additional landscaping, adverse or positive impact of the landscaping on parking and other use of the center, potential problems with maintenance and any other factors relating thereto; and
 - (3) The requirement of additional landscaping may be waived by the city after consideration of all such other factors as are normally considered in a conditional use permit.~~
- 6. ~~Time, Temperature And Public, Service Message Signs: Time, temperature and public service message sign be included in the total square footage of permitted signs.~~
- 7. ~~Roof Signs: Roof signs must be at least six (6) feet and not more that eight (8) feet above the roof, measured to the bottom of the sign, except this type of sign is not permitted in C-1 or CP-1 zones.~~
- 8. ~~Height Regulations: No sign shall be erected to a height exceeding fifty feet (50') above the ground.~~
- 9. ~~Facia Signs: Facia signs shall not extend above the height or beyond the width of the building facade (Ord. 593, 6-26-1984)~~
- 10: ~~Identification And Directional Signs: When an area is zoned for manufacturing and is five (5) acres or larger with the complex being under a single or unified ownership or control and multiple buildings are used by one business or manufacturer, the planning commission may approve as a conditional use an on-premises sign plan for the development on said parcel that is less restrictive than otherwise provided by law; provided, however, that the planning commission first determines that the proposed sign exceptions are not in conflict with the purpose of this chapter and are in architectural harmony with the development and other buildings and uses adjacent to the development. Upon the foregoing determinations by the planning commission, the following regulations shall apply:
 - a. ~~Regulations: Identification and information signs shall provide information about the use of each building in a multiple building complex, and the following regulations shall apply:
 - (1) ~~Sign Area: The maximum sign area, excluding supports, but including copy face, background and framing, shall not exceed thirty two (32) square feet.~~
 - (2) ~~Sign Number: The planning commission shall determine the number of signs necessary for providing adequate identification and information of buildings and shall not permit more than one identification sign per building.~~
 - (3) ~~Sign Types: Identification signs shall be freestanding signs, with the bottom of the sign, excluding supports, not less than ten feet (10') to grade, and shall not exceed the height of the building it identifies.~~
 - (4) ~~Sign Lighting: If lighting is used, there shall be internal lighting systems only, and no~~~~~~

~~blinking or action lights or rotating signs are permitted.~~

~~(5) Landscaping: It is the intent to provide for landscaping of an area equal to the area of the sign at the sign base, with landscaping to be with materials or plants as approved by the planning commission; provided, however, this requirement may be waived by the planning commission after consideration of the desirability, feasibility and practicality of landscaping beneath the sign or providing landscaping elsewhere in the complex of an area equal to the size of the sign; but, in any event, the planning commission must determine that the area will remain aesthetically attractive with the addition of the sign. Considerations of the planning commission shall include expense and financial burden of owner or developer to provide the additional landscaping, adverse or positive impact of the landscaping on parking or other use of the facilities, potential problems with maintenance and any other factors relating thereto and the landscaping requirements or absence of landscaping shall be made a part of the conditional use permit.~~

~~(6) Sign Location: All identification signs shall be located a maximum of ten feet (10') from the building face which it identifies.~~

~~(7) Orientation: Sign orientation shall be determined by the planning commission.~~

~~(8) Traffic Hazards: Identification signs shall not be permitted where they will constitute a traffic hazard.~~

~~b. Directional Signs (Service Signs): Directional signs shall be a maximum of six (6) square feet in size with internal lighting which shall be nonflashing, blinking or rotating and not to exceed forty two inches (42") in height and shall be located anywhere on the property where it is determined it will assist in directing traffic or personnel throughout the complex. Directional signs permitted under this section, which are in addition to those which would otherwise be permitted by this chapter, shall be approved only as a conditional use. (Ord. 607, 2-19-1985)~~

~~C. Temporary Sign: A sign which is intended to advertise community civic projects, construction projects and real estate for sale or lease on a temporary basis. Such sign shall be erected not earlier than thirty (30) days prior to date of beginning of the event and shall be removed within thirty (30) days after the event is concluded. (Ord. 593, 6-26-1984)~~

~~9-4-10: BUS STOP BENCHES AND ENCLOSURES: Signs on public bus benches or attached to bus enclosures located on public or private property may be approved by the city council after receiving a recommendation from the planning commission. Approval shall be subject to the following criteria:~~

~~A. No public nuisance or hazard is created.~~

~~B. The signage shall not advertise tobacco, alcoholic beverages or allow the depiction of any matter deemed by the city council to be obscene, harmful to minors or in violation of law.~~

~~C. The signage shall be maintained at all times, including at a minimum:~~

~~1. Removal of trash and emptying of any receptacle.~~

~~2. Snow removal.~~

~~3. Graffiti removal.~~

~~4. The owner shall respond within twenty four (24) hours of any request from the city to clean or service any bench, shelter or trash receptacle.~~

~~5. In the event the city deems that any shelter, bench or trash receptacle is unsafe needing immediate repair or removal, the owner shall respond within two (2) hours of notification.~~

~~D. The city may remove any bus bench or shelter placed wholly or partly within the public right of way or any public property contrary to the provisions of this chapter. (Ord. 848, 12-15-1998)~~

~~9-4-11: RE-20 ZONE: The height, size and location of the following signs which are permitted in the RE-20 zone shall be in accordance with the regulations set forth herein:~~

~~A. Construction project sign.~~

~~B. Directional sign.~~

~~C. Flat sign.~~

~~D. Identification and information sign.~~

~~E. Nameplate sign.~~

- F. ~~Temporary sign.~~
- G. ~~Wall sign. (Ord. 593, 6-26-1984)~~

~~9-4-12: R-10, R-1-8 AND R-1-6 ZONES: The height, size and location of the following signs which are permitted in the R-10, R-8 and R-1-6 zones shall be in accordance with the regulations set forth herein:~~

- A. ~~Construction project sign.~~
- B. ~~Directional sign.~~
- C. ~~Flat sign.~~
- D. ~~Identification and information sign.~~
- E. ~~Nameplate sign.~~
- F. ~~Temporary sign. (Ord. 593, 6-26-1984)~~

~~9-4-13: R-2 ZONE: The height, size and location of the following signs which are permitted in the R-2 zone shall be in accordance with the regulations set forth herein:~~

- A. ~~Construction project sign.~~
- B. ~~Directional sign.~~
- C. ~~Flat sign.~~
- D. ~~Identification and information sign.~~
- E. ~~Nameplate sign.~~
- F. ~~Temporary sign. (Ord. 593, 6-26-1984)~~

~~9-4-14: R-3 ZONE: The height, size and location of the following signs which are permitted in the R-3 zone shall be in accordance with the regulations set forth herein:~~

- A. ~~Construction project sign.~~
- B. ~~Directional sign.~~
- C. ~~Flat sign.~~
- D. ~~Identification and information sign.~~
- E. ~~Nameplate sign.~~
- F. ~~Temporary sign. (Ord. 593, 6-26-1984)~~

~~9-4-15: R-4 ZONE: The height, size and location of the following signs which are permitted in the R-4 zone shall be in accordance with the regulations set forth herein:~~

- A. ~~Construction project sign.~~
- B. ~~Directional sign.~~
- C. ~~Flat sign.~~
- D. ~~Freestanding sign, if permitted by conditional use permit.~~
- E. ~~Identification and information sign.~~
- F. ~~Nameplate sign.~~
- G. ~~Temporary sign.~~
- H. ~~Wall sign. (Ord. 593, 6-26-1984)~~

~~9-4-16: RMH-1 ZONE: The height, size and location of the following signs which are permitted in the Rmh-1 zone shall be in accordance with the regulations set forth herein:~~

- A. ~~Construction project sign.~~
- B. ~~Directional sign.~~
- C. ~~Flat Sign.~~
- D. ~~Identification and information sign.~~
- E. ~~Nameplate sign.~~
- F. ~~Temporary sign.~~
- G. ~~Wall sign. (Ord. 593, 6-26-1984)~~

~~9-4-17: C-2 AND CP-2 ZONES:~~

~~A. The height, size and location of the following signs which are permitted in the C-2 and CP-2 zones shall be in accordance with the regulations set forth herein:~~

- ~~1. Business sign.~~
- ~~2. Construction project sign.~~
- ~~3. Directional sign.~~
- ~~4. Flat sign.~~
- ~~5. Freestanding sign.~~
- ~~6. Identification and information sign.~~
- ~~7. Marquee sign.~~
- ~~8. Nameplate sign.~~
- ~~9. Projecting sign.~~
- ~~10. Roof sign.~~
- ~~11. Shopping center sign.~~
- ~~12. Temporary sign.~~
- ~~13. Time, temperature and public service message sign.~~
- ~~14. Wall sign.~~

~~B. Off premises signs are not allowed. (Ord. 593, 6-26-1984)~~

~~9-4-18: M-1 ZONE: The height, size, and location of the following signs which are permitted in the M-1 zone shall be in accordance with the regulations set forth herein:~~

- ~~A. Business sign.~~
- ~~B. Construction project sign.~~
- ~~C. Directional sign.~~
- ~~D. Flat sign.~~
- ~~E. Identification and information sign.~~
- ~~F. Marquee sign.~~
- ~~G. Nameplate sign.~~
- ~~H. Projecting sign.~~
 - ~~I. Roof sign.~~
 - ~~J. Temporary sign.~~
 - ~~K. Time, temperature and public service message sign.~~
 - ~~L. Wall sign. (Ord. 593, 6-26-1984)~~

~~9-4-19: O-1 ZONE: The height, size and location of the following signs which are permitted in the O-1 zone shall be in accordance with the regulations set forth herein:~~

- ~~A. Development sign.~~
- ~~B. Directional sign.~~
- ~~C. Flat sign.~~
- ~~D. Identification and information sign.~~
- ~~E. Temporary sign.~~
- ~~F. Wall sign. (Ord. 593, 6-26-1984)~~

~~9-4-20: C-1 AND CP-1 ZONES:~~

~~A. The height, size and location of the following signs which are permitted in the C-1 and CP-1 zones shall be in accordance with the regulations set forth herein:~~

- ~~1. Business sign.~~
- ~~2. Construction project sign.~~
- ~~3. Directional sign.~~
- ~~4. Flat sign.~~
- ~~5. Freestanding sign.~~
- ~~6. Identification and information sign.~~
- ~~7. Marquee sign.~~
- ~~8. Nameplate.~~
- ~~9. Temporary sign.~~

~~10. Wall sign.~~

~~B. Off premises signs are not allowed. (Ord. 593, 6-16-1984)~~

~~9-4-21: PENALTY: Any person who shall fail to comply with, or shall violate any of the provisions of this chapter, or any lawful rules or regulations promulgated hereunder, shall be deemed guilty of a class C misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code. The penalty provided herein shall be in addition to any suspension or revocation of any license or permit issued hereunder. (Ord. 593, 6-26-1984; amd. 2003 Code)~~

~~Title 10, Chapter 20 — SIGNS~~

~~Section 2001 — Purpose:~~

~~This chapter is provided to identify the procedures, allowances, standards, and regulations related to signs in the City. It is the intent of this Chapter to allow and to regulate signs in such a way as to contribute to the economic health and vibrancy of the businesses in the City, and to the health and vibrancy of the larger community through appropriate use, design, and placement.~~

~~Section 2002 — General Provisions for All Signs:~~

- ~~1) Signs as Structures — Signs are considered structures in their own right, and are therefore also subject to the other codes and ordinances of Roy City governing structures.~~
- ~~2) Section 1031 (4) Applies — Notwithstanding other allowances, requirements or language contained in this chapter, or Title 9, Chapter 4, the requirements for transition between residential and non-residential zoning districts, as contained in Chapter 10, Section 1031 of the Roy City Zoning Ordinance, shall apply.~~
- ~~3) Title 9 — Notwithstanding the provisions of Roy City Code, Title 9, Chapter 4, the requirements, provisions, and definitions as contained in this Section will apply. In the event of conflict between the two, the requirements of this Section shall prevail.~~
- ~~4) Measurement and Area Calculation — The following standards are intended to apply to all signs in all zoning districts:
 - ~~a) Height. Height is measured as the distance from the grade at the top back of curb at the property line nearest the sign to the top of the highest point of the sign cabinet, logo or copy. Height measured in this way may vary depending upon the landscaping, but in no case may the combined height of the sign, structure, berm or slope exceed three (3) feet of the stated height allowance for any particular sign.~~
 - ~~b) Width. Width is measured as the distance between the two furthest points of the sign cabinet, sign copy, or the smallest area within which all components of copy could be contained. Any supporting structure of a Monument Sign is not measured as width if the structure is incorporated into the surrounding landscaping design, or is incorporated with other structural or architectural aspects of the site.~~
 - ~~c) Area. Sign area is calculated as the total area of one face or side of the sign cabinet, copy area or the smallest area within which all components of copy could be contained, and shall not include pole covers or other support structures not containing copy. The area of any symbol, logo, or other copy extending beyond the main sign cabinet shall be calculated with total area. Supporting structure of a Monument Sign is not calculated as sign area if the structure is incorporated into the surrounding landscaping design, or is incorporated with other structural or architectural aspects of the site.~~~~

~~Section 2003 — Electronic Message Center (EMC) Signs:~~

- ~~A. Electronic Message Center Signs, include signs or portions of signs with changeable electronic copy or otherwise electronically animated display. The regulations and standards in this Section shall apply to all such signs, including public service, time and temperature signs. Simple digital copy which is included as a portion of a larger sign and intended only to indicate prices for various types and grades of gasoline shall not be considered an Electronic Message Center Sign.~~
- ~~B. General Requirements — The following regulations and standards shall apply to all Electronic Message Center Signs:~~

- a. ~~Proportion Allowed. No more than fifty percent (50%) of any sign face may be used as an Electronic Message Center Sign. No portion greater than thirty percent (30%) of the total allowable signage for a property may be used as an Electronic Message Center Sign.~~
 - 1. ~~Exception. Monument Signs intended to be used as Electronic Message Center Signs may be allowed to utilize up to seventy five percent (75%) of the sign face.~~
- b. ~~Number Allowed. No site or development shall have more than one (1) Electronic Message Center Sign.~~
 - 1. ~~Exception. Shopping Centers, as defined by Roy City Ordinance, of at least five (5) acres and with a minimum street frontage of one hundred fifty (150) feet, may be allowed a maximum of two (2) Electronic Message Center Signs. Such signs must be separated by at least one hundred (100) feet as measured at the closest points of the two sign cabinets.~~
- c. ~~Public and Quasi-Public Uses. Notwithstanding other regulations of this Section, public and quasi-public uses may seek Conditional Use Permits to allow Electronic Message Center Signs if it is determined that a public need can be met, or a public benefit can be provided, and that impacts to surrounding properties can be properly mitigated. When considering Conditional Use Permits allowing Electronic Message Center Signs for public and quasi-public uses, the City may further restrict the size, percentage allowances, and other requirements of this Section in order to mitigate impacts.~~
- C. ~~Electronic Message Center Signs in Regional Commercial and Manufacturing Zoning Districts—In Regional Commercial and Manufacturing zoning districts, Electronic Message Center Signs shall be allowed as a Permitted Use with the following restriction:~~
 - a) ~~No Electronic Message Center Sign shall be permitted closer than one hundred (100) feet to any adjacent residential zoning district as measured at the closest property lines.~~
- D. ~~Electronic Message Center Signs in Community Commercial and Business Park Zoning Districts—In Community Commercial and Business Park Zoning Districts, Electronic Message Center Signs shall be allowed as a Conditional Use with the following restrictions:~~
 - a) ~~Electronic Message Center Signs shall be allowed only on properties, sites or developments comprising a minimum of three (3) acre, on properties, sites or developments with frontage on 1900 West Street, or on properties, sites or developments with frontage on Midland Drive (north of 4800 South) or on 3500 West (south of 4800 South) where any portion of the property is located within six hundred (600) feet of the intersections of 4000 South, 4800 South, 5600 South or 6000 South. Signs allowed under this paragraph shall be governed by the following:~~
 - 1. ~~EMC Signs on properties, sites or developments less than a minimum of three (3) acres shall be allowed only as a component of a Monument Sign.~~
 - 2. ~~No EMC sign shall be located within one hundred (100) feet of another EMC sign or Residential Zoning District as measured at the closest point.~~
 - 3. ~~Display of each message shall remain for a minimum of six (6) seconds before transitioning to another message.~~
 - 4. ~~EMC Signs shall be allowed a maximum brightness of 10,000 NITs. All EMC Signs shall be dimmed to between 30% and 50% brightness after 10:00 p.m. and before 6:00 a.m. When considering specific signs under the Conditional Use Standards, the City may impose more strict requirements for dimming if it is found that special circumstances exist.~~
 - 5. ~~No EMC Sign shall be operated in such a way as to become a nuisance to surrounding properties, or to be an interference with traffic or public safety in any way.~~
 - 6. ~~An EMC Sign allowed under this paragraph must be located within the front setback of the property adjacent to 1900 West, Midland Drive or 3500 West, or in such a way that the sign is clearly oriented to 1900 West, Midland or 3500 West. In no case may the sign be located a distance greater than forty (40) feet from the right-of-way line of 1900 West, Midland Drive or 3500 West.~~
- E. ~~Electronic Message Center Signs Prohibited. In Recreation, Light Manufacturing and in all residential zoning districts, Electronic Message Center Signs of all types are prohibited except as specifically allowed by Section 2003-2(c).~~

Section 2004—Pole Sign:

- ~~1) Pole Signs. Pole Signs include freestanding signs with an identifiable support structure and a separate cabinet for sign copy clearing at least ten (10) feet above grade.~~
- ~~2) General Requirements. The following regulations and standards shall apply to all Pole Signs in all non-residential zoning districts:

 - ~~i. Clearance. All Pole Signs shall provide a minimum clearance of ten (10) feet to the bottom of the lowest cabinet face.~~
 - ~~ii. Setback. Pole Signs may be located in any required setback or landscaping area, but shall maintain a minimum setback of one (1) foot from any property line, and a minimum of ten (10) feet from any point of vehicular access to the public right-of-way, as measured to the sign cabinet.~~
 - ~~iii. Multiple Cabinets. No Pole Sign may consist of more than two separate sign cabinets, notwithstanding allowable sign areas.~~
 - ~~iv. Number of Signs. No site or development may have more than one (1) Pole Sign as defined herein.

 - ~~1. Exception. Shopping Centers, as defined by Roy City Ordinance, of at least five (5) acres and with a minimum street frontage of one hundred fifty (150) feet, may be allowed a maximum of two (2) Pole Signs. Such signs must be separated by at least one hundred (100) feet, as measured by the closest points of the two sign cabinets.~~~~~~
- ~~3) Pole Signs in Regional Commercial and Manufacturing Zoning Districts. The following regulations and standards shall apply to all Pole Signs in the Regional Commercial and Manufacturing zoning districts:

 - ~~1) Height. Pole Signs shall be allowed as a Permitted Use at a maximum height of thirty (30) feet.~~
 - ~~2) Freeway Oriented Signs. Pole Signs in the Regional Commercial zoning district on properties east of 1900 West Street, and located within three hundred (300) feet of the Interstate 15 right-of-way, as measured at the closest property lines, may be considered a Freeway Oriented Sign with the following considerations:

 - ~~1. Conditional Use. To be considered a Freeway Oriented Sign, a sign must be granted a Conditional Use, and may be allowed a maximum height of fifty (50) feet.~~
 - ~~2. Location. Freeway Oriented Signs must be located on a portion of the property closest to or adjacent to Interstate 15. Freeway Oriented Signs cannot be located on the frontage of 1900 West Street.~~~~
 - ~~3) Shopping Center Signs. Pole Signs in Shopping Centers, as defined by Roy City Ordinance, of at least five (5) acres, and which are designed to contain sign copy for multiple tenants, may be considered Shopping Center Signs, and the following standards shall apply:

 - ~~1. Conditional Use Required. Shopping Center Signs shall require Conditional Use approval. Under the Conditional Use approval, up to forty (40) feet in height may be allowed.~~
 - ~~2. Theme Required. If a sign is to be considered a Shopping Center Sign, it must be accompanied by a proposal and theme for all on-premise signage to be approved as a part of the Conditional Use. Such a proposal must contain the theme for the overall design and placement of all signage, and must demonstrate that the signage relates to and is integrated with the site architecture, function, and design. The proposal must also be found to demonstrate that the impacts of greater height are successfully mitigated by the property size, building mass, architecture, placement, or other considerations.~~~~~~
- ~~4) Pole Signs in the Community Commercial, Business Park, Light Manufacturing, Recreation, and R-4 zoning districts. The following regulations and standards shall apply to all Pole Signs in the Community Commercial, Business Park, Light Manufacturing, Recreation, and R-4 zoning districts:

 - ~~1) Height. Pole Signs shall be allowed as a Permitted Use at a maximum height of twenty (20) feet.~~
 - ~~2) Minimum Site Standards for Pole Signs. Pole signs shall be allowed only on properties, sites or developments comprising a minimum of three (3) acres, or on properties, sites or developments with frontage on 1900 West Street.~~
 - ~~3) Pole Covers. All Pole Signs shall incorporate the use of pole covers or more substantial, decorative support structures. Pole covers shall not contain sign copy.~~
 - ~~4) Single Pole. Pole Signs shall be supported by a single pole structure, or will appear to be supported by a single pole structure through the use of pole covers or other devices.~~
 - ~~5) Landscaped Areas. All Pole Signs shall be located in landscaped areas.~~~~

- 6) ~~Site Relation. All Pole Signs shall be designed to relate to the building and site with which they are associated through the use of placement, similar colors, materials, or architectural details and elements.~~

~~Section 2005—Monument Signs:~~

- 1) ~~Monument Signs. Monument Signs include low-profile signs with little or no clearance from grade to cabinet, and may be located on pedestals of no more than one (1) foot in height or on foundations or other support structures directly on the ground. In all cases, Monument Signs will appear to be generally supported directly on the grade or foundation.~~
- 2) ~~General Requirements—The following regulations and standards shall apply to all Monument Signs in all zoning districts.~~
 - 1) ~~Clear View. No Monument Sign shall be located in such a way as to impede the clear view of vehicular or pedestrian traffic on any site, path or roadway, whether public or private.~~
 - 2) ~~Setback Required. In addition to clear view requirements, Monument Signs shall be setback a minimum of five (5) feet from any property line, and may not be located closer than ten (10) feet to any point of vehicular access.~~
 - 3) ~~Landscaped Areas. All Monument Signs shall be located within landscaped areas.~~
- 3) ~~Monument Signs in Non-Residential Zoning Districts and the R-4 Zoning District—The following regulations shall apply to all Monument Signs as a Permitted Use in all non-residential zoning districts and in the R-4 zoning district:~~
 - 1) ~~Street Frontage Less Than One Hundred (100) Feet—The following regulations and standards shall apply to all Monument Signs on properties which have one hundred (100) continuous linear feet of street frontage or less:~~
 1. ~~Height. Maximum height allowed shall be six (6) feet.~~
 2. ~~Width. Maximum width allowed shall be eight (8) feet.~~
 - 2) ~~Street Frontage Greater than One Hundred (100) Feet—The following regulations and standards shall apply to all Monument Signs on properties which have more than one hundred (100) continuous linear feet of street frontage:~~
 - 1) ~~Height. Maximum height allowed for Monument Signs shall be eight (8) feet.~~
 - 2) ~~Width. Maximum width (length) allowed shall be twelve (12) feet.~~
 - 3) ~~Site Relation. Monument Signs proposed to be greater than six (6) feet in height or greater than eight (8) feet in width shall be designed to relate to the building and site with which they are associated through the use of placement, similar colors, materials, or architectural details and elements.~~
 - 4) ~~Monument Signs for Residential Subdivisions and Public or Quasi-Public Uses in Residential Zoning Districts—the following regulations and standards shall apply to Monument Signs as a Permitted Use only for residential subdivisions and public or quasi-public uses in residential zoning districts, and are not intended to govern or allow the use of such signs for non-conforming commercial uses in residential zoning districts:~~
 - i. ~~Height. Maximum height allowed shall be four (4) feet.~~
 - ii. ~~Width. Maximum width (length) allowed shall be six (6) feet.~~
 - iii. ~~Site Relation. Signs for residential subdivisions and public or quasi-public uses in residential zoning districts shall be designed to relate to the building and site with which they are associated. In order to comply with this requirement, the use of one or more of the following techniques and methods may be required: similar colors, materials, architectural details, architectural elements, provision of additional setbacks, or the increase of landscaping elements.~~
 - iv. ~~Planning Commission Review. The Planning Commission may approve Monument Signs for subdivision entrances and public or quasi-public uses in residential zoning districts with heights up to eight (8) feet and widths up to twelve (12) feet using the site plan review process upon finding that such an increase is appropriate relative to property size, sign location, and the design and purpose of the sign.~~
(Ord. 1020, 11-17-2009; Ord. 1037, 12-7-2010)

Add

TITLE 13 – SIGN REGULATIONS

CHAPTER 1 - PURPOSE AND SCOPE

SECTION:

- 13-1-1: Purpose
- 13-1-2: Scope
- 13-1-3: Interpretation

13-1-1: PURPOSE:

- A. The purpose of this Title to promote short and long term beauty and order and providing for the health, safety and welfare of the public with Roy City by establishing standards and regulations for sign design, location, size, compatibility and aesthetics. It is the City's desire to coordinate the type, placement, and physical dimensions of signs within the different land use zones; recognize the commercial communication requirements of of the business community; encourage the innovative use of design; promote both renovation and proper maintenance; through the regulations of the display, construction use and maintenance of signs.
- B. These shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to zone. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage.
- C. By doing so it is hoped this Title will help to create streetscapes that are functional and attractive to both residents of Roy City as well as visitors.

13-1-2: SCOPE:

- A. This Title shall not relate to building design. Nor shall the Title regulate official traffic or government signs; the copy and message of signs; scoreboards on athletic fields; flags of any nation, government, noncommercial organization; gravestones; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.
- B. It is not the intent of this Title to regulate the content of public speech. The regulations of this Title are intended to apply to both on-premise and off-premise signs, but do not apply to hand-held placards and other similar devices traditionally used for public protest and the exercise of free speech.

12-1-3: INTERPRETATION:

- A. In interpreting and applying the provisions of this Title, the sign regulations contained herein are declared to be the maximum allowable for the purposes set forth.

CHAPTER 2 - DEFINITIONS

SECTION:

- 13-2-1: Definitions of Words and Phrases

13-2-1: **DEFINITIONS:** The words and terms defined in this Chapter shall have the meanings as indicated. Words used in the present tense include the future, and words in the singular number include the plural, and words in the plural include the singular. Words defined herein but defined differently elsewhere

in Roy City Municipal Code shall be construed as set forth in this chapter. Words not included herein but defined elsewhere in the City Municipal Code shall be construed therein..

ARCHITECTURAL PROJECTION: Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.

BUILDING CODE: The current edition of the building code as currently adopted by Roy City.

BUILDING FAÇADE: The portion of an exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

BUILDING FAÇADE FACING: A resurfacing of an existing facade with approved material, illuminated or non-illuminated.

BUILDING OFFICIAL: The official or other person charged with the administration and enforcement of this chapter or his duly authorized agent.

CHANGEABLE COPY PANEL: A portion of a sign which is characterized by changeable copy, regardless of method of attachment.

COPY AREA: The area of any symbol, logo, or other copy extending beyond the main sign cabinet shall be calculated with total area.

DEPARTMENT: The Community Development Department

DIRECTOR: The Planning and Zoning Administrator or their designee.

FRONTAGE: The linear measurement of building front. If a building fronts on more than one street, the frontage shall be computed on the longest single building front.

HANDBILL: A small print advertisement or announcement that is given out to many people by hand.

MAINTAIN or MAINTENANCE: To keep in an existing, functional and appropriate state of repair, including but not limited to, repainting, repairing and servicing. It does not include removal of signs. Maintenance may include re-lettering with the same or substantially the same message, but shall not, under any circumstances include an increase in size of the display area. Maintenance may also include strengthening the structure by changing or adding supports or performing other structural changes designed for strengthening the sign and increasing safety thereof.

MARQUEE: A permanent structure attached to and supported by a building front and projecting no more than seventy two inches (72").

NONCONFORMING USE: The prior lawful use of a building or structure which subsequently is prohibited by law in which the building, land or structure is situated.

PERSON: One or more persons, an association, a co-partnership, or a corporation firm or organization, , either by themselves or by an agent, employees, guardian or trustee.

REVOLVING BEACON LIGHT: Is when a light rotates, either by design or by manual manipulation, in a circular movement.

QUASI-PUBLIC: A company, under private ownership, that provides a public service. (i.e. Roy Water Conservancy District, or UTA)

SHOPPING CENTER: Two (2) or more businesses operating under binding, written legal agreements as a joint enterprise and licensed by Roy City as a shopping center business with more than forty thousand (40,000) square feet of combined building area doing business as a shopping center and with common parking area to be used by all of the businesses included within the center.

SIGN: A presentation or representation of words, letters, figures, designs, pictures or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also the structure or framework or a natural object on which any sign is constructed or is intended to be constructed or exhibited, or which is being used or is intended to be used for sign purposes.

SIGN, ABANDONED: A sign having be forsaken, deserted, left or cast off.

SIGN, A-FRAME: Any upright sign with rigid supporting frame in the form of a triangle or inverted V.

SIGN, ADVERTISING: See definition of Sign, Off Premises.

SIGN, ANIMATED: A sign which involves movement or rotation of any part, created by artificial means or displays flashing or intermittent lights, but not including electronic message signs

SIGN, BACKGROUND AREA: The entire background area of a sign upon which copy is placed. In computing sign background area, only the face or faces which can be seen from any one direction at one time shall be counted.

SIGN, BUSINESS: An on premises sign which directs attention to a use conducted, a commodity sold, or service performed on the premises where the sign is located.

SIGN, CIVIC AND PHILANTHROPIC: Normally temporary sign used to promote nonprofit governmental and nongovernmental entities that utilize donated assets and income to provide social useful services.

SIGN, CLOTH: Any sign executed upon or composed of any flexible fabric.

SIGN, COMBINATION: A sign incorporating any combination of the features of projecting, roof or freestanding or other signs.

SIGN, COMMUNITY: Sign that identifies the locality inhabited by a group of people, i.e., Roy City.

SIGN, CONSTURCTION: A sign that acts as an expression of notification through the application of physical, identifiable, and textual displays designing the required adherence to standards and practices within the perimeters of a construction zone.

SIGN, COPY AREA: The area of a sign that is used for display purposes, excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the minimum perimeter sufficient enough to frame the entire display.

SIGN, DEVELOPMENT: An on premises sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and address of the construction firm, architect and development.

SIGN, DIRECTIONAL/INFORMATIONAL: Signs which provide direction or instruction and located entirely on the property. Such signs identifying rest rooms, public telephones, walkways, no parking or signs providing direction such as parking lot entrance and exit signs and those similar in nature.

SIGN, ELECTRONIC MESSAGE: A sign which is operated by a programmable computer system which displays messages or numbers with alternating lighted messages.

SIGN, FAÇIA: A flat business sign on the face of a building or other structure.

SIGN, FLASHING: A sign that contains a sequential flashing light source where the period of time of illumination is equal to the period of non-illumination, and is used solely to attract attention in a non-informative way.

SIGN, FLAT: Any sign attached to a building or other structure that projects less than eighteen inches (18") beyond the building but extends parallel or substantially parallel to the building or other structure.

SIGN, FLOODLIGHT: See lighting of signs at subsection 9-4-3E of this chapter.

SIGN, FREESTANDING: A sign which is supported by one or more columns, uprights or braces in or upon the ground.

SIGN, IDENTIFICATION AND INFORMATION: A sign displayed to indicate the name or nature of a building or use, including all professional and business offices and buildings, apartment complexes and public.

SIGN, ILLUMINATED: A internally or externally lighted sign in which a source of light is used part of all of the time in order to make the message readable.

SIGN, INCOMBUSTIBLE: A sign which is constructed entirely of incombustible material.

SIGN, INCIDENTAL: Any sign or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently, or which related to such events or occurrences that are not taking place on the premises on which the sign is located. Examples, signs or posters relating to garage sales, concerts, "swap meets", and the like.

SIGN, INTERIOR: Sign located within the interior of any building or stadium (if said signs are facing towards the interior of the stadium) or within and enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court of entrance of any theater.

SIGN, MARQUEE: Any sign attached to or made an integral part of a marquee.

SIGN, MEMORIAL (TABLETS): Signs or tablets, names of buildings, and dates of building erection when cut into the surface or façade of a building.

SIGN, MULTIPLE COPY: A sign which advertises content or information other than the name of the business and the principal product or service.

SIGN, NAMEPLATE: A sign indicating the name of a person or persons residing, utilizing or otherwise occupying a premises.

SIGN, OFF-PREMISE: A sign which directs attention to a use, product, commodity or service not related to the property on which it is located.

SIGN, ON-PREMISE: An on premises sign which directs attention to a use conducted, a commodity sold or a service performed on the property.

SIGN, PROJECTING: Any attached sign extending in whole or in part more than twenty four inches (24") beyond the building line.

SIGN, POLITICAL / CAMPAIGN- An outdoor sign of a temporary nature erected for the purpose of soliciting votes or support for or in opposition to any candidate or any political party under whose designation any candidate is seeking nomination or election or any public question on the ballot in an election held under the laws of the state.

SIGN, PORTABLE -Any sign which is intended to be movable or capable of being moved, whether or not on wheels or other special supports, including but not limited to “A frame” type signs. Portable or movable signs also include placards, signs, banners or similar devices attached to vehicles for advertising purposes, unless such devices are an integral part of such vehicle used in the normal course of business. This definition does not include real estate advertising signs or political signs.

SIGN, PUBLIC NECESSITY – Signs for the control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.

SIGN, ROOF: Any sign constructed upon or supported by the roof or parapet of a building.

SIGN, SHOPPING CENTER: A sign which may be attached or detached within a shopping center to designate the name of the shopping center and the names of the tenants.

SIGN, STRUCTURE: Any structure which supports any including but not limited to a single pole or poles or as part of a building.

SIGN, STATUARY – Signs created in the form of a statue.

SIGN, SNIPE – The posting of advertising or political bills, posters, etc in unauthorized places.

SIGN, REAL ESTATE - A temporary sign advertising the sale, lease, or rental of the property upon which it is located, and the identification of the person or firm handling such sale, lease, or rental.

SIGN, TEMPORARY: A sign which is intended to advertise community or civic projects, and real estate for sale or lease on a temporary basis. Such sign shall be constructed not earlier than thirty (30) days prior to date of beginning of event and shall be removed within thirty (30) days after the event is concluded.

SIGN, TIME AND/OR TEMPERATURE AND PUBLIC SERVICE: A display containing illuminated numerals to show the time and/or temperature and public service messages.

SIGN, WALL: See definition of Sign Fascia.

STREET: A public thoroughfare, utilized, dedicated, abandoned or condemned for public use prior to the initial enactment of the zoning ordinance, which affords the principal means of access to abutting property and is more than twenty six feet (26') wide; and any public thoroughfare dedicated to the public and accepted by proper public authority or condemned for public use after said date.

STRUCTURAL ALTERATIONS: Any change in supporting members of a building, such as bearing walls, columns, beams or girders.

STRUCTURE: Anything constructed, the use of which requires location on the ground, or attachment to something having location on the ground.

TRIM, NONSTRUCTURAL: Nonstructural trim is the molding, battens, caps, nailing strips, latticing, cutouts or letters and walkways which are attached to the sign structure.

VISUAL CLEARANCE TRIANGLE: Also known as the Sight View Triangle or Sight Triangle.

ZONE: The geographical area of the City for which the zoning regulations have been established by the zoning ordinance.

ZONING ORDINANCE: The zoning ordinance of Roy City, Utah, as set forth in Title 10 of this Code, and as amended from time to time. (Ord. 593, 6-26-1984; amd. 2003 Code)

CHAPTER 3 - GENERAL PROVISIONS

SECTION:

- 13-3-1: General Provisions for All Signs
- 13-3-2: Prohibited Signs
- 13-3-3: Moving, Relocating or Altering of Signs
- 13-3-4: Maintenance
- 13-3-5: Lighting
- 13-3-6: Abandoned Signs

13-3-1: GENERAL PROVISIONS FOR ALL SIGNS:

- A. Signs as Structures – Signs are considered structures in their own right, and are therefore also subject to the other codes and ordinances of Roy City governing structures.
- B. Notwithstanding other allowances, requirements or language contained in this Title, the requirements for transition between residential and non-residential zoning districts, as contained in Chapter 10, Section 1031 of the Roy City Zoning Ordinance, shall apply.
- C. Measurement and Area Calculation – The following standards are intended to apply to all signs in all zoning districts.
 - 1. Height. Height is measured as the distance from the grade at the top back of curb at the property line nearest the sign to the top of the highest point of the sign cabinet, logo or copy. Height measured in this way may vary depending upon the landscaping, but in no case may the combined height of the sign, structure, berm or slope exceed three (3) feet of the stated height allowance for any particular sign.
 - 2. Width. Width is measured as the distance between the two furthest points of the sign cabinet, sign copy, or the smallest area within which all components of copy could be contained. Any supporting structure of a Monument Sign is not measured as width if the structure is incorporated into the surrounding landscaping design, or is incorporated with other structural or architectural aspects of the site.
 - 3. Area. Sign area is calculated as the total area of one face or side of the sign cabinet, copy area or the smallest area within which all components of copy could be contained, and shall not include pole covers or other support structures not containing copy. Supporting structure of a Monument Sign is not calculated as sign area if the structure is incorporated into the surrounding landscaping design, or is incorporated with other structural or architectural aspects of the site.
- D. In the event the Director deems that any structure, sign, shelter is unsafe needing immediate repair or removal, the owner shall respond within two (2) hours of notification. If the owner fails to respond the City may enter onto the premises and remove, repair or otherwise remedy the unsafe condition. The owner shall be liable to the City for any expenses or costs, including labor and administrative costs, incurred by the City or its agent in the process of remedying the unsafe situation. The City

shall send to the owner an itemized invoice requesting reimbursement for all costs incurred by the City. The owner shall reimburse the City no later than fourteen (14) days after the invoice is sent by the City to the owner. Failure to comply with this section may result in a revocation of the sign permit and/or business license

- E. Signs on Private Property: It shall be unlawful for any person to fasten or attach, paint or place any “sign”, as defines in this Title, upon any private wall, window, door, gate, fence, or sign, or upon any other personal property, without the consent of the owner or lessee, or someone authorized to act on behalf of such owner or lessee.
- F. Signs on Public Property: It shall be unlawful for any person to fasten or attach, paint or place any “sign”, handbill, poster, advertisement or notice of any kind or sort, whether political or otherwise, or to cause the same to be done in or upon any portion the curbstone, lamppost, telephone pole, electric light or power pole, hydrant, bridge or tree, in or upon any portion of any sidewalk, or street. It shall be unlawful to paste, place, paint or attach any “sign” as defines in this Title, upon any building, street, or property of the city. No sign shall be erected on or over public property.

13-3-2: PROHIBITED SIGNS:

- A. It shall be unlawful for any person to erect, place, or maintain a sign in the City of Roy except in accordance with the provisions of this title. The following types of signs are prohibited in all districts:
 - 1. Abandoned signs as specified in this title.
 - 2. Advertising signs for products or sales except as outlined in this title.
 - 3. Animated signs.
 - 4. Flashing signs.
 - 5. Flood zone. No sign shall be permitted within any designated one hundred-year flood area.
 - 6. Intensely lighted signs. No sign shall be permitted which because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties.
 - 7. Roof signs.
 - 8. Spotlights directed into the night sky except as part of an approved promotional period for temporary signs.
 - 9. Statuary (sign) bearing the likeness or suggestion of any product or logo.
 - 10. Graffiti
 - 11. Miscellaneous signs and posters:
 - a. Portable signs on areas except as noted in the Title.
 - b. Canvas signs and banners except as noted in this Title.
 - c. Snipe signs.
 - 12. Parking of advertising vehicles prohibited. No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the sole purpose of providing

advertisement of products or directing people to a business or activity located on the same or nearby property. This Section does not apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a business or commercial vehicle which is operable, properly licensed and legitimately utilized in said operation or businesses

13. Public areas. No sign, handbill or poster, advertisement or notice of any kind or sort, shall be fastened, placed, posted, painted or attached in any way in or upon any curbstone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk or street, except when the sign is owned by a public agency or constructed by permission of an authorized public agency or required by law.
14. Signs imitating or resembling official traffic or government signs or signals.
15. Sound, odor or visible matter. No advertising sign or device shall be permitted which emits audible sound, odor or visible matter.
16. Traffic hazards. No sign shall be permitted at the intersection of any street in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape or color it may interfere with or be confused with any authorized traffic sign, signal or device or which makes use of a work, symbol, phrase, shape or color in such a manner as to interfere with, mislead or confuse traffic.
17. Hot or cold air balloons, or inflatables.
18. Off-Premise Sign.

(Ord No. 848; 12/15/98)

B. Hand-bills, signs-public places and objects:

1. No person shall paint, mark or write on, or post or otherwise affix, any hand-bill or sign to or upon any sidewalk, crosswalk, curb, curbstone, park strip, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light or power or telephone or telegraph or trolley wire pole, or wire appurtenance thereof or upon any lighting system, public bridge, drinking fountain, lifesaving equipment, street sign or traffic sign.
2. Any handbill or sign found posted upon any public property may be removed by any of the City Departments. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost.
3. Nothing in this Section shall apply to the installation of a metal plaque or plate or individual letters or figures in a sidewalk commemorating an historical, cultural, or artistic event, location, or personality for which the Department has granted a written permit.
4. Nothing in this Section shall apply to the painting of house numbers upon curbs.

13-3-3: MOVING, RELOCATING OR ALTERING OF SIGNS:

- A. No existing sign may be moved or relocated to any other parcel, building, structure or portion thereof, unless the sign complies with all other provisions of this Title. No existing sign may be moved or relocated on the same parcel, building, structure or portion thereof, unless said sign also complies with all other provisions of this Title.

B. No existing sign may be altered unless the sign, after alteration, complies with all other provisions of this Title. Alteration includes a change of message or sign legend, or portion thereof, except where such change is a normal increment of the sign function common to signs such as a billboard, theater marquee, reader board, bulletin board.

13-3-4: MAINTENANCE AND REPAIR: All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Director may order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

13-3-5: LIGHTING: Unless otherwise specified by this title, all signs may be illuminated with a maximum brightness of 0.3 foot-candles above ambient light. However, all signs shall be designed, located, shielded, and directed so as to prevent the casting of glare or direct light from artificial illumination upon adjacent publicly dedicated roadways and surrounding property. Any use of a revolving beacon light is prohibited.

13-3-6: ABANDONED SIGNS:

A. Any on premise sign located on property which is vacated by an occupant shall be deemed to have been abandoned.

B. All abandoned temporary and permanent on premise signs shall be removed within fourteen (14) days of the termination of occupancy.

C. The structure of all on-premise signs shall be removed within forty-five (45) calendar days of written notice of abandonment is given to the owner, person having control, or person receiving benefit of such structure. Exception; if the sign is a part of a monument sign or a part of a Shopping Center sign, then this refers to the face of the sign and not the entire structure

D. Appeal. Any person who has been ordered to remove an abandoned sign may appeal the decision of the Director or as outlined within Chapter 28 of Title 10 – Zoning Ordinance

CHAPTER 4 - REGULATION OF SIGNS

SECTION:

13-4-1: Signs Not Requiring Permits

13-4-2: Permits Required

13-4-3: Signs that require a Permit

13-4-4: Bus Stop Bench and Enclosure Signs

13-4-1: SIGNS NOT REQUIRING PERMITS: The following types of signs are exempted from permit requirements but must conform to all other requirements of this Title:

A. Changing Copy. The changing of the message on a permitted sign that has an approved marquee, reader board, electronic message center, or other replaceable copy area.

B. Civic and philanthropic signs. Signs not exceeding one hundred (100) square feet in area pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted not more than two (2) days before the event and are removed no more than one (1) day after said event.

C. Commercial and Industrial Zones. Temporary signs announcing the location, availability, or development of property are necessary. Because these are allowed without a permit, restraint is advised.

1. On-Premise Development Identification Signs. Signs announcing or identifying the future development of commercial or industrial property are allowed one (1) per public or private street frontage. The sign(s) may not be constructed before the proposed development has been submitted for site plan review. These signs must be removed before final inspection approval or before permanent signs are installed. The size of the sign depends on the number of acres involved in the project.

Acreage of Development	Maximum Size of Sign
Less than 2 acres	32 square feet
2 to 5 acres	48 square feet
Greater than 5 acres	64 square feet
Maximum height of sign is 10 feet	

2. On-Premise Real Estate Signs.
 - a. One on-premise real estate sign advertising the sale of property per street frontage is allowed for any commercial or industrial planned center, building or lot intended for such and may not exceed thirty-two (32) square feet in area or eight (8) feet in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty-four (64) square feet. Signs for individual pads or parcels within centers are allowed, but it may not exceed sixteen (16) square feet or six (6) feet in height.
 - b. One on-premise sign advertising the availability of commercial or industrial space, for lease or sale, for space within a multi-tenant building or for a pad within the same center is allowed. The sign must be securely attached to the vacancy in question and may not exceed twenty-four (24) square feet in area.

D. Community Signs. Community signs shall comply with the following criteria:

1. No sign shall be permitted which is unsafe for vehicular or pedestrian traffic, is within the site triangle, or is in a deteriorated condition.
2. Such sign(s):
 - a. Must be made of durable, weather resistant, material;
 - b. Must use logos or symbols instead of copy where possible, where copy would cause a distraction to vehicular traffic; and
 - c. May be located at various gateway areas to the City, along major streets and important intersections adjacent to non-residential properties as approved by the Director.
3. Such signs shall be uniform in size for each individual display and shall be no larger than four (4) feet wide and ten (10) feet tall for signs attached to light or utility poles. Signs attached to building may be larger but must be appropriate in scale and location as approved by the Director.
4. Such signs shall not be attached to another temporary sign or a permanent traffic or business sign.
5. Such signs may be part of a "rotating permanent feature" of the City for such events as:
 - a. Roy Days
 - b. Holidays
 - c. Cultural and/or Arts events
 - d. Change in seasons

- e. Such signs for any single purpose or event may not be displayed for more than thirty (30) days. However, the Director may approve community purpose signs for long-term purposes subject to review on a ninety (90) day basis.
 - f. Community Announcements: Temporary signs, example A-Frame signs, located at specific locations within the city used to notify the public of important meetings times/dates.
- E. Construction signs. In any commercial or manufacturing zone, one unlighted sign per development not to exceed sixty-four (64) square feet in area, may be placed on the lot or attached to the outside of a building during its construction period. Signs shall be restricted to a height of no greater than ten (10) feet. Construction signs shall be setback a minimum of ten (10) feet from property lines and out of all clear view areas. The sign shall identify only the project, its developer, architects, engineers, designers, contractors or other persons or groups participating in the project.
- F. Directional/Informational Signs. Signs do not exceed four (4) square feet in area, such as signs identifying rest rooms, public telephones, walkways, or signs providing direction such as parking lot entrance and exit signs. Directional signs are to be limited to instruction or direction only and are not to have any form of commercial advertising on them.
- G. Flags. The flags, emblems, or insignias of any nation or political subdivision.
- H. House numbers and name plates. House numbers and name plates not exceeding two (2) square feet in area for each residential building.
- I. Incidental Sign.
- J. Interior signs.
- K. Memorial signs or tablets.
- L. No Trespassing and No Dumping signs:
- 1. In any commercial or manufacturing zone trespassing/dumping signs are allowed. In a commercial or manufacturing zone any number of signs not exceeding six (6) square feet each and placed a minimum of fifty (50) feet apart, may be attached to a structure, fence or may be free standing. In no case shall a trespassing/dumping sign be placed at a height greater than eight (8) feet above the finished grade immediately below the sign. No permit shall be required for this type of sign.
 - 2. In residential zones any number of no trespassing/dumping signs not exceeding three (3) square feet each and placed a minimum of fifty (50) feet apart, may be attached to a structure, fence, or may be free standing. In no case shall a trespassing/dumping sign be placed at a height greater than six (6) feet above the finished grade immediately below the sign. No permit shall be required for these types of signs.
- M. Name Plates. One attached nameplate per occupancy, not to exceed two (2) square feet in sign area.
- N. Political and Campaign Signs. Political and Campaign Signs shall meet the following requirements:
- 1. Posting on public right-of-way. It shall be unlawful for any person to post a campaign sign in a public right-of-way.
 - 2. Prior to posting of any campaign signs the candidate, a representative of the candidate or representative of the campaign shall provide to the Code Enforcement Officer the name and number of a contact person for the candidate or campaign.

3. Posting time limits. It shall be unlawful for any person to post a campaign sign more than sixty (60) days prior to the election for which the sign is posted, or to allow the sign to remain more than fifteen (15) days after the election for which the sign was posted. If there is more than forty (40) days between the primary and general election campaign signs must be taken down.
 4. Limitation of number of campaign signs on a lot. Not more than one (1) sign from each candidate running for public office, and/or question on the ballot on any lot or contiguous parcels of land under one ownership, per street frontage.
 5. Limitation of size of campaign signs.
 - a. Residential zoned districts: no sign shall not be greater than six (6) square feet, with the maximum height of the sign may not exceed four (4) feet.
 - b. Commercial and Industrial zoned districts: No sign shall be greater than thirty-two (32) square feet, with the maximum height of the sign may not exceed six (6) feet.
 6. Removal of illegal campaign signs. The Code Enforcement Officer or authorized agents are authorized to remove any campaign sign found posted within the corporate limits of the City when such sign is in violation of the provisions of this Section. For the purpose of removing campaign signs, the Code Enforcement Officer or authorized agents may take all steps necessary to remove the unauthorized signs and insure that all such signs shall be expeditiously removed from any property where posted.
 7. Notice. Upon discovery, the Code Enforcement Officer or authorized agents shall immediately notify by telephone the candidate, committee or person responsible for the posting of any sign in violation of this Section, indicating the location of the sign and that the sign must be removed immediately and the reason removal is necessary. If the address or phone number of the person responsible for the violating sign is not known the sign shall be removed under the provisions as set forth in sub-section (6) of this section.
 8. Storage and return. If after the notice has been given under sub-section (7) above, any campaign sign has not been removed, the Code Enforcement Officer or authorized agents shall remove said campaign sign and keep a record of the location from which the sign was removed. He/she shall store the sign in a safe location for at least thirty (30) days or until after the election whichever occurs first. If, at that time, the sign(s) has not been retrieved, it will be discarded by the City.
 9. Visual clearance triangle. No campaign signs shall be located in the visual clearance triangle located on corner lots. The visual clearance triangle is the triangular area at the corner performed by measuring a distance of forty (40) feet along both lot lines back from the point of intersection of said lines. Signs located within the visual clearance triangle may be removed under section (6) above without prior notice as required by section (7) if determined to be a safety hazard.
 10. Public Property. Political and campaign signs shall not be placed on public property.
- O. Public notices. Official notices posted by public officers or employees in the performance of their duties.
- P. Public necessity signs. Public necessity signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.
- Q. Residential Zones. It is recognized that temporary signs announcing the location, availability, or development of property are necessary. Restraint is advised. The following shall apply:
- I. On-Premise Development Identification Signs.

- a. Individual Lots. One sign announcing the name of the construction/development company is allowed. Area of the sign may not exceed sixteen (16) square feet nor six (6) feet in height. The sign may not be erected more than five (5) days prior to the beginning of construction for which a valid building permit has been issued. It must be removed before final occupancy.
- b. Subdivisions or Planned Unit Developments. One development promotional sign may be placed on the premises of each development having five (5) or more lots or approved unit sites in any residential zone. The size of the sign shall be no greater than sixty-four (64) square feet with a maximum height of ten (10) feet. Such signs shall be removed within five (5) years of the issuance of the first building permit in the project or if all lots are sold out before five (5) years immediately upon sale of the last lot.

2. On-Premise Real Estate Signs.

- a. Signs advertising the sale, rent, or lease of property shall be limited to one real estate sign on each lot. Each such sign shall not exceed four (4) square feet in size and four (4) feet in height.
- b. One real estate sign per street frontage is allowed for any multi-use residential or professional office building or lot intended for such and may not exceed thirty-two (32) square feet in area or eight (8) feet in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty-four (64) square feet.

Acreage of Development	Maximum Size of Sign
Less than 2 acres	32 square feet
2 to 5 acres	48 square feet
Greater than 5 acres	64 square feet
Maximum height of sign is 10 feet	

- c. Model home signs shall not exceed sixteen (16) square feet in area nor exceed six (6) feet in height and shall be placed entirely upon the premises of the model.
- d. Model home signs shall not be located within the visual clearance triangle as defined by the Zoning Ordinance and shall be setback a minimum of ten (10) feet from the property line.

3. Temporary/Open House Real Estate Signs. Open house signs not to exceed six (6) square feet in area and four (4) feet in height, advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. Individual placing the signs shall obtain written permission from the property owner. Signs shall not be placed in the park-strip attached to trees, poles or street signs. Open house signs shall be displayed only during those hours/day(s) which the house is open for actual inspection.

R. Symbols or insignias. Religious symbols, commemorative plaques of recognized historical agencies, provided that no such symbol, plaque, or identification emblem shall exceed ten (10) square feet in area.

S. Temporary directional signs. In any zone, a sign giving direction to a specific location for any public or private event may be placed under the following conditions:

- 1. No more than one sign may be placed on a parcel of property.
- 2. No such signs shall be placed on public property.
- 3. Must have a setback of one (1) foot from any sidewalk or street right-of-way line, whichever is greater.
- 4. Written consent of the owner or person entitled to possession of the property or their authorized representatives shall be obtained.

5. Shall be removed within twenty-four (24) hours of the completion of the event.
 6. Shall not exceed three (3) feet in height, or when placed into a clear view area, two (2) feet in height.
 7. Shall not exceed six (6) square feet in sign area measured on one sign face individually, or eighteen (18) square feet collectively.
- T. Window Signs. Window signs which are painted on or temporarily affixed to the window surface shall not be as 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 eight (8) inches of the window surface.
1. Regional Commercial zones: shall cover no more than thirty (30) percent of any single window, or thirty (30) percent of the entire surface area of a group of windows.
 2. Community Commercial, Business Park, Manufacturing, Light Manufacturing and R-4 zones: shall cover no more than twenty-five (25) percent of any single window, or twenty-five (25) percent of the entire surface area of a group of windows.
- U. Signs, not associated with home occupation signs, maybe used in residential areas for personal needs or requirements. Any holiday decoration that does not bear any commercial logo or message shall not be considered a sign.

13-4-2: PERMITS REQUIRED:

- A. Unless otherwise provided by this Title, all signs shall require permits and payment of fees as described in § 13-8-3 of this Title. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.
- B. Illegal signs. No person shall construct maintain or permit to be construct or maintained on any premises any sign which does not comply with the provisions of this Title.
- C. All necessary construction and engineering specifications must be submitted to satisfaction of all applicable building and construction code, laws and ordinances. The Department may also require, additional engineering information if there is a concern for the health or safety of the general public.
- D. Issuance: The Department shall issue a permit only to a sign contractor properly licensed in the state of Utah, for the construct, alteration or relocation of a sign within the City when an application therefore has been properly made and the sign complies with all appropriate State and Federal laws and regulations of the City.
- E. Term: Every permit issued by the Department under the provisions of this Title shall expire and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of issuance of a permit, or if the work authorized by a permit stops, is suspended or abandoned for any reason for a period of one hundred eighty (180) days or more at any time after the work is commenced. Before such work can be commenced or resumed after a one hundred eighty (180) day suspension of work or abandonment period, a new permit shall first be obtained and the fee therefore shall be one-half the amount required for a new permit, provided no changes have been made or will be made in the original plans and specifications the suspension of work or abandonment has not exceeded one (1) year.
- F. Suspension or Revocation: The Department may at any time, in writing, suspend or revoke a permit issued under the provisions of this Title whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this Title.

- G. Effect of issuance: No permit for a sign shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance or for damages resulting from a nuisance.

13-4-3: SIGNS THAT REQUIRE A PERMIT:

Purpose: The streetscape is the combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominant the view of the driver or pedestrian. a useful, attractive, and safe streetscape is necessary to regulate the size, location, and design of signs. Poorly designed, oversized, and inappropriately located signs in commercial and industrial areas and businesses in residential neighborhoods can be detrimental to the achievement of effective, safe and attractive streetscapes, it is important that the permanent and temporary signs in these areas receive approval (permits) from the City.

Commercial and industrial uses are generally more intensive than those found in residential zones. Since these uses are designed by size, location, and style to attract attention and provide services to the public, they generally need signage to achieve that end. Business signs of any kind in residential neighborhoods can diminish the quality of life for which those zones were specifically created. However, there may be some residential uses which merit a sign, though much smaller and subdued than in commercial or industrial zones. Therefore, it is the intent and purpose of this Section to outline regulations and design standards for signs in both commercial/industrial and residential areas that will allow the business to identify itself while allowing Roy City to create and maintain safe and aesthetically pleasing streetscapes regardless of zone.

A. General Regulations for all signs

Commercial/Industrial zones: The total sign area allowed per business shall not exceed the square footage as determined by the following formula: four (4) square feet for each linear foot of building frontage, of a licensed business, with a maximum allowance of 300 square feet per street frontage. For any business that backs onto the Freeway (I-15), the freeway may be counted as additional street frontage.

B. Types of signs allowed:

1. Wall Signs: Wall Signs should be the primary form of identification for business uses in the City. Each business may have a minimum of one (1) wall sign.

Wall Signs as a Permitted Use in Non-Residential Zoning Districts (Regional Commercial, Community Commercial, Business Park, Manufacturing, Light Manufacturing & Recreation) and the R-4 Zoning District – The following regulations shall apply:

- a. Wall signs shall not extend above the height or beyond the width of the building facade (Ord. 593, 6-26-1984)
2. Monument Signs: Monument Signs include low-profile signs with little or no clearance from grade to cabinet, and may be located on pedestals of no more than one (1) foot in height or on foundations or other support structures directly on the ground. In all cases, Monument Signs will appear to be generally supported directly on the grade or foundation.
 - a. General Requirements – The following regulations and standards shall apply to all Monument Signs in all zoning districts.

- 1) Site Relation. Monument Signs shall be designed to relate to the building and site with which they are associated through the use of placement, similar colors, materials, or architectural details and elements.
 - 2) Visual Clearance Triangle. No Monument Sign shall be located in such a way as to impede the clear view of vehicular or pedestrian traffic on any site, path or roadway, whether public or private.
 - 3) Setback Required. In addition to visual clearance triangle requirements, Monument Signs shall be setback a minimum of five (5) feet from any property line, and may not be located closer than ten (10) feet to any point of vehicular access.
 - 4) Landscaped Areas. All Monument Signs shall be located within landscaped areas.
- b. Monument Signs as a Permitted Use in Non-Residential Zoning Districts (Regional Commercial, Community Commercial, Business Park, Manufacturing, Light Manufacturing & Recreation) and the R-4 Zoning District – The following regulations shall apply:
- 1) Street Frontage Less Than One Hundred (100) Feet:
 - i. Height. Maximum height allowed shall be six (6) feet.
 - ii. Width. Maximum width allowed shall be eight (8) feet.
 - 2) Street Frontage Greater than One Hundred (100) Feet:
 - i. Height. Maximum height allowed for Monument Signs shall be eight (8) feet.
 - ii. Width. Maximum width (length) allowed shall be twelve (12) feet.
- c. Monument Signs as a Permitted Use for Residential Subdivisions and Public or Quasi-Public Uses in Residential Zoning Districts, and are not intended to govern or allow the use of such signs for non-conforming commercial uses in residential zoning districts – the following regulations and standards shall apply:
- 1) Height. Maximum height allowed shall be four (4) feet.
 - 2) Width. Maximum width (length) allowed shall be six (6) feet.
 - 3) Planning Commission Review. The Planning Commission approve Monument Signs for subdivision entrances and public or quasi-public uses in residential zoning districts with heights up to eight (8) feet and widths up to twelve (12) feet using the site plan review process upon finding that such an increase is appropriate relative to property size, sign location, and the design and purpose of the sign. (*Ord. 1020, 11-17-2009; Ord. 1037, 12-7-2010*)

3. Pole Signs

- a. Pole Signs include freestanding signs with an identifiable support structure and a separate cabinet for sign copy clearing at least ten (10) feet above grade.
- b. General Requirements – The following regulations and standards shall apply to all Pole Signs in all non-residential zoning districts:
 - 1) Clearance. All Pole Signs shall provide a minimum clearance of ten (10) feet to the bottom of the lowest cabinet face.
 - 2) Setback. Pole Signs may be located in any required setback or landscaping area, but shall maintain a minimum setback of one (1) foot from any property line, and a minimum of ten (10) feet from any point of vehicular access to the public right-of-way, as measured to the sign cabinet.
 - 3) Pole Cover. All freestanding signs must have the structural supports covered or concealed with pole covers (pylon covers) a minimum of one-fifth and a maximum of one-third of the sign cabinets. The actual structural supports shall not be exposed, and the covers must be architecturally and aesthetically designed. Pole covers shall not contain sign copy.
 - i. Exception. Freeway Oriented Signs, as described in this Title
 - 4) Multiple Cabinets. No Pole Sign may consist of more than two separate sign cabinets, notwithstanding allowable sign areas.
 - 5) Number of Signs. No site or development may have more than one (1) Pole Sign as defined herein.
 - i. Exception. Shopping Centers, as defined by Roy City Ordinance, of at least five (5) acres and with a minimum street frontage of one-hundred fifty (150) feet, may be allowed a maximum of two (2) Pole Signs. Such signs must be separated by at least one hundred (100) feet, as measured by the closest points of the two sign cabinets.
- c. Regional Commercial and Manufacturing Zoning Districts. The following regulations and standards shall apply to all Pole Signs in the Regional Commercial and Manufacturing zoning districts:
 - 1) Height. Pole Signs shall be allowed as a Permitted Use at a maximum height of thirty (30) feet.
 - 2) Freeway Oriented Signs. Pole Signs in the Regional Commercial zoning district on properties east of 1900 West Street, and located within three hundred (300) feet of the Interstate 15 right-of-way, as measured at the closest property lines, may be considered a Freeway Oriented Sign with the following considerations:
 - i. Conditional Use. To be considered a Freeway Oriented Sign, a sign must be granted a Conditional Use, and may be allowed a maximum height of up to fifty (50) feet.

- i. Exception. Monument Signs intended to be used as Electronic Message Center Signs may be allowed to utilize up to seventy –five percent (75%) of the sign face.
 - 2) Number Allowed. No site or development shall have more than one (1) Electronic Message Center Sign.
 - i. Exception. Shopping Centers, as defined by Roy City Ordinance, of at least five (5) acres and with a minimum street frontage of one-hundred fifty (150) feet, may be allowed a maximum of two (2) Electronic Message Center Signs. Such signs must be separated by at least one-hundred (100) feet as measured at the closest points of the two sign cabinets.
 - 3) EMC signs can only be a part of either a monument or pole sign and are not allowed as part of or as a wall sign.
 - 4) Public and Quasi-Public Uses. Notwithstanding other regulations of this Section, public and quasi-public uses may seek Conditional Use Permits to allow Electronic Message Center Signs if it is determined that a public need can be met, or a public benefit can be provided, and that impacts to surrounding properties can be properly mitigated. When considering Conditional Use Permits allowing Electronic Message Center Signs for public and quasi-public uses, the City may further restrict the size, percentage allowances, and other requirements of this Section in order to mitigate impacts.
 - b. Electronic Message Center Signs – In Regional Commercial, Community Commercial, Business Park and Manufacturing zoning districts, Electronic Message Center Signs shall be allowed as a permitted use with the following restriction:
 - 1) No EMC Sign shall be located within one hundred (100) feet of another EMC sign on the same property or adjacent to a residential zoning district as measured at the closest property lines.
 - 2) Display of each message shall remain for a minimum of six (6) seconds before transitioning to another message.
 - 3) EMC Signs shall be allowed a maximum brightness of 0.3 foot-candles above ambient light. When considering specific signs under the Conditional Use Standards set forth in the Roy Municipal Code, the City may impose more strict requirements for dimming if it is found that special circumstances exist.
 - 4) No EMC Sign shall be operated in such a way as to become a nuisance to surrounding properties, or to be an interference with traffic or public safety in any way.
 - 5) An EMC Sign must be located within the front setback of the property.
 - c. Electronic Message Center Signs Prohibited. In Recreation, Light Manufacturing and in all residential zoning districts, Electronic Message Center Signs of all types are prohibited except as specifically allowed by § 13-4-2 D 2 c
5. Canopy (Gas Station) signs: Signs for canopies over gas islands are regulated as follows:

- a. Sign copy, corporate logos, etc. may be a maximum of ten (10) percent of one face of the canopy.
 - b. Up to three-(3) sides of the canopy may be used for signs.
 - c. Individual letters, logos, or symbols may not extend beyond the canopy face.
6. Home occupation signs. Home occupation signs are allowed within any zone based upon issuance of a business license. Home occupation signs shall not exceed two (2) square feet in area and must be attached to the home.
7. Temporary Sign Standards: The City realizes that from time to time it is necessary for a business to advertise special events and other commercial messages. To help businesses address this issue, the following regulations have been established for temporary banners and signs. Temporary signs shall not be placed in or over a public right-of-way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind, and shall not be attached to telephone poles, fences, or trees.

Temporary signs may be attached to existing permanent signs only for a grand opening or reopening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed ownership names or types of business. No off-premise temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in the Title.

a. General Provisions

- 1) A temporary sign shall be located on-premises only.
- 2) A temporary sign shall not be located within five (5) feet of any public sidewalk or any public right-of-way.
- 3) A temporary sign shall not be illuminated, flash, blink, spin, rotate, block traffic visibility of vehicles entering onto a public street, or cause a public nuisance of any kind
- 4) A temporary sign shall not be located closer than twenty-five (25) feet to any residential zone.
- 5) A temporary sign shall not be located within the clear-view area set forth in this Title
- 6) For any single or two tenant property, the following shall apply:
 - i. Any tenant with less than ten thousand (10,000) sq ft of building area shall not display more than one (1) temporary sign at any time. The maximum area of any temporary sign shall be thirty-two (32) sq ft.
 - ii. Any tenant with greater than ten thousand (10,000) sq ft of building area shall not display more than two (2) temporary sign at any time. The maximum combined area of any temporary sign shall be forty-eight (48) sq ft.
 - iii. Where a property abuts two (2) streets, one (1) additional sign, oriented to the other abutting street, shall be permitted.
- 7) For any multi-tenant property, the following shall apply:

- i. Any business with less than ten thousand (10,000) sq ft of building area shall not display more than one (1) temporary sign at any time. The maximum area of any temporary sign shall be twenty-four (24) sq ft. However, in no instance shall there be displayed more than three (3) temporary signs per one hundred (100) linear feet of frontage.
- 8) A temporary sign shall be a banner, blade, posters, wall sign, A-frame, or a pedestal type sign. Signs attached to the ground must be secured.
- 9) A temporary sign shall be substantially constructed and adequately weighted, anchored, or attached to the ground to protect the public and property.
- 10) No permit shall be required for a temporary A-Frame sign that is removed at the end of each business day.
- 11) An A-frame sign shall be designed, constructed, and installed such that it will lay flat if it is contacted by any object
- 12) Any temporary sign, other than an A-frame sign, shall be posted not more than one (1) time each business quarter, for a maximum of thirty (30) concurrent days
- b. Types of Temporary Signs Allowed:
 - 1) Grand Opening Signs. Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business may be allowed provided that the event shall not continue for more than sixty (60) days and that the permit is issued within the first year of operation. There shall be no more than one (1) sign allowed per business. Signs must comply with general size and location standards for signage in this Title and must be removed at the end of the 60 day period. ("Now Open", "Grand Opening", "New Location of....", "New Ownership," etc. are appropriate type message for such signs.)
 - 2) Going Out of Business/Bankruptcy Period. A business may apply for a special permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed ninety (90) calendar days and will be allowed only once for any business license. A temporary sign permit is required. (Special product, price or service advertising are appropriate during these periods.)
 - 3) Directional Signs for Subdivisions or Residential Developments. Written permission of the property owner must be obtained and presented to the Director before they are erected.
 - i. Three directional signs may be allowed for a developer to guide traffic to the site and should contain only the name, address, and direction of the development. They are limited to sixteen (16) square feet in area and eight (8) feet in height and must be placed entirely upon private property with the permission of the owner. Two additional sixteen (16) square foot directional signs may be allowed by the Director if a special need or unusual circumstance can be demonstrated. They may not encroach upon any public right-of-way and may not be located within the sixty (60) foot traffic visibility triangle on corners.
 - ii. Such signs shall be removed within 2 years of the issuance of the first building permit in the project or if the lots are sold out before 2 years immediately upon sale of the last lot. An extension may be granted by the Director if a 60 % of the lots have not been sold at the end of the 2-year period.

13-4-4: **BUS STOP BENCH AND ENCLOSURE SIGNS:** Signs on public bus benches or attached to bus enclosures located on public or private property are approved by the Planning Commission. Approval shall be subject to the following criteria:

- A. No public nuisance or hazard is created.
- B. The signage shall not advertise tobacco, alcoholic beverages or allow the depiction of any matter deemed by the Planning Commission to be obscene, harmful to minors or in violation of law.
- C. The signage shall be maintained at all times, including at a minimum:
 - 1. Removal of trash and emptying of any receptacle.
 - 2. Snow removal.
 - 3. Graffiti removal.
 - 4. The owner shall respond within twenty four (24) hours of any request from the City to clean or service any bench, shelter or trash receptacle.
 - 5. In the event the Director deems that any shelter, bench or trash receptacle is unsafe needing immediate repair or removal, the owner shall respond within two (2) hours of notification.
- D. The city may remove any bus bench or shelter placed wholly or partly within the public right of way or any public property contrary to the provisions of this chapter. (Ord. 848, 12-15-1998)

CHAPTER 5 - NONCONFORMING SIGNS

SECTION:

13-5-1: Nonconformity

13-5-1: NONCONFORMITY:

- 6. Any sign not in conformance with the provisions of this chapter and which was constructed or installed without a permit, shall be removed within ten (10) days upon notification from the Director.
- 7. Signs for which permits were previously issued and which are made nonconforming by updated or amended the provisions of this Title shall be permitted to remain. Under no circumstances shall such nonconforming signs be remodeled or replaced except as specifically provided for in this Title. The provisions of Subsection L of this Section shall also apply to such nonconforming signs.
- 8. Any existing sign, conforming to the provisions of this Title relative to size and location, but nonconforming as to structure requirements, shall be removed or replaced within ninety (90) days upon written notice from the City. If they are deemed to be a hazard, or more than fifty percent (50%) damaged, they shall be removed or repaired in accordance with the structural requirements of this Title within ten (10) days after receiving notice from the City.
- 9. Any sign on a building determined to be abandoned shall be removed within ten (10) days of notification by the Director to the property owner and/or owner of the business advertisement and/or owner of the sign.

- 10. Nonconforming uses in residential zones; one sign per use. One square foot of sign area per lineal foot of building frontage, with a maximum of fifty (50) square feet.
- 11. Nonconforming uses in other than residential zones; one sign per use. Area of the sign shall be in accordance with the provisions of regulations set forth in this Title for the respective zone in which the nonconforming use is located.

CHAPTER 6 - CONSTRUCTION SPECIFICATIONS

SECTION:

- 13-6-1: Inspection Required
- 13-6-2: Building Code Compliance

13-6-1: INSPECTION REQUIRED:

- A. Required Inspections. A footing and final inspection shall be required for all signs requiring a permit.
- B. Re-inspection. A re-inspection may be required of any sign upon primary inspection was not built in complete compliance with the regulations of this Title or applicable International Building Codes.

13-6-2: BUILDING CODE COMPLIANCE:

All signs shall comply with the appropriate detailed provisions of the International Building Code, as amended relating to design, structural members, and connections. All metal, wire cable supports, and braces shall have engineering provided by an engineer licensed in the State of Utah. Signs shall also comply with the applicable provisions of the Electrical Code of Roy City and the additional construction standards as set forth in the Title.

CHAPTER 7 - BILLBOARDS

SECTION:

- 13-7-1: Purpose and Intent
- 13-7-2: Cap on number of Billboards
- 13-7-3: Permitted and Prohibited Locations
- 13-7-4: Removal of Billboards
- 13-7-5: Relocation of Billboards
- 13-7-6: Maintenance of Billboards

13-7-1: PURPOSE AND INTENT:

It is the purpose and intent of this Chapter to limit the number of billboards to the total number of existing billboards. This Chapter further provides for the reasonable regulation of billboards with the intent of limiting negative impacts, enhancing the aesthetics of existing and new billboards, implementing goals and policies promoting safety, the protecting of property values, aesthetics, and the maintenance of gateways, views and vistas, that enhance the City and further the applicable elements of the City's General Plan.

13-7-2: CAP ON NUMBER OF BILLBOARDS:

The number of billboards allowed in the City shall be limited to the number of billboards that have received a legal Roy City permit as shown in Exhibit I. The number of billboards in the City shall never increase. A new billboard shall only be permitted as replacements or relocations of an existing billboard as permitted by this Title.

13-7-3: PERMITTED AND PROHIBITED LOCATIONS:

Billboard Permitted Areas. Billboards shall be permitted in areas as defined by “Exhibit I” attached hereto and incorporated herein. Any billboard not in the designated area shall be considered nonconforming. If differences exist between this Ordinance and Exhibit “I”, Exhibit “I” shall take precedence.

I-15 Corridor: Billboards shall be permitted in any non-residential zoning district along the I-15 Corridor, within three hundred feet (300') of the I-15 centerline, measured to the billboard pole.

13-7-4: REMOVAL OF BILLBOARDS:

Prior to the removal of any billboard in Roy City the following requirements must be met:

- A. Permit required. Billboards may be removed by the billboard owner only after obtaining a demolition permit from Roy City. Owners that do not obtain the appropriate demolition permit shall forfeit the right to reconstruct, relocate, build or convert any billboard that is removed without a permit.
- B. Application shall be made by obtaining a demolition permit provided by the Department.

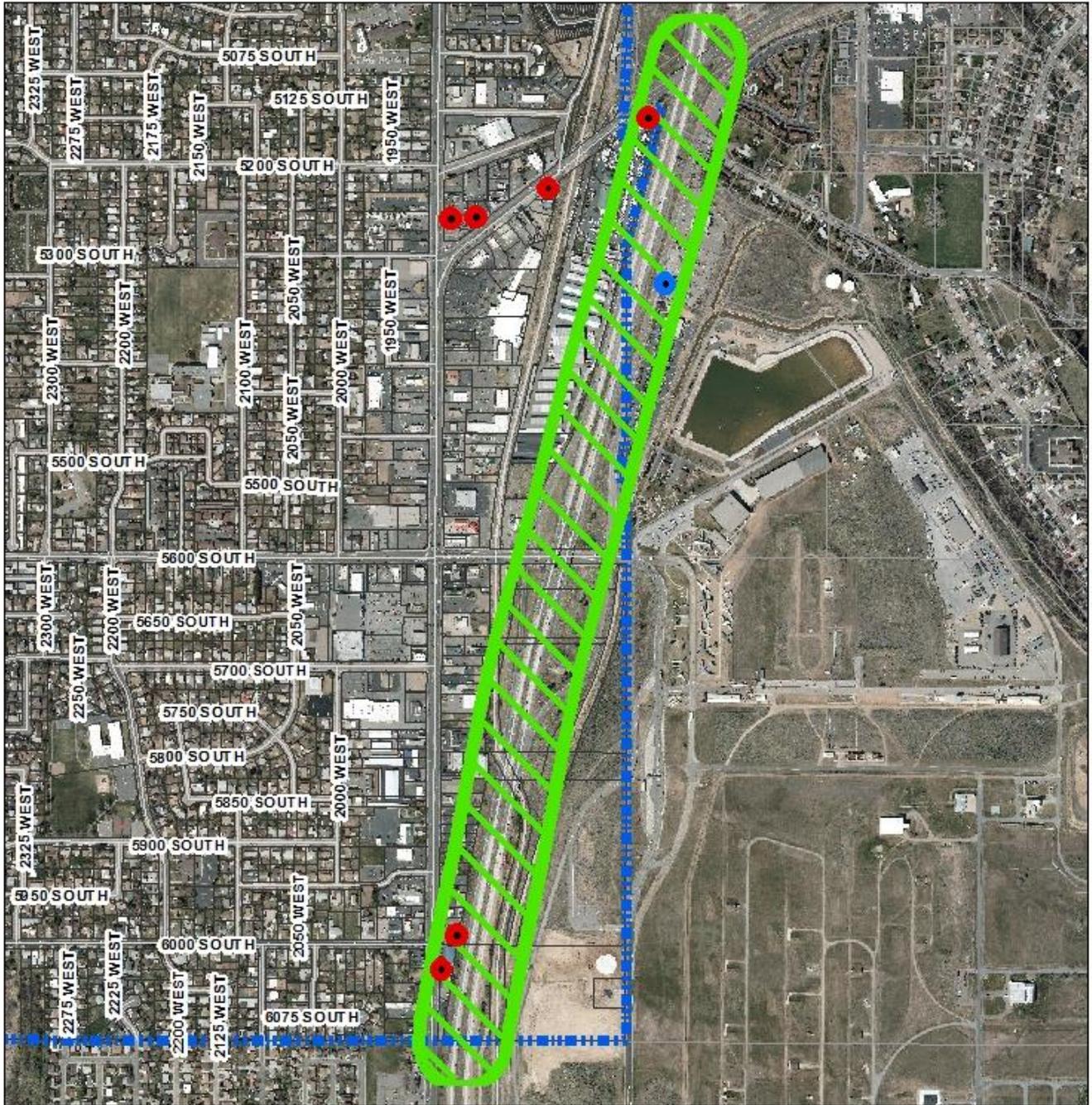
13-7-4: RELOCATION OF BILLBOARDS:

- A. The owner of a billboard may relocate a billboard from any conforming or nonconforming site to a conforming, approved location only after a permit is obtained as set forth in this Title and must comply with other provisions of this Chapter.
- B. Billboards moved to an approved location shall conform to all sign requirements of the new location.
- C. Billboards in an approved location or billboards moving into an approved locations are permitted to convert to digital or enlarge the sign face. However, Billboards n nonconforming locations shall not be permitted to convert or enlarge the sign face.
- D. Owners relocating billboards from a conforming or nonconforming location to a conforming location shall install the relocated billboard within twelve (12) months of the issuance of a demolition permit, with not more than one (1) extension of up to six (6) months each granted by the Department. If the billboard is not installed within the maximum allowed time frame, then the ability to relocate said billboard is forfeited.

13-7-5: MAINTENANCE OF BILLBOARDS:

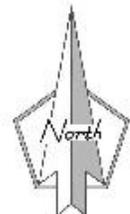
- A. Each billboard shall be maintained in a safe, presentable, and good condition; including the replacement of defective parts, painting, cleaning, removal of old or dilapidated advertisements and other acts required for the maintenance of said sign.
- B. For any structural changes to an existing billboard, a building permit shall be required.

Billboard Permitted Area



Legend

-  City Boundary
-  Parcels
-  Billboard Permitted Area
-  Existing Billboards within Roy
-  Existing Billboards outside of Roy



CHAPTER 8 - ADMINISTRATION AND ENFORCEMENT

SECTION:

- 13-8-1: APPLICATION FOR PERMIT
- 13-8-2: PERMIT FEES
- 13-8-3: PERMIT CONDITIONS AND PENALTIES:

13-8-1: APPLICATION FOR PERMIT:

- A. Application for a permit for the construction, alteration, or relocation of a sign shall be made to the Department upon a form provided by the Department and shall include the following information:
 - 1. Name and address of the owner of the sign.
 - 2. Proof of current Roy City Business License.
 - 3. Street address or location of the property on which the sign is to be located, along with the name, phone number and address of the property owner.
 - 4. Contractor information, to include license number, phone number and address.
 - 5. Value of sign.
 - 6. The type of sign or sign structure as defined in this Title.
 - 7. For wall signs:
 - a. Scale drawings showing square foot dimensions of both the building and the sign, sign composition, and type of illumination.
 - b. A profile drawing of how the sign will appear from the street/parking area and on the building.
 - c. Detail sign construction and attachment including electrical plan.
 - 8. For monument or freestanding sign:
 - a. Number of acres and length of lineal frontage of property.
 - b. A site plan showing the relationship of sign to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways along with the locations and square footage areas of all existing signs on the same premises and adjacent premises within one hundred (100) feet.
 - c. Specifications and scale drawing showing the materials, design, dimensions, structural supports, method of attachment and electrical components of the proposed sign.
 - 9. For pole signs:
 - a. Scale drawings showing square foot dimensions of the sign, height clearance, sign composition, and type of illumination.
 - b. A profile drawing of how the sign will appear from the street/parking area and on the building.
 - c. Detail sign construction and attachment including electrical plan.

10. For temporary signs:

- a. Length of period of display, type of request.
- b. Plot plan showing relationship of sign(s) to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways.

13-8-2: PERMIT FEES:

All applications for permits filed with the Department shall be accompanied by a payment of the initial permit fee for each sign according to a fee schedule set by resolution of the Roy City Council.

13-8-3: PERMIT CONDITIONS AND PENALTIES:

- A. A permit issued by the Department becomes null and void if work is not commenced within one hundred eighty (180) days of issuance. If work authorized by the permit is suspended or abandoned for one hundred eighty (180) days, the permit must be renewed with an additional payment one-half of the original fee.
- B. If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person of any other requirements or penalties prescribed in this title.

CHAPTER 9 - VIOLATIONS

SECTION:

13-9-1: PENALTY

13-9-1: PENALTY:

Any person who shall fail to comply with, or shall violate any of the provisions of this Title, or any lawful rules or regulations promulgated hereunder, shall be deemed guilty of a class C misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code. The penalty provided herein shall be in addition to any suspension or revocation of any license or permit issued by the City. (Ord. 593, 6-26-1984; amd. 2003 Code)

CHAPTER 10 - CONFLICT

SECTION:

13-10-1: CONFLICT

13-10-1: CONFLICT:

If any portion of this Title is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the city code, the provision which establishes the higher standard shall prevail.

JANUARY 27, 2015

2. DISCUSSION OF ROY CITY SIGN ORDINANCE

Steve Parkinson asked the Planning Commission the following questions:

- What did they like as they drove through Roy City's commercial areas?
- What did they dislike as they drove through Roy City's commercial areas?
- How did the commercial area visually appear?
- Was it a visually tranquil drive, or were they bombarded with too much?
- Had they seen or felt something different or unique about commercial signs in another city? What did they like or dislike?

Mr. Parkinson stated that as the Planning Commission began to think about how they would like Roy to visually appear, it would answer questions about the types of signs that should be allowed, the height of signs, the size of signs, and the number of signs.

Commissioner Stonehocker felt driving through Roy was like driving through Vegas in the 1950's.

Chairman Kirch didn't feel Roy was as bad as Clearfield, and it wasn't as busy as Riverdale.

Commissioner Karras felt there were a lot of temporary signs, which he didn't feel were needed. He felt the temporary signs really detracted from the City's visual appearance.

Chairman Kirch didn't like the moving signs. Mr. Parkinson said that moving signs fell under regulations for freedom of speech. Unless moving signs were interfering with pedestrian traffic there wasn't much the City could do.

Commissioner Paul stated that when you entered Roy there was an antiquated building on the south and Village Inn on the north. If you turned south you ran into a sex shop. If you turned north there were motorcycles and scooters on the sidewalk. Straight ahead there was a large empty building. There wasn't much that was appealing. The appearance didn't speak well for Roy.

Chairman Kirch felt the City was doing a good job along the north end of 1900 West and along Midland Drive.

Steve Parkinson felt it was important for businesses to have signs, but they didn't need to be 90 feet or have flashing lights.

Mr. Parkinson reviewed the following types of signs:

Monument signs – low profile signs with little or no clearance from grade to cabinet. They were usually 6 to 8 feet in height. Clinton only allowed monument signs, except projects over 10 acres were allowed one pylon sign. Twelfth Street in Ogden had recently gone to only monument signs as well.

Pole signs – a freestanding sign with an identifiable support structure and a separate sign cabinet located at least 10 feet above grade. In Roy City pole signs were only allowed in Regional Commercial and Manufacturing zones. Businesses located along the freeway could have a freeway-oriented sign that was 50 feet in height. All other pole signs were limited to 20 feet in height. A lot of cities were moving away from pole signs. If Roy chose not to allow any more pole signs, all existing pole signs would becoming non-conforming uses.

Pylon signs – a freestanding sign that was larger than a pole sign. They were usually the types of signs used for large multi-tenant commercial complexes. Roy City's ordinance allowed pylon signs to be 40 feet in height. In Clinton the maximum pylon height was 24 feet.

Flush-mounted sign – a sign mounted on the wall surface of a building. Flush-mounted signs were referred to as wall signs in Roy City's ordinance. All businesses in Roy were allowed to have a flush-mounted sign. The size was based on the linear store frontage. The ordinance did not dictate whether a flush-mounted sign could be back-lit or front-lit.

Roof signs – a sign structure located on the roof of an existing building. They were usually found in larger cities and weren't residential in nature. Roy City's ordinance did allow them, but not in C-1 or C-2 Zones. The City didn't use either of those zones any longer. Roof signs in Ogden were historic and so were allowed to continue.

Projecting signs – a sign that was perpendicular to the wall. Roy City did not allow projecting signs in residential areas. Projecting signs were allowed. As they weren't mentioned in the Sign Ordinance, he wasn't sure how the City would regulate them. He felt projecting signs were more historic in nature.

Awnings – a sheet of canvas or other material stretched on a frame used to keep rain or sun off of a storefront. Awnings could be angled or on the fringe. Awnings were not mentioned in the City's ordinances. He felt they were similar to projecting signs. Awnings were attractive features on a building.

Temporary signs – a sign for a civic, community, or real estate purpose. They were allowed 30 days before an event.

Specialty signs – sign such as an A-frame sign. It had to be located 10 feet behind the property line and properly anchored. Specialty signs required City approval. Businesses could have one per 110 linear feet of street frontage. The issue with specialty signs was enforcement. A lot of the specialty signs in Roy were in violation.

Reader Board/Bulletin Boards – a visual display board that conveyed information. Roy City allowed reader boards in residential zones for churches and other institutions. They could be a maximum of 18 square feet in size.

Commissioner Paul asked about signs in a state of disrepair. Mr. Parkinson said the City allowed signs to be repaired. Commissioner Paul asked what the City did about signs that were never repaired.

Commissioner Dandoy asked about election signs. Mr. Parkinson said election signs were regulated by a separate section in the Municipal Code. As long as election signs were on personal property and not in the public right-of-way, there wasn't much the City could do about them.

Chairman Kirch understood the need to update the City's Sign Ordinance. At the same time, she didn't want to take away things that defined Roy as Roy, such as Burger Bar's *Meat of the Month* sign.

Steve Parkinson stated that if the City wasn't going to enforce a section of the Sign Ordinance, it should be removed.

Commissioner Dandoy was concerned that most of the signs in Roy would become grandfathered. Mr. Parkinson said a sign could only be grandfathered if it was allowed in the first place. The Planning Commission needed to decide what they wanted 1900 West and Midland Drive to look like in the future. They had to recognize that what was currently there would be grandfathered. It would take time to achieve the appearance the Planning Commission envisioned. The Planning Commission could set the pattern for the future. As new businesses came in, the landscape would be changed.

There was a discussion about electronic message center signs replacing reader boards. Mr. Parkinson said EMC's were not allowed in residential zones.

Commissioner Dandoy asked if schools were required to receive approval for their signs. Mr. Parkinson they were.

Chairman Kirch felt schools should be allowed to have EMC signs even if they were in residential zones.

Commissioner Stonehocker liked the fact that businesses on 1900 West had a choice between a street pole sign and a freeway-oriented sign. But, they could not have both.

Commissioner Karras liked monument signs. Mr. Parkinson felt monument signs prevented visual bombardment. Steve Parkinson stated that right now sign regulations were located in Chapter 20 of the Zoning Ordinance and Title 9, which regulated construction codes. He felt the first step was to move all of the sign regulations to Chapter 20 of the Zoning Ordinance.

There was discussion about whether there was a need to have regulations for pylon signs as Roy was built out. Mr. Parkinson felt the Planning Commission needed to consider what could happen if an older commercial area redeveloped. The question about pylon signs wasn't whether to allow them, but to determine how much acreage was needed to have one.

There was discussion about how to handle non-conforming signs. Chairman Kirch asked if there was any kind of incentive the City could offer businesses to removing non-conforming signs.

Commissioner Dandoy felt the Planning Commission needed to find a balance between aesthetics and non-conforming signs.

Chairman Kirch wasn't a fan of roof signs. She was concerned they could become a hazard during an earthquake. She felt they should be taken out of the ordinance.

Commissioner Karras felt the biggest challenge would be defining specialty signs and enforcing them.

Chairman Kirch felt there was good substance in the current sign regulations. They just needed to be tweaked. The Planning Commission also had to consider Midland Drive. As it was widened, there would be more commercial development.

Commissioner Dandoy felt monument signs might be the way to go. He didn't want to cause business owners to have major expenses complying with the new regulations. He asked what would happen if a business owner requested approval of a sign the Planning Commission might be considering eliminating. Mr. Parkinson said any requests for sign approval could be delayed six months with a moratorium to allow the City time to adopt new regulations.

Commissioner Ohlin was excused at 6:48 p.m.

Commissioner Dandoy felt each Planning Commission member should read through the sign regulations to determine what needed to be tweaked.

Chairman Kirch felt the numbers of signs allowed per businesses were in line with surrounding cities. Michelle Drago asked about billboard signs. The City had several of them. Steve Parkinson stated that the current sign regulations prohibited billboards. He didn't want to add them back in. All of the City's current billboards were non-conforming uses.

Chairman Kirch asked that Steve Parkinson put all of the sign regulations in a table format for the members to review. She asked that the Planning Commission members review the sign regulations and email their comments to Steve Parkinson by February 10th.

FEBRUARY 24, 2015

2. DISCUSSION OF ROY CITY SIGN ORDINANCE

Steve Parkinson stated that he had given the Planning Commission members a table of the signs discussed at the last meeting. The table contained sign definitions and what zones they were allowed in. Chairman Kirch had prepared a table listing different signs, their requirements, what zones they were allowed in, and whether they were permitted or conditional. She also included sample ordinance wording. Mr. Parkinson gave the Commission members a copy of the sign regulations that were located in Title 9.

Chairman Kirch shared pictures she had taken of different signs located throughout Roy. There was a brief discussion regarding temporary signs. Steve Parkinson said the City's current sign regulations limited businesses to one temporary sign per 100 feet of frontage. He wanted to clarify what temporary signs the Planning Commission felt the City should and shouldn't have. In other cities, temporary signs had to be secured to a building or in the landscape area, not on poles.

Chairman Kirch felt that many of the signs seen in Roy were not in compliance with the existing sign regulations. Mr. Parkinson said the City had not been enforcing its sign regulations. In order for a sign to be considered non-

conforming, it had to have been approved by the City in the first place. Just because a business had a sign didn't mean it would become non-conforming.

Commissioner Karras asked if there was a City department actively working on compliance of the Sign Ordinance. Mr. Parkinson said the City had one Code Enforcement Officer. The Sign Ordinance was not being enforced. It would take months for businesses to understand the City's sign regulations and to come into compliance.

Mr. Parkinson didn't feel there was visual appeal in Roy. Right now one was bombarded with visual clutter while driving down the street. He asked what the Planning Commission liked. There was a consensus to move away from pole signs in favor of monument signs.

Commissioner Dandoy asked when the sign regulations were last modified. Mr. Parkinson said some sign regulations were added to the Zoning Ordinance in 2005.

Commissioner Stonehocker asked when regulations for electronic message center signs were added. Mr. Parkinson said they were added in 2009.

Commissioner Stonehocker felt the first step was to move all of the sign regulations from Title 9 to the Zoning Ordinance. Mr. Parkinson agreed. He wanted to know what types of signs the Planning Commission wanted to see in Roy.

The Planning Commission reviewed the list of sign types. They agreed to:

- a. Remove pole/free standing signs from all zones
- b. Remove wall/flush/flat signs from all residential zones, but R-4.
- c. Remove roof signs from all zones
- d. Add projecting signs to the R-4 Zone
- e. Add awnings to R-4, CC, RC, and BP Zones, but only allow signage itself on the flap
- f. Allow temporary signs in all zones
- g. Allow reader boards for churches and schools only in R-1, RMH, R-2 and R-3 Zones.
- h. Allow electronic message centers for churches and schools only in R-1, RMH, R-2, and R-3 Zones subject to dimming after a certain hour
- i. Add EMC's to the Manufacturing Zones
- j. Allow EMC's in Light Manufacturing, R-4, and Recreation Zones as a conditional use

Commissioner Dandoy wanted to revisit roof signs at a later date.

Steve Parkinson stated that the City's sign regulations contradicted themselves. EMC regulations were allowed in Chapter 20 of the Zoning Ordinance, but not Title 9.

Commissioner Dandoy was concerned that some of the conditions for EMC signs were unenforceable, such as the distance of 600 feet from the intersection.

Chairman Kirch pointed out that there was an EMC sign located on the very corner of a main intersection in the City. She suggested that the EMC conditions be modified to restrict EMC signs in the site triangle of a corner. Mr. Parkinson said the ordinance already contained regulations governing anything in a site triangle.

Callie Edwards, 5209 South 4950 West, asked how people would find businesses without pole signs. Mr. Parkinson stated that businesses in cities that had eliminated pole signs were doing very well. Monument signs placed information at the eye level of the driver. Chairman Kirch felt pole signs created eye pollution while monument signs were eye candy.

Chairman Kirch asked if research had been about the effectiveness of different types of signs. Mr. Parkinson felt one could find research to support either side of the argument. Chairman Kirch asked if cities that had eliminated pole signs had seen a negative impact on businesses. Commissioner Karras pointed out that Clinton City did not allow pole signs. He didn't see any negative impact there.

Chairman Kirch suggested that monument signs in residential zones be conditional uses. Mr. Parkinson wanted to eliminate most of the conditional uses. He felt uses should either be allowed or not allowed.

Commissioner Dandoy felt monument signs for residential subdivisions should be eliminated. Mr. Parkinson said regulations could be added restricting monument signs in residential zones to churches and schools, and businesses in the R-4 Zone.

Steve Parkinson stated that flags, banners, and A-frame signs were all forms of temporary signs. The current ordinance allowed one temporary sign for every 100 feet of frontage. He felt the City needed to add regulations regarding how many temporary signs a business could have. It also needed to better define how long a temporary sign could be up. He also suggested regulations for holidays. If a sign did not advertise the business located on the property, it was considered an off-premise sign, which were not allowed in Roy City.

There was a discussion about what options businesses had if they were asked to remove illegal signs. The consensus was that businesses had the option of choosing from permitted signs listed in the Sign Ordinance.

Commissioner Dandoy was concerned that new sign regulations and enforcement could set things in motion that would make life difficult for the City Council. Would the new sign regulations hamstring businesses? It wasn't the intent of the regulations to strip the identities of businesses in the community.

Steve Parkinson said the Planning Commission still needed to talk about how much signage businesses should have.

Commissioner Stonehocker felt businesses should be allowed so much square footage of signage based on the amount of linear frontage. A business could choose from among the signs allowed in the City. Mr. Parkinson said the current sign regulations allowed businesses four square feet of signage for every 100 feet of frontage, with a maximum of 300 square feet.

Chairman Kirch asked about adding temporary signs. Mr. Parkinson said temporary signs were a separate issue. He suggested they be allowed for holidays, special events, and 21 other days throughout the year to advertise sales. They could be put up five days before an event and were to be taken down immediately afterward. He suggested that the City require a no-fee permit for temporary signs, and that business only be allowed a certain number of violations per year.

There was further discussion about temporary sign options and enforcement.

There was a discussion about window graphics. Steve Parkinson said businesses were typically only allowed to use 30% of their window space with graphics. The restriction was for two reasons – the city didn't want the architectural feature of windows covered up and for safety.

Commissioner Paul was excused at 7:22 p.m.

Steve Parkinson responded to questions about billboards. He said there were prohibited by the City's sign regulations. There were four non-conforming billboards in the City. The revised sign regulations would need to define billboards as off-premise signs. Off-premise signs were not allowed in the City.

Commissioner Dandoy suggested putting more generic wording in the sign regulations that would allow a developer or owner to decide what signage was best for their business. Commissioner Karras felt that was what the ordinance did any way. Mr. Parkinson said the sign regulations would label the signs allowed in each zone, and the maximum amount of signage permitted.

Chairman Kirch suggested that a no fee permit be added for temporary signs. She asked if the permit could be submitted electronically. Mr. Parkinson said a blank permit could be added to the website, but the City had to sign the permit. The City could issue stickers for temporary signs. Then the code enforcement officer would know immediately whether the temporary sign had been approved or not.

Chairman Kirch felt the new sign regulations needed to be pro-active and pro-business, not punitive. She wanted business owners to see options not restrictions. Mr. Parkinson said everyone would look at the regulations differently. He felt presenting the new regulations positively was a communication issue.

Commissioner Dandoy felt the City needed to become a destination rather than a pass through.

Chairman Kirch asked Mr. Parkinson to look at Riverdale's sign regulations. She suggested that pictures of the different sign types should be included in the new sign regulations.

Commissioner Dandoy stated that businesses on 25th Street in Ogden had been able to get grant money to help with signage. Would it be possible for Roy businesses to get grant money to help them with new signage? Mr. Parkinson said the 25th Street Project was able to get grant monies because it had been declared a historic area. There were some redevelopment districts in Roy. Maybe the Redevelopment Agency could offer some incentives for businesses to put in signs that complied with the new regulations.

APRIL 28, 2015 – JOINT WORK-SESSION

1. PRESENTATION BY THE UTAH SIGN ASSOCIATION

Steve Parkinson introduced James Carpentier, Jeffrey Young, and Vincent Coley from the Utah Sign Association. Currently the City's sign regulations were located in two different places in the City code. Part of it was in the Building Code. Another part was in the Zoning Ordinance. The Planning Commission had started discussing changes to the City's Sign Ordinance and what they would like the City to look like. Chairman Kirch felt the Planning Commission needed to be better informed and asked the Utah Sign Association to make a presentation to the City.

Chairman Kirch said she made initial contact with the Utah Sign Association because the Planning Commission was considering eliminating pole signs.

Signs 101

James Carpentier stated that he was from the International Sign Association, which was devoted to supporting, promoting, and improving the on-premise sign industry through government advocacy, education and training programs, technical resources, stakeholder outreach and industry networking events.

Mr. Carpentier said that sign regulations were one of the more vexing tasks that a local government faced. When regulating signs, the challenge was to balance a myriad of legal issues, traffic safety, aesthetics/policies, economics, business and institutional needs, and neighborhood groups. Many sign options for business owners created vibrancy.

Mr. Carpentier suggested that the City consider all signs types. He reviewed types of on-premise signs; types of off-premise signs; illumination options; sign regulations by the National Electric Code, Building Code, and municipal ordinances. He proposed that the City consider allowing multiple geometric shapes to measure sign area. Some sign codes measured sign area by the largest rectangle around the copy, which penalized creative and irregular signs.

There was a brief discussion regarding who had jurisdiction over the I-15 corridor. Mr. Carpentier said the U.S. Highway Beautification Act would cover the areas not controlled by local jurisdictions. Jeffrey Young, YESCO, stated that billboard were off-premise signs state and federal regulations. The state would not issue a permit for a new billboard unless a city licensed it. Cities could define what happened along the I-15 corridor. James Carpentier said states did not regulate on-premise signs. Jeffrey Young said billboards were governed by federal and state regulations. Everything else was under the City's jurisdiction.

Jeffrey Young said the City needed to make sure its sign regulations were clear and manageable. Sign ordinances were not cookie cutter ordinances. Each jurisdiction was different.

James Carpentier suggested surveying the community to find out what the residents wanted the City to look like. It would take work, but the more open and transparent the City was in writing sign regulations the better.

Legal Consideration

James Carpentier said the overarching principle was advertising one's business is a property right. He reviewed ten regulatory principles:

1. If you cannot enforce a section to not adopt it.
2. A sign ordinance should contain a substitution clause.
3. A sign ordinance should contain a severability clause.
4. Special standards for overlay districts (historic or entertainment).
5. A sign ordinance should state its purpose/rationale in detail at the start of the code.
6. Ensure as much content-neutrality as possible.
7. Clearly define all critical words and phrases.
8. "One size fits all" approach does not work
9. Include all stakeholders in the process.
10. Refer to applicable comprehensive plan/community character policies.

He suggested that the City Attorney be involved early on in drafting the sign regulations. The City needed to always consider its risk of legal exposure. It should only regulate signs to the extent that the community is willing and has the capacity to enforce the regulations.

Mr. Carpentier discussed temporary signs. He said the ISA's position on illegal signs was: *"Because the vast majority of illegal signs are not erected by licensed sign companies, we believe the enacting more stringent sign codes represents an inappropriate response to this problem."* The key to temporary signs was enforcement.

A substitution clause prevents inadvertent preferential treatment of commercial speech over non-commercial speech. A good example was Lakeview, Minnesota's ordinance: *"Signs containing non-commercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs."*

A severability clause allowed a section of the sign code to be removed without invalidating the entire code.

Always clearly articulate the purpose and rationale for the sign regulations in detail at the start of the regulations. A sign code purpose from Spokane, Washington: *"To ensure that the constitutionally guaranteed right of free speech is protected."*

Ensure that the ordinance is as content-neutral as possible, while accepting that, if the regulations are not 100% content-neutral, there will be some legal risk that otherwise could be avoided. A content neutral temporary sign definition: *"A sign bearing a message which is displayed before, during and after an event, to which the sign relates, and which is scheduled to take place at a specific time and place." Collier County, Florida.*

Clearly define all words and phrases that are critical to consistent understanding and application of the sign regulations. Consider using multiple shapes rather than a rectangle to encourage creativity.

A 'one size fits all' approach does not work for effective sign regulations – different sign types lend themselves to different forms of regulations. Don't copy language from other cities. Consider right-of-way widths; speed limit; neighborhood characteristics; review studies that take into account right-of-way width, number of lanes, and speed limits; and context.

The stakeholders were the City, community, and business owners.

Often there weren't specific policies related to signs in a city's comprehensive plan. Those policies should be developed along with the sign code.

Regulations that encouraged great design/Considerations when mandating monument signs

Mr. Carpentier stated that when the City was considering pole signs versus monument signs it should consider the following facts. Monument signs were typically restricted to a height of eight to ten feet. The height restriction could create safety concerns due to the lack of a motorist's ability to read and detect the message. The Manual for Uniform Traffic Control Devices (MUTCD) requires the bottom of pole signs to be five feet from the ground in rural areas and seven feet in urban areas. The American Planning Association's sign graphics and law concurred: *"The simple presence of other vehicles on the road...can potentially prevent a driver from detecting a sign. If a sign is situated at or below five feet above grade, other vehicles may block the driver's view and the sign copy will not be legible."* The City could consider incentives for monument signs versus a ban on pole signs, such as area or height bonuses. If aesthetics were a concern, the City could consider a pole wrap versus banning pole signs. Some sites might lend themselves to pole signs due to physical limitations.

Mr. Carpentier proposed that the City consider performance standards or bonuses for outstanding design. Spokane, Washington's sign regulations was a good example. Other good examples were: Enumclaw, Washington's height and area bonus; Marble Falls, Texas's area bonus; Jefferson Parish, Louisiana's increase in wall signage; and Sioux Falls, South Dakota's increase in area.

The City needed to consider the overall streetscape. For instance, portions of 1900 West had power poles, which competed with the signs.

He recommended that the City consider simplifying the sign approval process. The City should avoid mandating that a sign match the exterior of a building. The ordinance needed to give designers flexibility to create great designs. He cautioned the City about specific design standards, such requiring every monument sign to have a masonry base.

Economic Considerations

Mr. Carpentier said the City needed to consider the economic impact sign regulations would have on the City's budget and the business community. Businesses viewed signs as a cost-effective way to reach their customers.

The San Diego Study determined the effect of signage on annual sales revenue, annual number of transactions conducted, and average dollars spent per transaction.

Addition of one wall (wall or ground) sign:
Annual sales increased by 4.75%
Number of transactions increased by 3.93%
Increase in spending –
 36 sq ft sign = \$0.06
 144 sq ft sign = \$0.78

A 2013 University of Cincinnati Study (surveyed 225 companies representing 60,000 retailers and found):

Getting more visible signage boosted business
Increase sales, transactions, profits, and hiring
Businesses view their signage as effective way to stand out, reach customers, and brand

Mr. Carpentier said the City needed to consider the possible economic impacts that the proposed sign ordinance would have. Would they be positive, neutral, or negative?

Chairman Kirch stated that there was a variety of signs on 1900 West. She asked if Mr. Carpentier had any examples or suggestions of ways to make it look cleaner. Mr. Carpentier said the first thing the City needed to do was come up with standards for temporary signs and then enforce them. He felt that would have a visual impact on the City.

Regulating Electronic Message Centers

Jeffrey Young stated that his part of the presentation was meant to help City officials understand where the business community and Chamber of Commerce were coming from regarding electronic message signs. An electronic message center was a sign that was capable of displaying words, symbols, figures, and images that can be electronically changed by remote or automatic means. They could operate in a broad range of capabilities. The software that controlled the displays allowed the end user to follow local sign codes easily IF the sign codes were easy to understand. He asked that the City include a brightness standard in its EMC regulations of 0.3 foot candles above ambient light, and that the ordinance address scintillation (flashing images). He also suggested that the City use a light meter versus a luminance meter (nit gun) to measure foot candles.

Mr. Young said EMC signs allowed a business owner to advertise at the point of purchase; cost-effectively advertise specials, events or other time-sensitive promotions; and rapidly adjust to market conditions. EMC signs gave better visibility to *all* tenants, reduced sign clutter, and made shopping center retail space more marketable. EMC signs benefitted the community at large by: increasing sales tax revenue; reducing blight by making businesses more viable; reducing sign clutter; making unreadable signs readable; almost always look better than static reader boards; communicated public service announcements; and were a symbol of community vitality.

Some argued that EMC signs distracted drivers and caused more accidents. Mr. Young said studies showed there was NO causal relationship between EMC signs and accident rates. Digital billboards are 'safety neutral.' The mean glance duration toward digital billboards was less than one second day or night.

Chairman Kirch asked if there was a minimum size for an EMC sign to be effective. Mr. Young said the effectiveness of the sign depended upon the speed limit and the sign's height.

Chairman Kirch said there were older businesses along 1900 West with older signs. How could the City encourage them to upgrade their signs? Mr. Young stated that if a sign was classified non-conforming the City's sign regulations could include a special provision to allow older signs to be maintained and upgraded as necessary. The more flexible the City's regulations were the more likely businesses would be to spend money to improve their signs.

James Carpentier said there were options to help businesses reduce the number of non-conforming signs.

2. DISCUSSION OF SIGN ORDINANCE

Steve Parkinson wanted to discuss two types of signs. Electronic message center signs were currently only allowed in certain locations. He would like the City to consider lifting that restriction and allow EMC in all zones with a brightness restriction as suggested by Mr. Young. Removing the current restriction would allow smaller businesses to have EMC's.

Commissioner Karras was inclined to be flexible with business owns; especially if the sign could be dimmed.

Andy Blackburn stated that the City's regulations needed to include a reason why the City was limiting something.

Councilwoman Yeoman stated that when the EMC regulations were initially adopted, the technology was new, and the City wasn't sure what impact it would have. The City now understood it could offer businesses different options.

Councilman Hilton felt the City needed to do everything it could to keep businesses in Roy. The City needed to be flexible and gentler. Businesses had been through some rough years.

Commissioner Dandoy felt businesses were important. What would residents bring to the issue? He felt it would be in the best interest of the City and businesses to find out if residents had an issue with EMC's. The City needed to listen to voices from both the business and residential sides. It was validating for City government to listen to the residents and meet the needs of businesses.

Mayor Cragun stated that as the City moved forward with adopting new sign regulations it needed to make sure that the business community and residents were aware of the hearing dates; especially residents close to the business area. When the City first allowed EMC's, it required that they be dimmed at night. He hadn't heard any complaints from residents.

Steve Parkinson suggested that the City hold an open house and invite residents to attend.

Councilwoman Yeoman stated that the Beautification Committee wanted to meet with the business owners to explain the City's beautification plans. The City could discuss signs at the same time.

Chairman Kirch stated that the Planning Commission's initial discussion was to move away from pole signs. After listening to the presentation from the Utah Sign Association, she had learned that it was okay to have a sign ordinance with a lot of flexibility

Jeffrey Young stated that West Valley City went to monument signs and now had a lot of empty buildings because it could not attract customers. The City needed to give businesses CPR, not bleed them out.

Steve Parkinson stated that after listening to the presentation he was learning toward ways to make pole signs more attractive.

Commissioner Dandoy felt businesses would join in the effort to make signs more attractive if they felt the City was willing to step up and help them.

Andy Blackburn stated that there might be funds to do something in the Redevelopment Agency areas. Funds for other areas would be tight.

Chairman Kirch was concerned about the vacancy rate at Harmon's/Marketplace Plaza. The Plaza used to have an electronic sign and advertised for all of the businesses there. She felt the City had received a key to revitalize the City. Upgraded signage could impact the businesses.

Steve Parkinson stated that the City's current regulations for temporary signs said a business could have a temporary sign if it was a new business or it was going out of business. The City had a problem with enforcement of temporary signs. He understood the importance of temporary signs. He was proposing new regulations that would allow businesses to have a temporary sign for each holiday and another three weeks throughout the year.

Commissioner Karras asked if businesses were aware that their temporary signs were in violation.

Councilman Cordova felt it was important for businesses to understand that the City was trying to help them not ham string them.

Chairman Kirch suggested that the City present data about the effectiveness of temporary signs. James Carpentier said there were studies about the best practices for temporary signage. He would forward them to Steve Parkinson.

Chairman Kirch stated that the City needed to help businesses understand that the sign regulations would be good for them not hurt them. It was an educational matter.

Councilman Hilton felt this was a good opportunity to get businesses together. It would be a great opportunity to let them know about the City's plan to include business links on its website.

James Carpentier suggested that the City present a picture of 1900 West with all of the illegal signs 'photo shopped' out. It had been done in other cities. The difference was dramatic.

Chairman Kirch felt having a vision of what the City could be would have a positive effective. The businesses needed to have a vision.

Mayor Cragun stated that the City was spending a lot of time and effort to do a beautification project and work on economic development. The sales tax base was important in Roy. Since the electronic message at Marketplace Plaza went away, the vacancies had increased. The Council and administration would have to discuss the pros and cons of the finances.

Andy Blackburn stated that Utah League of Cities and Towns had put out a sign ordinance. The City could look at it. The City's sign regulations needed to be updated. The City needed to get new regulations in place. One option might be some type of appeal board. He personally liked electronic signs.

Commissioner Karras stated that his opinion about EMC's had changed after lasis put in the EMC for the Davis Emergency Center. The City needed to do something about temporary signs.

Councilwoman Becraft asked when the beautification meeting would be held. Councilwoman Yeoman hoped to hold it during the summer. Steve Parkinson wanted to move faster than that.

Chairman Kirch felt the City should have the new sign regulations in place before businesses were brought in. Then the City could give them examples. The City could give them a list of different sign types allowed and the new EMC regulations. She felt the EMC lettering height needed to be visible for the speed limit.

Steve Parkinson summed up the discussion. Both bodies felt there should be fewer restrictions for EMC signs, except for foot candles, and that there needed to be regulation and enforcement of temporary signs.

MAY 26, 2015

3. DISCUSSION OF ROY CITY SIGN ORDINANCE

Steve Parkinson proposed that the Planning Commission discuss EMC signs, pole signs, monument signs, and possible language for temporary signs. There were already regulations for three of the four types in the ordinance.

EMC Signs

Mr. Parkinson asked the Commission members to answer the following questions about EMC signs:

- Should they only be allowed in zones as indicated, or should they be allowed in all zones?
- Should they continue as permitted uses in some zones and conditional in others, or permitted in all zones with standards written in the ordinance?
- How many EMC signs could be located on a parcel?
- How many EMC signs could a business have?
- Does brightness (foot candles > ambient light) matter if it's commercial property adjacent to commercial property or only when it's adjacent to residential?

Steve Parkinson stated that the EMC regulations really limited EMC's in the Community Commercial Zone

Chairman Kirch stated that the Utah Sign Association indicated that Roy's Sign Ordinance was not that bad. She asked if the Section 2002 of Sign Ordinance needed to be redefined to include a formula to calculate the size of a sign. Mr. Parkinson said it did. Chairman Kirch said the sign regulations allowed an EMC to be up to 50% of the size of the sign. Mr. Parkinson said it did.

Steve Parkinson said the Sign Ordinance currently limited businesses to four square feet of signage for every linear foot of frontage up to a maximum of 300 square feet. Did the City want to allow every business to have its own pole sign? If so, it could become an issue in strip malls.

Commissioner Dandoy stated that if each business in a strip mall were allowed to have its own sign, it could become a real mess. He felt businesses in a strip mall could collectively request a sign with an EMC component which they all could advertise on. He felt it would be too much risk for each business to put up a sign. The City could not accommodate that. The distance between signs became important as a limiting factor and how many signs per property.

Mr. Parkinson said some developers would put up as many signs as allowed per ordinance with an EMC in each. He did not have a problem with one sign for a strip mall with an EMC.

Commissioner Karras felt that if there were too many signs close together no one would be able to read them, and it would not look good. It would not be good to have too many signs compressed in an area.

Chairman Kirch said the current sign regulations already said there shouldn't be more than one EMC per property, except large shopping centers with over five acres, could have two, which had to be separated by at least 100 feet. She was comfortable with that regulation. She felt businesses in the Regional Commercial could have more than one sign if the frontage allowed it; Community Commercial should be allowed one; and EMC's didn't really apply in residential zones. If EMC's were in residential zones they should be conditional uses or only allowed under certain circumstances, such as a certain amount of frontage, advertising a business, or for public or quasi-public uses. She felt the ordinance already defined size and numbers.

Steve Parkinson said the current regulations weren't that bad, except EMC's in the Community Commercial Zone were very limited. The property had to be over three acres and in certain intersections. Was it really bad if a business more than 100 feet from an intersection had an EMC? For instance the Midland Market at 3805 South Midland Drive was not able to have an EMC because it did not meet the criteria.

Chairman Kirch felt that part of the ordinance should be rewritten. Each property in the Community Commercial Zone should be allowed to have an EMC if it had a certain amount of frontage. Mr. Parkinson said the size of a lot in the Community Commercial Zone would determine the size of sign, which would determine the size of the EMC. Was an EMC really that bad for a smaller lot?

Commissioner Stonehocker said Midland Market was really separated from everything around it.

Steve Parkinson said the question was could EMC be allowed in the CC Zone with the size determined by lot size.

Commissioner Karras asked if EMC's would be a conditional use.

Commissioner Stonehocker felt all EMC's should be a conditional use. Mr. Parkinson asked why.

Commissioner Dandoy didn't feel a conditional use would be necessary if the City had a solid enough ordinance. What about those businesses on the margins? Should those exceptions be presented to the Planning Commission? The Planning Commission could take a look at their position and make a recommendation to the City Council.

Chairman Kirch stated that in the Community Commercial, a smaller lot would only allow a smaller EMC. If the City had a character height regulation, it could wipe out EMC's for the smaller lots in the CC Zone. The Utah Sign Association said the character height had to be a minimum for visibility by drivers. Steve Parkinson said he would not regulate character height. Such a requirement would be extremely difficult to enforce and would be regulating content. The Planning Commission felt the height of characters on an EMC should be left up to the business owner.

Commissioner Dandoy said those businesses had some right to consider an EMC sign. The Planning Commission and City Council wanted to set a standard for uniformity. The ordinance is pretty good, but there were businesses on the margins that would not be able to meet the requirements. They should have a voice in the discussion. They could apply for a conditional use and submit their proposal to the Planning Commission. The Planning Commission could take a serious look at it.

Steve Parkinson asked why make a sign conditional. From a legal aspect, 95% of a uses would receive a yes. There was a little bit of mitigation. If the City set a standard, was it really necessary to hold a meeting where the public felt they could talk. In reality the Planning Commission could not listen to the public clamor. The City could not deny a conditional use unless it did not meet the requirements of the ordinance. He would rather write the ordinance to address the conditions. He wanted to keep the City out of legal problems.

Commissioner Dandoy said if the ordinance was written well enough to define expectations and the Council approved it, why would the Planning Commission need to review every EMC request? If a sign did not fall within the boundaries of the ordinance, was there a way for a business to circumvent the ordinance?

Steve Parkinson stated that the Planning Commission would be able to have its say in the standards in the ordinance.

Commissioner Dandoy felt that exceptions to the rule should be able to approach the Planning Commission.

Chairman Kirch asked how many properties would not meet the requirements of the ordinance. Steve Parkinson stated that any business in Community Commercial or Business Park Zone that did not have over three acres and was not within 500 feet of a main intersection would not be able to have an EMC.

Steve Parkinson suggested that businesses in Community Commercial, Business Park and residential zones fall under the same EMC regulations as Regional Commercial. If the foot candles were zero at the property line, the EMC would not be intrusive.

Chairman Kirch suggested striking 2003-4(a); and allowing EMC components in manufacturing zones and residential zones for businesses and for public and quasi-public uses. She also suggested that properties in Community Commercial, Manufacturing, Business Park and residential zones be limited to one EMC per site rather than going through the hassle of listing acreages.

There was a discussion about businesses that might be the exception.

Commissioner Karras liked the idea of restricting the EMC to how much frontage a business had. Chairman Kirch said that regulation was already in the ordinance. No EMC sign can be located within 100 feet of another EMC sign. The ordinance was pretty good if 4(a) was pulled out.

Steve Parkinson was concerned about separate parcels being excluded due to the separation requirement. It should be up to business owners how close to put their sign to another one.

Commissioner Karras felt the City needed to be as fair as it could and not meddle in the business owner's decision. The City just needed to make sure everybody was playing by the same rules.

Commissioner Dandoy asked what the impact would be if take out 4(a).

Steve Parkinson felt that EMC's should be permitted in all zones with different standards in each zone

Commissioner Dandoy stated that business owners should not be excluded from options. They should have a voice. If the sign regulations were written right, the number of requests coming to the Planning Commission would be limited. If the ordinance wasn't written right, an owner could petition the Planning Commission and City Council for a change.

Chairman Kirch concluded the discussion on EMC's by recommending that 2003-4(a)(1) be reworded to remove reference to NITS. It needed to refer to a brightness standard of 0.3 foot candles above ambient light, address scintillation (flashing images), and indicated that the City would use a light meter versus a luminance meter (nit gun) to measure foot candles. She suggested that the signs be listed in a table.

Pole Signs

Steve Parkinson asked the Planning Commission to consider the following questions:

- Should pole signs be allowed in zones as indicated, or should they be allowed in all zones?
- Should the height be the same in each zone as indicated?
- Should the Regional Commercial Zones have different regulations than Community Commercial or Business Parks?
- Should Freeway Oriented signs be allowed to continue? If so, at the same height?
- Pole versus pole covers?
- How many pole signs should be allowed on a parcel?
- How many pole signs can a business have?
- Can an EMC be part of a pole sign? If so, what percentage of the sign can be EMC?

Steve Parkinson asked how the Planning Commission felt about poles versus pole covers. The Planning Commission agreed that pole covers raised pole signs to a higher standard.

There was a discussion about whether to regulate the size of pole covers. The Planning Commission decided to simply require a proportionate pole cover.

Chairman Kirch felt the minimum height of pole signs should comply with the Manual for Uniform Traffic Control Devices (MUTCD), which requires the bottom of pole signs to be five feet from the ground in rural areas and seven feet in urban areas. Steve Parkinson said the City currently required all pole signs to be a minimum of ten feet above the ground.

Commissioner Dandoy felt the intent should be defined in the ordinance.

Commissioner Karras did not particularly care for pole signs, but he did not feel the City should tell businessmen what to do. He felt the intent of the sign regulations was to have some consistency. Business owners needed to understand what the sign regulations were. The sign regulations should be simple. The size of the property should determine the size of the sign, and then the options should be listed.

Chairman Kirch stated that Freeway Oriented signs were currently allowed up to 50 feet in height.

Steve Parkinson said businesses were only allowed one pole sign. If a business had a Freeway Oriented sign, it could not have another pole sign along 1900 West.

Chairman Kirch felt Freeway Oriented signs needed to be kept separate.

Commissioner Karras asked if there were State regulations that applied to Freeway Oriented signs. Steve Parkinson said billboards were governed by federal regulations. On-premise signs were only regulated by the City.

Chairman Kirch asked if 50 feet was high enough. The Planning Commission felt it was.

Steve Parkinson asked if the Planning Commission wanted to keep Freeway Oriented signs a conditional use. Chairman Kirch felt they should be permitted.

Chairman Kirch suggested that shopping center signs be a permitted use rather than a conditional use.

Monument Signs

Steve Parkinson asked the Planning Commission to consider these questions:

- Should monument signs be allowed in zones as indicated, or should they be allowed in all zones?
- How many can be on a parcel?
- How many can a business have?
- What percentage of the sign can be an EMC?
- Should the height remain as indicated, or can they be taller?

Mr. Parkinson said a monument sign could have an EMC component that was 50% of the sign's size. A monument sign could be a maximum of 6 feet in height and 8 feet in width. The Planning Commission agreed with all three regulations.

Commissioner Paul asked about monument signs in residential subdivisions. After a discussion, Chairman Kirch stated that there were not that many. She suggested that the ordinance be left as it was.

Temporary Signs

Steve Parkinson proposed regulations for temporary signs (see attached copy). He asked the Planning Commission to consider these questions:

- What types of temporary signs should be allowed?
 - Murals (painted or fabric)
 - Balloon or air activated
 - Banner
 - Blade
 - Freestanding/Yard
 - Light Pole/Support Pole
 - People
 - Portable
 - Projected Image
 - Sidewalk
 - Vehicle and Wraps
 - Window (what percentage?)
- How many temporary signs can be on a parcel?
- How many temporary signs can a business have (strip mall versus single building)?
- What length of time can a business have a temporary sign?
- For what occasion can a business have a temporary sign? How many occasions?
- Should a permit be required for a temporary sign? If so, what should the cost be?

Chairman Kirch felt the proposed regulations should include language limiting the size of temporary signs. She felt the size regulations should follow the same parameter as other signs. The regulations needed to identify what a temporary sign was. Businesses needed to understand the difference between temporary and permanent signs. A list of types of temporary signs should be included in the regulations. She didn't feel projected images should be allowed.

There was a discussion about 'people' as temporary signs. Steve Parkinson said 'people' actually fell under free speech. His only concern was that they didn't block the sidewalk or an entrance into a building.

The Planning Commission decided not to include 'people' on the types of temporary signs allowed.

Commissioner Dandoy was concerned about the proposed holiday periods. What gave the City the right to determine when a business owner could hold a sale? Chairman Kirch said the proposed holidays were set national sale dates for retail sales. She proposed that the words 'such as' be added to the end of the sentence, "A business

may advertise a special service, product or sale during the following holiday periods, *such as:*” She also suggested that an additional category be added to the holidays periods labeled as “Other holiday – please define on permit.”

Chairman Kirch asked about the permit. Mr. Parkinson was proposing a no fee permit. Chairman Kirch asked if the City would issue a decal to be placed on the temporary sign. Mr. Parkinson said a decal would be issued if he could find one the right size that would stick and was inexpensive. Chairman Kirch suggested using plastic sleeves in which a piece of paper could be inserted.

Commissioner Paul was excused at 7:26 p.m.

Chairman Kirch felt there should be a limit on the number of balloons and blades allowed on a property. If a business used all of the special promotions and sales dates allowed by the proposed regulations, there could be quite a few temporary signs in the City. She felt there should be language in the overall sign regulations limiting the number of signs on any property, whether they were permanent or temporary.

Steve Parkinson stated that he planned to invite business owners to the next work session to discuss temporary signs. Every temporary sign in the City was currently illegal. The City wanted business owners to have signs. It understood the need for temporary signs, but the number of temporary signs needed to be reeled in.

Chairman Kirch felt business owners needed to know that too many temporary signs was counter-productive.

Commissioner Dandoy felt there was good information on the table. What would happen if business owners came to the work session and said the City was strangling them? Would it change the City’s position?

Commissioner Karras wasn’t as worried about what businessmen felt about the ordinance as he was about whether the City’s regulations were out of line with other cities. There had to be some regulations.

Commissioner Dandoy felt the City had to be careful not to offend businesses in the community. Offending them would create problems. Ordinances were about making things better for both residents and businesses.

There was a discussion about making temporary signs permanent.

JULY 28, 2015

3. PRESENTATION AND DISCUSSION OF THE ROY CITY SIGN ORDINANCE

In conjunction with the sign ordinance discussion, Councilmembers Yeoman and Becraft updated the audience on what has been happening with the Beautification Committee.

Councilmembers Yeoman and Becraft explained that the City has a Beautification Committee. Councilmember Yeoman said the Committee is working on ideas on how to make 1900 nice. She mentioned to the audience that some of the new lights were up and that banners and a rock wall will also be added. Councilmember Yeoman stated they need the business owner’s help.

Councilmember Becraft stated that eventually the State would be finished with 1900 West and thinks it is very important for everyone to work together.

Planner, Steve Parkinson stated he would like to inform the audience on the current sign ordinances. He stated the Planning Commission was working on updating the current sign ordinance. Mr. Parkinson wanted to help the audience understand what signs are legal, not legal and to see how strict today’s sign ordinances really are.

Mr. Parkinson read the definition of a temporary sign:

“A sign which is intended to advertise community or civic projects, and real estate for sale or lease on a temporary basis.

Mr. Parkinson stated right now that is all that the sign ordinance allows in regards to temporary signs.

Mr. Parkinson moved on to explain Off-Premises Signs:

“A sign which directs attention to a use, product, commodity or service not related to the premises on which it is located.”

Mr. Parkinson stated that off-premises signs are not allowed at all other than existing billboards that have been grandfathered in.

City Planner Parkinson then explained the Specialty Sign Ordinance:

“Portable illuminated or animated specialty signs are prohibited in the city. All other portable signs, “A” frame signs and wind signs are prohibited unless they are securely anchored and ten (10) feet back from the property line. The Public Works Director from time to time may promulgate reasonable anchoring requirements which must be complied with. Specialty signs shall not exceed a maximum of twelve (12) feet or display area on each side and shall not exceed one sign per one hundred ten (110) linear feet on each street facing each business.”

Mr. Parkinson then explained the Ordinances a little more in depth and explained that he doesn’t want signs to create any traffic problems.

Mr. Parkinson then brought up an additional sign that is an EMC Signs. These are electronic message boards. He stated that right now the rules on these types of signs are very restrictive. He stated EMC signs can only be at certain intersections along certain streets in certain places. Mr. Parkinson stated this was something the Planning Commission would be looking at when amending the ordinance.

Mr. Parkinson then went over language for the proposed sign ordinance regarding temporary signs.

Standards for Temporary Signs: Temporary signs shall not be placed in or over a public right-of-way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles, fences, or trees.

Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign, only if the business has changed hands or changed names. No off-premise temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in the chapter.

All temporary signs must be firmly attached to the building or ground unless otherwise mentioned in this Chapter.

All Temporary Signs require a permit, approved by the Planning & Zoning Administrator, unless otherwise stated in this Chapter.

Mr. Parkinson then went over four (4) different types of Temporary Signs that will be allowed:

- A. Grand Opening Signs. Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business providing an application for a new business license has been applied for there shall be no more than 2 signs allowed per business. The signs must comply with general size and location standards for signage in this Chapter and must be removed at the end of the 60 day period.

NOTE: "Now Open", "Grand Opening", "New Location of....", "New Ownership," etc. are appropriate type message for such signs.

- B. Special Promotion Periods. A business may apply for three [3] special promotion periods during the calendar year. Each period may not exceed seven (7) days in length. The periods may be combined to run consecutively.

NOTE: Special product, price, or service advertising are appropriate during these periods.

- C. Going Out of Business/Bankruptcy Period. A business may apply for a special permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed ninety (90) calendar days. Such permit will be allowed only once for any business license.

NOTE: Special product, price or service advertising are appropriate during these periods.

- D. Holiday Periods.

A business may advertise a special service, product or sale during the following holiday periods:

Holiday Periods	Permitted Display Time
Presidents Day – February	Five (5) days
Easter – March/April	Five (5) days
Memorial Day – May	Five (5) days
July 4 th	Five (5) days
July 24 th	Five (5) days
Labor Day – September	Five (5) days
Thanksgiving - November	Seven (7) days
Christmas/Hanukkah/New Years	23 days – starting Dec. 10 th and ending Jan 2 nd

Chairman Kirch stated that people should keep in mind that the more people follow the rules the better Roy looks. She also stated the Planning Commission has discussed this matter immensely and that the intent is to give the businesses wings rather than bind them.

OCTOBER 27, 2015

2. DISCUSSION OF THE PROPOSED TITLE 13 – SIGN ORDINANCE

Steve Parkinson stated that the meat of the new title was contained in Chapters 3, 4, 5, and 7. The rest of the title came from the City's current sign regulations and had not changed much.

The Planning Commission decided to review the title page by page. There weren't any comments about Chapter 1.

Steve Parkinson stated that more definitions might be added to Chapter 2.

Commissioner Dandoy stated there some misspelled words in the definitions contained in Chapter 2 – Sign, Floodlight and Sign, Off-Premise.

The Planning Commission had questions about several signs prohibited by 13-3-2. Chairman Kirch said there was a conflict regarding roof signs. They were prohibited in 13-3-2, but were allowed further in the title.

Commissioner Dandoy what a flood zone sign was. Steve Parkinson stated that FEMA had designated some areas in Roy as flood plains. The Sign Ordinance prohibited any signs in those areas. Commissioner Dandoy asked why. Mr. Parkinson explained that to make any changes to the topography required approval from FEMA. Therefore, a sign would have to receive approval from FEMA. Commissioner Dandoy felt prohibiting signs in flood zones was more of a federal regulation than the City's.

Commissioner Nandell asked what a snipe sign was. Commissioner Dandoy said it was prohibited. He also wanted to know what it was. Mr. Parkinson was not sure. A definition would have to be added in Chapter 2. Subsequent to the meeting, Commissioner Dandoy found a possible definition for a snipe sign: A sign which is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, wire or wood stakes, or fences, or to other objects with a message appearing thereon.

The Planning Commission asked why A-frame signs were prohibited. Most of the businesses in Roy used them. Steve Parkinson reminded the Planning Commission that all signs in Roy were currently illegal.

Chairman Kirch asked if prohibiting animated signs meant EMC signs were prohibited. Mr. Parkinson referred to the definition of an animated sign which said that electronic message signs or time, temperature or public service message signs were not animated signs.

Chairman Kirch asked for a clarification about the prohibition of parking advertising vehicles. Steve Parkinson said it referred to vehicles used to advertise businesses that were parking in a way to gain attention. Chairman Kirch felt that section needed to be reworded.

Chairman Kirch asked if 13-3-2-A(12) would prohibit candidates from using a vehicle for campaign advertising. Commissioner Dandoy felt the way the section was worded would prevent a vehicle with advertising from even driving home. Mr. Parkinson said he would look at the wording.

Commissioner Paul asked about temporary political signs in park strips. Steve Parkinson said political signs were a different animal. They were addressed later in the Sign Ordinance in 13-4-3(O).

Commissioner Dandoy felt No. 12 needed to be clarified for the reader. Steve Parkinson said he could add the words 'if not in this title' or include the reference to direct the reader elsewhere.

Commissioner Paul asked about non-conforming signs. Steve Parkinson stated that a sign was only non-conforming if it was legal at the time the City's sign regulations were adopted. As every sign in the City right now was illegal, there would be very few non-conforming signs.

Chairman Kirch asked if No. 13 – Public Areas referred to yard sale signs. If people couldn't put up yard sale signs how did they advertise them? Commissioner Karras said an ad on KSL would bring more people than you want.

Steve Parkinson said yard sale signs were difficult because they were usually put up on the weekend when City employees were not working. Mr. Parkinson said it was public property versus private rights. The City had to either allow all signs in public areas or none.

Councilman Dandoy asked what was executable. Should the City adopt a statute that was functionally unenforceable? Mr. Parkinson said enforcement of signs on public areas would be difficult, but he didn't want to open the door to all signs. He felt the public would catch on. Commissioner Dandoy did not feel Item No. 13 was attainable.

Commissioner Paul asked if house numbers could be painted on curbs if signs were prohibited in public areas. Chairman Kirch said 13-3-2(B4) allowed numbers to be painted on curbs.

Chairman Kirch felt No. 13 should include the exceptions listed in 13-3-2(B).

Commissioner Dandoy questioned the words 'all signs shall require permits' in 13-3-3(A) was too broad. Mr. Parkinson felt the wording was sufficient. There were exceptions to permit fees, but he wanted to require sign permits to set parameters for signs.

Chairman Kirch stated that 13-3-4(A) repeated itself. The second sentence should be deleted.

Chairman Kirch asked about if the reference to 'the Director' in 13-3-5 was correct. In other parts of the Sign Ordinance there was reference to 'the Community Development Director.' She felt the terminology should be consistent throughout the ordinance.

Chairman Kirch asked if 13-3-6 needed to include the candle measurement for electronic message centers.

Chairman Kirch stated that the 13-4-3 headers needed to match, and 13-4-3(J) needed a description.

Commissioner Dandoy stated that 13-4-1(O4) limited the number of campaign signs to one per parcel. He felt that corner lots with should be allowed to have two signs; one per frontage to catch the different traffic patterns. Mr. Parkinson said he would look at language to allow one sign per frontage.

There was a discussion about the maximum size of a campaign sign. Commissioner Dandoy stated that 13-4-1(O5) limited campaign signs to six square feet. Commissioner Paul said the current regulations allowed different sizes in the residential and commercial zones. The signs in commercial zones were larger. The Planning Commission felt campaign signs in commercial zones should be a maximum of 32 square feet, the same size as a 4'x8' sheet of plywood, and a maximum six feet from the ground.

Commissioner Dandoy stated 13-4-1(O6 and 7) referred to the Code Enforcement Officer. Was the Code Enforcement Officer the employee authorized to enforce the Sign Ordinance? Mr. Parkinson said it was the Code

Enforcement Officer, or its authorized agent. If there were issues with the location of a campaign sign, the Code Enforcement employee usually contacted the candidate and asked that the sign be moved. Commissioner Dandoy asked if a City employee would feel comfortable removing a campaign sign. Commissioner Dandoy asked how long the Code Enforcement Officer would wait to remove a campaign sign if it was causing a public safety issue. What would the trigger be? Mr. Parkinson felt that would be up to the City Attorney. If a public safety issue was involved, he felt the Code Enforcement Officer would give it a day.

Commissioner Dandoy asked how the visual maintenance mentioned in 13-4-1(O9) would affect campaign signs. Steve Parkinson stated that a visual site triangle had to be maintained on all corners. A sign in the site triangle could not be higher than three feet. Commissioner Dandoy suggested that the maximum sign height of three feet be included in 13-4-1(O9).

Commissioner Dandoy asked about 13-4-1(O10). He felt public property needed to be clarified, i.e., park strips, municipal building, etc.

Commissioner Dandoy stated that temporary real estate signs referred to 13-4-1(R3) were all over the City. They weren't supposed to be located in park strips, but they were. He was concerned about enforcement. If the Sign Ordinance was adopted, the regulations needed to be enforceable. Steve Parkinson felt there would be an enforcement bubble. Chairman Kirch asked if temporary real estate signs needed a sign permit. Mr. Parkinson said they did not.

Commissioner Paul asked if police officers could enforce the Sign Ordinance. Mr. Parkinson said they could.

Chairman Kirch asked about 13-4-1(U). What was the definition of a window covering? Mr. Parkinson said the Sign Ordinance needed to define it. The reason for the regulation was public safety. Police needed to be able to see into a building. Chairman Kirch felt the amount of window coverage should be increased from 25% to 35%. Thirty-five percent was closer to half; 25% was too prohibitive.

There was discussion about window coverage and what percentage should be allowed. Commissioner Nandell felt business owners would have a problem with a restriction on window covering. Chairman Kirch felt businesses needed some way to draw people in. Commissioner Karras said he didn't look at a window sign until he pulled into a parking lot. Chairman Kirch suggested that Mr. Parkinson look at Clinton, Clearfield, Riverdale, and Ogden City and average the window covering percentage.

Chairman Kirch suggested wording changes in 13-4-2. 'Dominant' should be 'dominate.' 'Tells' should be 'represents.' 'Feels' should be 'values.' In 13-4-2(A1a) the words 'permitted not more than' should be replaced with 'limited to.'

Commissioner Dandoy questioned the size of monument sign the Planning Commission could approve for a subdivision in 13-4-2(B2d). Steve Parkinson said that none of the language for monument signs was new. They were existing regulations. Commissioner Dandoy asked if the decision would be made by the developer or the Planning Commission. Mr. Parkinson said the developer would submit a request. Commissioner Dandoy said the Planning Commission could approve the request, recommend a different size, or deny it. Mr. Parkinson said that was correct. The Planning Commission discussed removing this paragraph. Mr. Parkinson pointed that the monument sign was for subdivisions and quasi-public uses.

Chairman Kirch stated that multiple cabinets were mentioned in 13-4-2(C2d). She asked what multiple cabinets were. Mr. Parkinson explained that a cabinet was the frame for a sign, or group of signs.

Commissioner Nandell said that electronic message center signs were not allowed in residential zones. What about schools? Steve Parkinson said schools were a quasi-public use and were allowed to seek a conditional use for an electronic message center sign in 13-4-2(D1c).

Commissioner Dandoy was concerned about regulations for temporary signs in 13-4-2(G). It did not include human signs (person standing on street advertising a business). Steve Parkinson said human signs were protected under free speech. As long as they moved for pedestrian traffic, there wasn't much the City could do about them.

Commissioner Dandoy stated that the proposed regulations for temporary signs in 13-4-2(G1b and d) allowed businesses to use temporary signs for three special promotions and eight other holidays throughout the year. Why

did the City care how many promotions a business had during the year? Why was the City putting restrictions on promotions?

Steve Parkinson said it was an effort to cut back on the sign clutter. The proposed regulations allowed businesses to advertise a promotion almost every month of the year.

Commissioner Karras said the dates only pertained to temporary signs.

Commissioner Ohlin asked about the holidays listed in the regulations. Mr. Parkinson said he had checked sign ordinances for seven other cities. Those were the holidays they listed. Chairman Kirch said they were standard advertising holidays in the business world.

Commissioner Dandoy stated that if a business was limited to one temporary sign, did the City care when it held a promotion? He felt the City should stick with limiting the number of temporary signs and not worry about how often a business put up a temporary sign.

Commissioner Paul said if a business had a temporary sign in the same place all the time, it was no longer a temporary sign.

Commissioner Dandoy felt the City was trying to put all businesses in the same box. It needed to have a broader perspective.

Steve Parkinson stated that signs for service and retail businesses were treated the same.

Commissioner Dandoy stated that not all businesses had retail sales. How did the City make the Sign Ordinance flexible enough to address all needs?

Chairman Kirch stated that businesses could also use other advertising methods, such as window signs or EMC's.

Chairman Kirch felt the note about banner signs included at the bottom of the holiday periods in 13-4-2(G1d) needed to be included in 13-4-2(G1b).

Chairman Kirch stated that 7-Eleven stores had a board on the front on their stores used for advertising. They changed the copy periodically. Was that considered a temporary sign? Mr. Parkinson said it was a permanent sign and was probably never approved.

Commissioner Nandell was concerned that if the City overburdened businesses they would leave.

After further discussion, the Planning Commission agreed to allow four promotion periods during the year of ten days each and leave the holiday periods as listed.

Chairman Kirch asked if language about permits for temporary signs and stickers needed to be added to 13-4-2(G). Mr. Parkinson said permits were addressed in 13-3-3 and 13-8. He felt stickers on temporary signs should be a policy rather than an ordinance.

Commissioner Dandoy was still struggling with the City defining promotions. He wasn't willing to let it rest.

Commissioner Dandoy asked about billboards, which were addressed in 13-7. Steve Parkinson said the City currently had five non-conforming billboards. The regulations had been written to encourage billboard owners to relocate them along the I-15 corridor. Chairman Kirch asked if adjoining cities would approach Roy if they considered a billboard near Roy's boundaries. Mr. Parkinson said they would not. If a billboard was located in another jurisdiction, there wasn't much the City could do.

Commissioner Dandoy asked who regulated fees for sign permits. Steve Parkinson said fees were set by the City Council. The Planning Commission didn't have input about permit fees. The sign permit told the City where a sign would be located, what it would look like, how long it would be there, and when it would come down.

Chairman Kirch suggested that 13-8-1(A10c) be added indicating that permits for temporary signs would not have a fee.

Steve Parkinson stated that the City Attorney was still reviewing the Sign Ordinance. There might be other changes.

Chairman Kirch thanked Mr. Parkinson for his efforts to rewrite the City's Sign Ordinance. He had accomplished what the City had been attempting to do for over six years.

NOVEMBER 24, 2015

2. CONTINUED DISCUSSION OF THE PROPOSED TITLE 13 – SIGN ORDINANCE

Steve Parkinson stated the Planning Commission needed to discuss two aspects of the Sign Ordinance – window signs and temporary signs. The Planning Commission had received copies of window sign regulations for Clearfield, Clinton, Ogden, Riverdale, Layton, Bountiful, Woods Cross, Farmington, West Haven, Syracuse, and South Ogden. Most of the cities limited window signs to some percentage; some did not. Ogden City did not allow any window signs. Riverdale allowed some window signs even though their ordinance was the same as Ogden's.

Chairman Kirch said the percentages ranged from 50% to 25%. She liked language from West Haven that said, *"Window signs...shall not be affixed as to block clear view of exits or entrances or to create a safety hazard."* The Planning Commission needed to decide what percentage of window coverage should be allowed in Roy.

Commissioner Nandell felt the percentage should be 25% with the language from West Haven. Roy City was between Clinton and West Haven, and both limited window signs to 25%.

Steve Parkinson did not care what the percentage was. He just wanted to keep a building a building. A large business could have 300 square footage of signs plus window signs. There would be a lot of signs.

Commissioner Karras agreed with 25%, which was what the majority of the cities had.

Steve Parkinson felt the Commission needed to consider window signs in conjunction with temporary signs. Should there be a smaller temporary sign if a business had a lot of windows, or vice versa. Both were temporary in nature, but one was on a window and one was not. Commissioner Dandoy stated the draft ordinance limited window signs to 25%. If the Commission didn't change the percentage, it was pretty safe. The debate was how to approach the discussion of correlating window signs and temporary signs.

Steve Parkinson said they were different. The Commission just needed to set a percentage. The City would let the businesses know. Window signs could be limited to a few windows or spread over all of them. He didn't care if the sign was on a group of windows or an individual one.

Commissioner Dandoy stated that windows signs were 'non permitted signs.' They were not regulated other than the limit of 25%. All the City would have to do was verify a business was not using more than 25% of its window space.

Chairman Kirch pondered the window sign percentage. Roy City's 1900 West commercial corridor was different than West Haven's or Clinton's. It was accessible from the freeway. She suggested that businesses in the Regional Commercial Zone be allowed to cover 30% of their windows with signs. The remaining zones in Roy City would be limited to 25%. All zones would be subject to the language *"...shall not be affixed as to block clear view of exits or entrances or to create a safety hazard."*

Commissioner Karras asked if 1900 West was defined differently. Chairman Kirch said it was the only Regional Commercial Zone.

The Planning Commission agreed with Chairman Kirch's suggestion. Steve Parkinson said the Regional Commercial Zone was different. It could have pole signs that could be seen from the freeway.

Steve Parkinson said the other aspect the Commission needed to discuss was temporary signs. Commissioner Dandoy had provided regulations regarding temporary signs from Bountiful, Layton, Riverdale, South Ogden, and Syracuse.

Commissioner Dandoy felt there were a number of places in the draft ordinance that called out for clear definitions, such as 'incidental' and 'portable.' The definitions needed to be added to Chapter 2 to make it easier for readers. He could send a list of definitions he felt needed to be added.

Steve Parkinson said the City Attorney had also noted some definitions that were needed. He would incorporate the changes from the City Attorney and the Planning Commission and give the draft back to the Commission to review.

Chairman Kirch really liked the temporary sign regulations from Syracuse City where temporary signs for all zones were listed. Their table was easy to read. Businesses were allowed one temporary sign per quarter not to exceed 30 days in duration. No approval was required if the sign was less than 16 square feet. Temporary signs with 100 square feet were minor conditional uses. She felt it would be wise to separate the Regional Commercial Zone from other zones.

Commissioner Dandoy felt having different regulations for temporary signs based on the use would be more taxing on the code enforcement officer.

Commissioner Dandoy felt Bountiful had done a good job of regulating temporary signs. *"For any single or two tenant property...Any tenant with less than ten thousand (10,000) square feet of building area shall not display more than one (1) temporary sign at any time. The maximum area of any temporary sign shall be thirty-two (32) square feet. Any tenant with greater than ten thousand (10,000) square feet of building area shall not display more than (2) temporary signs at any time. The maximum combined area of the two (2) signs shall be forty-eight (48) square feet. Where a property abuts two (2) streets, one (1) additional sign, oriented to the other abutting streets, shall be permitted. For any multi-tenant property....Any business with less than ten thousand (10,000) square feet of building area shall not display more than one temporary sign at a time. The maximum area of any sign shall be twenty-four (24) square feet. However, in no instance shall there be displayed more than three (3) temporary signs per one hundred (100) linear feet of frontage."* Any business with less than 10,000 square feet could have one sign. There were provisions about how far the sign had to be from the sidewalk and resident areas. He felt a similar regulation in Roy would create interesting challenges in areas where businesses were packed together. The City would have to decide how to provide fair and equitable treatment for businesses with less than 10,000 square feet that had less than 100 linear feet of frontage.

Steve Parkinson said strip malls were always the anomaly in a Sign Ordinance. It was worst case scenario; best case scenario. He pointed out that Bountiful had older commercial areas similar to Roy's.

Commissioner Nandell said Bountiful also allowed A-frame signs. He felt there were areas that would benefit if Roy allowed A-frame signs.

Commissioner Dandoy said Bountiful did not require a permit for an A-frame sign that was removed at the end of the day. He felt that would be an advantage to any business. It was not a permanent temporary sign.

Steve Parkinson said if the Commission wanted to allow certain things, the Sign Ordinance could define what it was and under what circumstances it would be allowed.

Commissioner Nandell liked Bountiful's A-frame regulations, *"An A-frame sign shall be designed, constructed, and installed such that it will lay flat if it is contacted by any object."* If it was hit by a car it would lie flat. The A-frame sign would have to be removed in every night.

Steve Parkinson stated that A-frame signs could not be located in the public right-of-way.

Commissioner Karras said Layton's ordinance said, *"A business could advertise special services and products with a temporary sign. A permit shall be obtained from Community and Economic Development and is valid for one year."*

There was a discussion about commercialism, speech, and free speech. Mr. Parkinson said they were different. A sign welcoming someone home was freedom of speech because it was not advertising a product.

Commissioner Ohlin felt businesses had right to advertise. Commissioner Karras said the Supreme Court had ruled that cities could regulate signs. Commissioner Ohlin felt the City had to be careful that it wasn't requiring permits for free speech. Commissioner Karras felt the only restriction on permits was not to make it too cumbersome.

Steve Parkinson said a permit for a temporary sign was a no fee permit. He just needed to know when it would be put up, where it would be, and when it would be taken down.

Commissioner Karras said every city treated temporary signs differently. None of the sample ordinances Commissioner Dandoy sent were the same.

Commissioner Dandoy said some were more lenient. He wanted to make sure the Commission didn't get confused about the discussion of free speech. If a business wanted to have a sale and the City would not authorize a temporary sign, was the City telling the business it could not hold a sale?

Commissioner Karras said the City wasn't telling the business it could not have a sign advertising the sale.

Commissioner Dandoy asked if a business had the right to put a sign in front of their property.

Steve Parkinson did not want to get into a constitutional battle. Constitutional rights of free speech were not the same as a constitutional right to have a business. He did not feel owning a business and the right to advertise that business fit into the realm of free speech. If it did the City could not regulate any signs, but it could.

Commissioner Dandoy was concerned about 13-3-2(11D). He felt the way it was written infringed on the free speech rights of private property owners. He felt the City could be taken to court because of the way it was defined. The way a City employee interpreted it could infringe on someone's free speech.

Steve Parkinson agreed the ordinance needed to be black and white. The better it was defined and outlined, the arbitrary and capricious issues there would be.

Commissioner Dandoy felt the government entity could control free speech through permits. Mr. Parkinson said the State statute regulated how cities issued permits.

Commissioner Dandoy said there was a comment in the draft ordinance that said a person could not put a sign on their property unless it was approved. It did not say whether it was public or private, it just said a person could not have a sign (13-3-2(11 D) Prohibited Signs) visible from a public way.

Steve Parkinson said the City Attorney had reviewed the current draft of the Sign Ordinance. He had not made any comments regarding that provision or restriction of free speech. He would ask the City Attorney to review the draft for any free speech concerns.

Steve Parkinson asked what the Commission wanted the City to look like. Did it want to allow everyone to do anything and everything they wanted? Commissioner Dandoy felt the City had to balance aesthetics with free speech rights.

Commissioner Nandell said it was private property versus business property standards.

Chairman Kirch stated that some things did not have to be regulated in the Sign Ordinance because they fell under free speech.

Steve Parkinson said the Planning Commission would need to define the difference between free speech and business signage. There was a difference. The City could not regulate free speech signage, but it could regulate business signage.

Chairman Kirch did not feel the Planning Commission had to define what had already been defined in courts of law. Roy City was making a decision about what was good for Roy City. The ordinance did not need to cross the line into personal, private expressions on private property. The ordinance did not need to define that. It was a right given in the United States.

Commissioner Ohlin asked why that provision was in the ordinance. What was it saying?

Commissioner Karras felt the intent was to prevent commercialism on private property.

Commissioner Dandoy said the Supreme Court struck down an ordinance which prohibited homeowners from displaying any signs on their property except for residential identification signs, for sale signs, and sign warnings as

unconstitutional violation of the property owners' free speech right. According to the court a total ban on signs posted on private property simply prohibited too much protected speech. The U.S. Supreme Court said communities could not prohibit private owners from posting signs on their property.

Chairman Kirch felt adding a caveat to the 13-3-2(11D) saying this did not apply to free speech signs would resolve the problem.

Steve Parkinson said he would have to check with the City Attorney. He was not aware that constitutional rights were a concern.

Commissioner Ohlin felt every ordinance was a constitutional issue.

Commissioner Dandoy felt the Sign Ordinance draft needed to be reviewed line by line. The Commission could add to or take away from the current draft ordinance. The current draft prohibited A-frame signs. Yet there were businesses in Roy that used A-frame signs. The Planning Commission needed to make a recommendation to allow or to prohibit A-frames. He felt the Commission needed to walk through every stop and decide if it fit or not. When the Commission was done with it, it would be a consensus to push to the Council. He liked what he saw in other ordinances. They read well. The Commission could extrapolate information from them and add to Roy's ordinance. The ordinance needed to be clear about what it meant or it could be misconstrued.

Chairman Kirch said this was not the first meeting on the Sign Ordinance. The Planning Commission had been reviewing the Sign Ordinance. It had honed in on a lot of issues. This meeting was to review the two issues that were left - window signs and temporary signs. The City Attorney had reviewed the Sign Ordinance and didn't feel there was a problem with free speech. The Planning Commission could ask the City Attorney to look at it again to make sure it wording passed the constitutional issue. She didn't feel there was a way to write a Sign Ordinance that would encompass everything. The Commission could highlight this as an issue that needed to be resolved and move on. The Commission wasn't going to solve it there.

Commissioner Dandoy said maybe the next step was for the Planning Commission to edit the draft. He had gone through the draft Sign Ordinance and extracted information from other communities. The Commissioners knew his opinion about holidays and temporary signs. There were only two others that restricted temporary signs to certain holidays – Clinton and Clearfield. Nobody else had restrictions about how many days a business could and could not have a sale. He suggested that each Commission member edit the draft ordinance.

Chairman Kirch felt the Commission was already at the edit point. If the Commission felt the draft needed to be edited, they needed to send that information to Mr. Parkinson.

Steve Parkinson stated that if the Commission members had problems with the way certain sections were worded, please let him know.

Commissioner Dandoy felt the commercial and residential environments should be separated.

Commissioner Nandell was still stuck on A-frame signs. He wanted to include them.

Chairman Kirch asked how many Commission members felt A-frame signs should be included. Four commissioners raised their hands.

Steve Parkinson asked if the Commission wanted portable signs and A-frame signs or one or the other. The Commission felt only A-frame signs should be allowed if they were removed nightly; they had to be designed, constructed, and installed such that they would lay flat if they were contacted by any object; and only one could be posted each business quarter for a maximum of thirty concurrent days. (See Bountiful City Ordinance 14-19-117 (11, 12, and 13).

Steve Parkinson said Commissioner Dandoy did not like the holiday restrictions regarding temporary signs contained in the current draft. How did the rest of the Commission feel?

Chairman Kirch liked that holidays were not defined; that businesses were given the right to choose. Bountiful gave businesses the right to have a temporary sign for not more than thirty concurrent days, but not concurrent signs. A business could have one sign per quarter with a maximum of thirty days.

Steve Parkinson said that was still four promotional periods of thirty days. He liked Commissioner Dandoy's thinking. He suggested that a business have a temporary sign for thirty days take a break, and then put up another sign. The only concern was how to regulate it. He felt that would satisfy the Commission's desire to have signs, yet still have a break. Not everyone have signs all the time. He still felt grand opening and going out of business signs needed to be identified

Commissioner Dandoy felt miscellaneous signs needed to be defined in a commercial environment so it was not misinterpreted in a residential one. There was a separation between commercial and residential application. The City could regulate the commercial environment.

Steve Parkinson said the City could regulate signs for home occupations.

Commissioner Dandoy felt if a homeowner had a business in the home it had to have a business license. The sign would be treated as commercial even though it was residential. The ordinance needed to say a homeowner was could have a sign if it was a certain size.

The Commission felt such a restriction would cross the line.

Commissioner Dandoy said there needed to be a distinction between what an owner could do on a residential property and what the City could control in a business.

Commissioner Nandell said the ordinance needed to separate residential and business.

Commissioner Dandoy felt there were several things in the draft Sign Ordinance that needed to be defined, such as 'holiday and event decorations' listed in Signs Not Requiring Permits - 13-4-1(H8). He felt the ordinance needed to indicate that if it was a holiday or event sign on a home, the City would stay away from it.

The Planning Commission felt 'holiday and event decorations' should be removed.

Commissioner Dandoy said he would send Mr. Parkinson and the Commission members his edited version of the Sign Ordinance. It would add some other things, such as definitions. Then when the Commission met again, it could decide what it did and didn't like. The Commission could then have an ordinance to recommend to the Council. He felt everything but the kitchen sink had been thrown into the ordinance. The Commission needed to decide what came out and what went in.

Chairman Kirch said the current Sign Ordinance took a long time to write. The draft had taken a long time to write. If the Planning Commission members had specific changes, they should send them to Mr. Parkinson and all of the Commission members. She felt some of the issues brought up by Commission members were covered by state and federal laws and did not needed to be included in the municipal law. The Sign Ordinance did not have to be all inclusive.

Commissioner Nandell wanted to make sure the City wasn't being set up for litigation. Mr. Parkinson said that was why the City Attorney was reviewing the ordinance.

Commissioner Dandoy said a municipality could not override a state law, and a state law could not override a federal law.

Chairman Kirch felt there had been a healthy discussion, but the Commission needed to finish temporary signs so that Mr. Parkinson had some direction.

The Planning Commission agreed to regulate temporary signs with a no fee permit in order to identify when a sign would be put up and when it would be taken down. Businesses could have one temporary sign for thirty concurrent days. Businesses could take a three to seven day break and put up another temporary sign. Businesses would follow Bountiful's temporary sign regulations 14-19-117(6, 7, 8, 11, 12, and 13).

Mr. Parkinson asked if a business allowed two temporary signs could have them staggering. The Commission said yes.

Chairman Kirch felt the ordinance should state that A-frame signs had to be taken in at night.

Chairman Kirch felt signs needed to be controlled. However, was there a way to allow one temporary sign without a permit?

Steve Parkinson said he needed to know when a business put up a temporary sign in order to know when it should be taken down. A permit gave him a chance to reiterate what the sign regulations were. He was still looking a stamps or stickers for the signs.

Commissioner Karras asked if it would be possible to obtain a temporary sign permit via email. Commissioner Dandoy said there was a software program that would do that. Steve Parkinson said he would eventually like the City to get to that point.

Steve Parkinson stated that he would send the draft Sign Ordinance to the Commission members in Word format. They could then edit it and send it to him and other Commission members. He would compile all of the changes.

Chairman Kirch liked Layton City's list of signs exempt from permit requirements – directional or instructional signs; memorial signs or tablets; public notices; public necessity signs; real estate signs; flags; symbols or insignias; interior signs; house numbers and name plates; and trespassing signs. The draft ordinance didn't have a similar list.

Chairman Kirch cautioned the Commission members about getting clogged down on specific words and issues. The Sign Ordinance did not have to be perfect. The draft Sign Ordinance was remarkably different and better than the City's current sign regulations. Sometimes compromise was the best thing. If needed, the Sign Ordinance could be adjusted and amended down the road.

Commissioner Ohlin didn't feel it had to be rushed.

Commissioner Dandoy felt the definitions needed to be clear so the reader didn't have to search the body of the Sign Ordinance. He felt 13-3-3 and 3-14-2 needed to be consolidated. Mr. Parkinson said one section referred to building permits; the other to uses.

Commissioner Dandoy reported that he attended the last Council meeting where the Council discussed public hearing notification for Planning Commission hearings.

There was discussion about amending the Sign and Zoning Ordinances for public notification signs.

Steve Parkinson discussed changes that needed to be made to the Zoning Ordinance.

JANUARY 12, 2016

5. CONTINUED DISCUSSION REGARDING THE PROPOSED TITLE 13 – SIGN ORDINANCE

Steve Parkinson stated that the Planning Commission had received the latest revision of the Sign Ordinance – Title 13. This revision included the comments made by the Planning Commission during its last work session; changes that Commissioner Dandoy submitted via email; and changes from the City Attorney. Most of the comments made by the Planning Commission were contained in Chapter 4. There were still a few things needed to be discussed with the City Attorney. Mr. Parkinson did not feel the remaining questions would cause extensive changes to the proposed ordinance.

Commissioner Nandell felt all the efforts of the staff and Planning Commission had resulted in a good ordinance.

Commissioner Ohlin asked about political signs. The ordinance said candidates or campaign managers were supposed to let the City know where their signs would be located. Would that regulation apply to national elections? Mr. Parkinson said it would. The City was asking for contact information in case there was a problem with a sign.

Commissioner Ohlin asked what would happen if a candidate did not contact the City. Would the City take the sign down? Mr. Parkinson said that if there was a problem the staff would try to contact someone to have the sign removed or brought into compliance.

Commissioner Ohlin clarified the ordinance which said that a candidate could only have one sign on a street. Mr. Parkinson said that was correct. There could be two signs on a corner; one facing each direction.

Chairman Kirch asked that the words "*Because a proliferation of...*" be struck from the second sentence of 13-4-2. The sentence should begin with "*Poorly designed...*"

Chairman Kirch agreed that the Sign Ordinance was well written. It included much more information than she thought and would serve the City for a long time. She asked the Commission members if they were satisfied with the regulations for temporary signs

Commissioner Ohlin asked about strip malls and temporary signs. Mr. Parkinson said any business over 10,000 square feet could have two temporary signs; businesses under 10,000 square feet could only have one. Businesses in strip malls would have to correlate their temporary signs with each other.

Chairman Kirch asked about window signs. Mr. Parkinson said businesses would be limited to a certain percentage of window coverage for safety reasons.

Chairman Kirch stated that if the Planning Commission didn't have any other concerns, the staff could schedule a public hearing. No further concerns or questions were expressed by the Planning Commission. Mr. Parkinson said he would schedule a hearing on February 5th. After the hearing, the ordinance would be forwarded to the Council for their consideration.

ORDINANCE No. 16-2
An Ordinance Establishing Title 13 of the Roy City Municipal Code as the City's Sign Ordinance

WHEREAS, Roy City's current ordinances addressing signs within the City are located in various portions of the Roy City Municipal Code; and

WHEREAS, those portions of the Code have been reviewed, amended and consolidated into one document; and

WHEREAS, the Roy City Council finds that it is beneficial to the City, the citizenry and the general public to establish Title 13 of the as the new Roy Municipal Code Sign Ordinance; and

WHEREAS, Title 13 will benefit, enhance and increase long-term viability of development within residential, commercial and manufacturing areas of the City; and

WHEREAS, the Roy City Planning Commission held public hearings as required by law and has favorably recommended the amendments and establishment of Title 13 to the City Council; and

WHEREAS, the Roy City Council having received and reviewed the proposed Title 13 Sign Ordinance of the Roy City Municipal Code and the recommendation of the Planning Commission and Staff; and finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and having reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 13 – Sign Ordinance as attached

This Ordinance has been approved by the following vote of the Roy City Council:

	AYE	NAY	ABSTAIN
Councilman Becraft	_____	_____	_____
Councilman Dandoy	_____	_____	_____
Councilman Hilton	_____	_____	_____
Councilman Tafoya	_____	_____	_____
Councilman Yeoman			

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this 16th day of February, 2016.

Willard S. Cragun; Mayor

Attested and Recorded:

Amy Mortenson; City Recorder

2015 ALCOHOLIC BEVERAGE LICENSE
 TO BE APPROVED BY THE
 CITY COUNCIL
 On March 1, 2016

<u>LICENSE #</u>	<u>BUSINESS NAME/ ADDRESS</u>	<u>OWNER</u>	<u>CLASSIFICATION</u>	<u>YEAR TO APPROVE</u>
7664	Kent's Market-Kent-Roy, LLC 3536 W 5600 S	Kathy Lloyd Toni B McKay Amy J Johansen	Class A Beer	2016

RETAIL LICENSE CLASSIFICATIONS

<u>BEER CLASSIFICATION</u>		<u>LIQUOR CLASSIFICATION</u>	
Class A	Off premises consumption	Class A	Private Club
Class B	On premises consumption - restaurant	Class B	Restaurant
Class C	On premises consumption - tavern	Class C	Temporary
Class D	Temporary license		
Class E	Private club license		

ROY CITY
POLICE DEPARTMENT MEMO



Carl G. Merino
Chief of Police

To: Licensing
From: Carl G. Merino
Date: February 25, 2016
Subject: Alcoholic Beverage License Applications

I have had the opportunity to review the alcohol applications for the following business:

Kent's Market 3536 W. 5600 S. "Class A Beer license"
Retail Grocery

The above listed business has been found in compliance with all standards and conduct required for licensing in Roy City. A check of local records on all individuals involved with this business found nothing that would make them ineligible for their license. All aspects of the applications are in harmony with legal practices and positive recommendations are being made.

It is important to note that Employees were only check for local records. Additional checks can be made through BCI when this is required, prior to this review, by city licensing policy and the individuals request this in person at the Roy city Police Records Department.

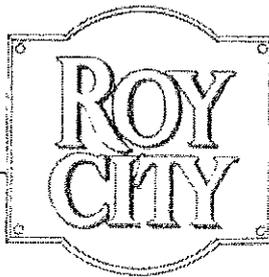
Respectfully,

A handwritten signature in cursive script that reads "Carl G. Merino".

Carl G. Merino
Chief of Police



FIRE & RESCUE DEPARTMENT
5051 South 1900 West
Roy, Utah 84067



Phone (801) 774-1080
Fax (801) 774-1059

To: Tammy Nelson
From: Deputy Chief Jeff Comeau
Date: February 12, 2016
Subject: Kent's Market 3536 W. 5600 S.

We have inspected the building and premise located above and found that the proposed premise does comply with all applicable laws, ordinances and regulations relating to safety in the event of fire or panic, and that this location is reasonably safe for use as a licensed premise for the license applied for.



To: Mayor Cragun and City Council Members
From: Ed Pehrson
Date: February 11, 2016
Subject: Kent's Market - Alcoholic Beverage License

An inspection has been conducted at Kent's Market – Kent-Roy, LLC, located at 3536 W 5600 S. I have found them to be compliant with the building and safety codes.

Respectfully,

A handwritten signature in black ink, appearing to read "Ed Pehrson", is written over a faint, circular stamp or watermark.

Ed Pehrson
Roy City Building Official

Resolution No. 16-9

**A Resolution of the Roy City Council
Approving an Agreement between Roy City Corporation and Consolidated Paving and
Concrete, Inc. for the 2800 West Storm Drain Project**

Whereas, a Request for Proposals for the 2800 West Storm Drain Project was advertised; and

Whereas, Consolidated Paving and Concrete, Inc. was the lowest responsive, responsible bidder;
and

Whereas, the Roy City Council desires to enter into an Agreement with Consolidated Paving
and Concrete, Inc., and

Whereas, the Agreement sets forth the respective rights and responsibilities of the Parties
regarding the 2800 West Storm Drain Project.

Now, therefore, be it resolved by the Roy City Council that the Mayor is authorized to execute
the Agreement with Consolidated Paving and Concrete, Inc.

Passed this 1st day of March, 2016.

Willard Cragun
Mayor

Attest:

Amy Mortenson
City Recorder

Voting:

	Aye	Nay	Absent	Excused
Councilmember Marge Becraft	_____	_____	_____	_____
Councilmember Robert Dandoy	_____	_____	_____	_____
Councilmember Brad Hilton	_____	_____	_____	_____
Councilmember Dave Tafoya	_____	_____	_____	_____
Councilmember Karlene Yeoman	_____	_____	_____	_____



Memorandum

To: Ross Oliver, Public Works Director
Roy City Corporation

From: John Bjerregaard, P.E.
Wasatch Civil Consulting Engineering

Date: February 18, 2016

Subject: **2800 West Storm Drain Project**

In response to our Advertisement for Bid for the subject project, bids were received at 2:00 p.m. on Wednesday, February 17, 2016, at the Roy City Public Works Office. Six contractors responded with bids ranging from \$155,866.88 to \$217,474.25. The Engineer's Estimate was \$170,000.00. We recommend that the contract be awarded to **Consolidated Paving and Concrete, Inc.** for the amount of **\$155,866.88**.

If you agree with this recommendation, please have the Mayor sign the attached Notice of Award and Contract Agreement. Once notified, the Contractor will have 14 days to respond with the following:

1. Signed Contract Agreement
2. Acknowledgment of Notice of Award
3. Certificate of Insurance

When all of the required documents have been submitted, we will schedule a pre-construction meeting for the project and the Notice to Proceed will be issued to the Contractor at the meeting. Construction can commence thereafter.

NOTICE OF AWARD

DATED: March 1, 2016

TO: Consolidated Paving and Concrete, Inc.

ADDRESS: 1705 West 2450 South, Ogden, UTAH 84401

PROJECT: 2800 West Storm Drain Project

You are notified that your Bid dated February 17, 2016, for the above Contract has been considered. You are the apparent Successful Bidder and have been awarded a Contract for the 2800 West Storm Drain Project. The Contract Price of your Contract is One Hundred Fifty-Five Thousand Eight Hundred Sixty-Six Dollars and Eighty-Eight Cents (\$155,866.88).

Actual total price will be based on the sum of work items completed (as measured in the field) multiplied by the unit prices for each item.

One copy of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award. Three sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within fifteen days of the date of this Notice of Award:

1. Submit a Signed Contract Agreement
2. Submit a Payment Bond
3. Submit a Performance Bond
4. Submit Certificates of Insurance as specified in General and Supplementary Conditions

Failure to comply with these conditions within the time specified will entitle OWNER to consider your Bid in default, to annul this Notice of Award and to declare your Bid security forfeited.

Within ten days after you comply with the above conditions, OWNER will return to you one fully executed counterpart of the Contract Documents.

Roy City Corporation
(OWNER)

(AUTHORIZED SIGNATURE)

(TITLE)

NOTICE TO PROCEED

Dated: _____

TO: **Consolidated Paving and Concrete, Inc.**

ADDRESS: **1705 West 2450 South, Ogden, UTAH 84401**

PROJECT: **2800 West Storm Drain Project**

You are notified that the Contract Times under the above contract will commence to run on _____, **2016**. By that date, you are to start performing your obligations under the Contract Documents. In accordance with Article 4 of the Agreement the date of Completion is _____. Thereafter, liquidated damages will be assessed at the rate of \$200.00 per calendar day.

Before starting any Work at the Site, you must provide certificates of insurance to the owner, as required by the Supplementary Conditions. Also, you must notify the City's designated Public Works Inspector, prior to commencement of construction activities.

Roy City Corporation
(OWNER)

(AUTHORIZED SIGNATURE)

(TITLE)



2800 West Storm Drain Project

Roy City Corporation

Bid Opening Date: February 17, 2016 **Time:** 2:00 P.M. **Place:** Roy City Public Works Office

Item No.	Description	Quantity	Units	Engineer's Estimate		Consolidated Paying & Concrete		Leon-Poulsen Construction Company, Inc.		Capp Construction & Development Co. Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization and Traffic Control:	1	L.S.	\$6,593.00	\$6,593.00	\$7,062.50	\$7,062.50	\$6,675.00	\$6,675.00	\$7,300.00	\$7,300.00
2	Remove Existing Turf Sod and Top Soil:	2,750	S.Y.	\$1.50	\$4,125.00	\$2.39	\$6,572.50	\$3.15	\$8,662.50	\$2.25	\$6,187.50
3	Remove Existing Storm Drain Pipe (15" Diameter and Smaller):	458	L.F.	\$5.00	\$2,290.00	\$4.14	\$1,896.12	\$11.50	\$5,267.00	\$11.60	\$5,312.80
4	Remove Existing Catch Basin:	3	Each	\$400.00	\$1,200.00	\$70.14	\$210.42	\$415.00	\$1,245.00	\$207.00	\$621.00
5	Remove Concrete Sidewalk and Driveway (4" Thick):	1,120	S.F.	\$4.00	\$4,480.00	\$1.20	\$1,344.00	\$1.75	\$1,960.00	\$1.25	\$1,400.00
6	Remove Curb and Gutter:	510	L.F.	\$2.50	\$1,275.00	\$2.99	\$1,524.90	\$7.45	\$3,799.50	\$7.40	\$3,774.00
7	Remove 5' Wide Concrete Waterway:	50	S.F.	\$6.00	\$300.00	\$1.59	\$79.50	\$4.25	\$212.50	\$6.00	\$300.00
8	Remove Asphalt Pavement:	3,100	S.F.	\$2.50	\$7,750.00	\$0.33	\$1,023.00	\$0.50	\$1,550.00	\$1.10	\$3,410.00
9	Sawcut Asphalt Pavement:	520	L.F.	\$2.00	\$1,040.00	\$0.96	\$499.20	\$1.10	\$572.00	\$0.65	\$338.00
10	15-inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3) from Sta. 1+37 to Sta. 7+76:	639	L.F.	\$35.00	\$22,365.00	\$33.48	\$21,393.72	\$28.50	\$18,211.50	\$45.60	\$29,138.40
11	15-inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3) from Sta. 12+38 to Sta. 13+92:	154	L.F.	\$38.00	\$5,852.00	\$36.32	\$5,593.28	\$37.00	\$5,698.00	\$45.60	\$7,022.40
12	18-inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3):	337	L.F.	\$45.00	\$15,165.00	\$38.67	\$13,031.79	\$37.50	\$12,637.50	\$47.30	\$15,940.10
13	24-inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3):	125	L.F.	\$55.00	\$6,875.00	\$73.51	\$9,188.75	\$60.00	\$7,500.00	\$47.85	\$5,981.25
14	Import Backfill and Fill Material (Granular Backfill Borrow):	1,100	Tons	\$15.00	\$16,500.00	\$16.40	\$18,040.00	\$17.25	\$18,975.00	\$9.50	\$10,450.00



2800 West Storm Drain Project

Roy City Corporation

Bid Opening Date: February 17, 2016 Time: 2:00 P.M. Place: Roy City Public Works Office

Item No.	Description	Quantity	Units	Engineer's Estimate		Consolidated Paving & Concrete		Leon Poulsen Construction Company, Inc.		Kapp Construction & Development Co. Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
15	4' Dia. Storm Drain Manhole:	3	Each	\$2,800.00	\$8,400.00	\$1,587.18	\$4,761.54	\$1,870.00	\$5,610.00	\$1,144.00	\$4,632.00
16	2'x2' Catch Basin:	1	Each	\$1,500.00	\$1,500.00	\$1,132.08	\$1,132.08	\$1,720.00	\$1,720.00	\$835.00	\$885.00
17	3'x3' Catch Basin:	1	Each	\$2,000.00	\$2,000.00	\$1,652.38	\$1,652.38	\$2,290.00	\$2,290.00	\$1,185.00	\$1,285.00
18	2.5'x4' Catch Basin:	3	Each	\$2,500.00	\$7,500.00	\$1,755.48	\$5,266.44	\$2,375.00	\$7,125.00	\$2,110.00	\$7,530.00
19	2'x3' Catch Basin:	1	Each	\$2,000.00	\$2,000.00	\$1,798.16	\$1,798.16	\$1,880.00	\$1,880.00	\$2,175.00	\$2,275.00
20	Connect to Existing Catch Basin (Sta. 1+37):	1	Each	\$500.00	\$500.00	\$437.50	\$437.50	\$1,130.00	\$1,130.00	\$1,304.00	\$1,304.00
21	Curb and Gutter:	510	L.F.	\$16.00	\$8,160.00	\$23.20	\$11,832.00	\$19.50	\$9,945.00	\$8.70	\$9,537.00
22	Sidewalk and Driveway (4" Thick Concrete):	940	S.F.	\$5.00	\$4,700.00	\$3.94	\$3,703.60	\$4.30	\$4,042.00	\$5.65	\$5,311.00
23	Drive Approach (6" Thick Concrete):	180	S.F.	\$6.50	\$1,170.00	\$6.10	\$1,098.00	\$5.75	\$1,035.00	\$3.80	\$1,584.00
24	Concrete Waterway:	50	S.F.	\$8.00	\$400.00	\$19.84	\$992.00	\$11.00	\$550.00	\$2.80	\$640.00
25	Asphalt Patch (3" HMA / 1/2" UTBC):	3,100	S.F.	\$3.50	\$10,850.00	\$3.56	\$11,036.00	\$3.75	\$11,625.00	\$3.10	\$9,610.00
26	Excavate and Grade Detention Basin:	1	L.S.	\$8,000.00	\$8,000.00	\$11,122.50	\$11,122.50	\$9,400.00	\$9,400.00	\$8,100.00	\$8,500.00
27	Video Inspection of Storm Drain Pipe:	1,255	L.F.	\$2.00	\$2,510.00	\$0.80	\$1,004.00	\$2.10	\$2,635.50	\$1.15	\$1,443.25
28	Restore Turf Sod and Top Soil Using Existing Salvaged Materials:	2,600	S.Y.	\$5.50	\$14,300.00	\$3.93	\$10,218.00	\$6.50	\$16,900.00	\$3.50	\$22,100.00
29	Restore Turf Sod and Top Soil Using New Sod:	150	S.Y.	\$8.00	\$1,200.00	\$9.02	\$1,353.00	\$12.25	\$1,837.50	\$2.60	\$3,390.00



2800 West Storm Drain Project

Roy City Corporation

Bid Opening Date: February 17, 2016 Time: 2:00 P.M. Place: Roy City Public Works Office

Quantity	Description	Units	Engineer's Estimate		Consolidated Paving & Concrete		Leon Poulsen Construction Company, Inc.		Kapp Construction & Development Co. Inc.		
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	
30	Storm Water Pollution Prevention Plan and Sediment Barriers at Catch Basins:	1	L.S.	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$835.00	\$835.00	\$2,450.00	\$2,450.00
TOTAL OF BID ITEMS:					\$170,000.00		\$155,866.88		\$171,525.50		\$179,851.70

- 4 Marsh Construction Company, LC \$185,014.58
- 5 E.H. Knudson Construction Co., Inc. \$217,474.25
- 6 Ormond Construction, Inc. \$279,562.78

Project Engineer 
John Bjerregaard, P.E.

CONTRACT AGREEMENT

THIS AGREEMENT is by and between **ROY CITY CORPORATION** (hereinafter called OWNER) and **Consolidated Paving and Concrete, Inc.** (hereinafter called CONTRACTOR). OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1- WORK

1.01 CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The work consists of constructing approximately 1,250 l.f. of 15" diameter to 24" diameter storm drain pipe; including manholes, inlet structures, and all other related appurtenances. The work also includes 350 s.y. of asphalt patching; 500 l.f. of curb and gutter; landscape restoration; and other related work as indicated in the Contract Documents and Technical Specifications.

ARTICLE 2-THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

2800 WEST STORM DRAIN PROJECT

ARTICLE 3- ENGINEER

3.01 The Project has been designed by Wasatch Civil Consulting Engineering, who is hereinafter called ENGINEER and who is to act as OWNER'S representative, assume all duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4- CONTRACT TIMES

4.01 *Time of the Essence:* All time limits for completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Dates for Completion and Final Payment:* The Storm Drain Work across landscape areas will be completed within **30** days following Notice to Proceed. The entire Project will be complete by **April 30, 2016.**

4.03 *Liquidated Damages:* CONTRACTOR and OWNER recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof,

OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty), CONTRACTOR shall pay OWNER \$200.00 for each day that expires after the time specified in paragraph 4.02 for Completion until the Work is accepted.

ARTICLE 5- CONTRACT PRICE

5.01 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract

Documents an amount in current funds equal to the sum of the amounts determined pursuant to the paragraph below:

For all Unit Price Work, an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work times the actual quantity of that item as measured in the field.

UNIT PRICE WORK

<u>No.</u>	<u>Item.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
1	Mobilization and Traffic Control:	1	L.S.	\$7,062.50	\$7,062.50
2	Remove Existing Turf Sod and Top Soil:	2,750	S.Y.	\$2.39	\$6,572.50
3	Removing Existing Storm Drain Pipe (15" Diameter and Smaller):	458	L.F.	\$4.14	\$1,896.12
4	Remove Existing Catch Basin:	3	Each	\$70.14	\$210.42
5	Remove Concrete Sidewalk and Driveway (4" Thick):	1,120	S.F.	\$1.20	\$1,344.00
6	Remove Curb and Gutter:	510	L.F.	\$2.99	\$1,524.90
7	Remove 5' Wide Concrete Waterway:	50	S.F.	\$1.59	\$79.50
8	Remove Asphalt Pavement:	3,100	S.F.	\$0.33	\$1,023.00
9	Sawcut Asphalt Pavement:	520	L.F.	\$0.96	\$499.20
10	15-Inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3) from Sta. 1+37 to Sta. 7+76:	639	L.F.	\$33.48	\$21,3939.72
11	15-Inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3) from Sta. 12+38 to Sta. 13+92:	154	L.F.	\$36.32	\$5,593.28
12	18-Inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3):	337	L.F.	\$38.67	\$13,031.79
13	24-Inch Dia. Reinforced Concrete Storm Drain Pipe (Class 3):	125	L.F.	\$73.51	\$9,188.75
14	Import Backfill and Fill Material (Granular Backfill Borrow):	1,100	Tons	\$16.40	\$18,040.00
15	4' Dia. Storm Drain Manhole:	3	Each	\$1,587.18	\$4,761.54
16	2'x2' Catch Basin:	1	Each	\$1,132.08	\$1,132.08
17	3'x3' Catch Basin:	1	Each	\$1,652.38	\$1,652.38
18	2.5'x4' Catch Basin:	3	Each	\$1,755.48	\$5,266.44
19	2'x3' Cath Basin:	1	Each	\$1,798.16	\$1,798.16
20	Connect to Existing Catch Basin (Sta. 1+37):	1	Each	\$437.50	\$437.50
21	Curb and Gutter:	510	L.F.	\$23.20	\$11,832.00
22	Sidewalk and Driveway (4" Thick Concrete):	940	S.F.	\$3.94	\$3,703.60
23	Drive Approach (6" Thick Concrete):	180	S.F.	\$6.10	\$1,098.00
24	Concrete Waterway	50	S.F.	\$19.84	\$992.00
25	Asphalt Patch (3" HMA / 12" UTBC):	3,100	S.F.	\$3.56	\$11,036.00
26	Excavate and Grade Detention Basin:	1	L.S.	\$11,122.50	\$11,122.50
27	Video Inspection of Storm Drain Pipe:	1,255	L.F.	\$0.80	\$1,004.00
28	Restore Turf Sod and Top Soil Using Existing Salvaged Materials:	2,600	S.Y.	\$3.93	\$10,218.00

29	Restore Turf Sod and Top Soil Using New Sod:	150	S.Y.	\$9.02	\$1,353.00
30	Storm Water Pollution Prevention Plan and Sediment Barriers at Catch Basins:	1	L.S.	\$1,000.00	\$1,000.00

TOTAL OF ALL UNIT PRICES: **One Hundred Fifty-Five Thousand Eight Hundred Sixty-Six Dollars and Eighty-Eight Cents (\$155,866.88).**

As provided in paragraph 11.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in paragraph 9.08 of the General Conditions. Unit prices have been computed as provided in paragraph 11.03 of the General Conditions.

ARTICLE 6- PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments:* CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

6.02 *Progress Payments; Retainage:* OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR'S Applications for Payment on or about the 15th day of each month during performance of the Work as provided in paragraphs 6.02.A. 1 and 6.02.A.2 below. All such payments will be measured by the schedule of values established in paragraph 2.07.A of the General Conditions (and in the case of Unit Price Work, based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements:

1. Prior to Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as ENGINEER may determine or OWNER may withhold, in accordance with paragraph 14.02 of the General Conditions:

A. 95% of Work completed (with the balance being retained). If the Work has been 50% completed as determined by ENGINEER, and if the character and progress of the Work have been satisfactory to OWNER and ENGINEER, OWNER, on recommendation of ENGINEER, may determine that as long as the character and progress of the Work remain satisfactory to them, there will be no retainage on account of Work subsequently completed, in which case the remaining progress payments prior to Substantial Completion will be in an amount equal to 100% of the Work completed less the aggregate of payments previously made; and

B. 25% of cost of materials and equipment not incorporated in the Work (with the balance being retained).

2. Upon Completion, OWNER shall pay an amount sufficient to increase total payments to CONTRACTOR to 100% of the Work completed, less such amounts as ENGINEER shall determine in accordance with paragraph 14.02.B.5 of the General Conditions.

6.03 *Final Payment:* Upon final completion and acceptance of the Work in accordance with paragraph 14.07 of the General Conditions, OWNER shall pay the remainder of the Contract Price as recommended by ENGINEER as provided in said paragraph 14.07.

ARTICLE 7- INTEREST

7.01 All moneys not paid when due as provided in Article 14 of the General Conditions shall bear interest at the rate of 5% per annum.

ARTICLE 8- CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

A. CONTRACTOR has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

B. CONTRACTOR has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. CONTRACTOR is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. CONTRACTOR has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site which has been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.

E. CONTRACTOR has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by CONTRACTOR, including applying the specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract Documents to be employed by CONTRACTOR, and safety precautions and programs incident thereto

F. CONTRACTOR does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

G. CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Contract Documents.

H. CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

I. CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that CONTRACTOR has discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 9- CONTRACT DOCUMENTS

9.01 *Contents:*

A. The Contract Documents consist of the following:

1. This Agreement;

2. Performance Bond;
 3. Payment Bond;
 4. Bid Bonds;
 5. General Conditions;
 6. Supplementary Conditions;
 7. Specifications as listed in the table of contents of the Project Manual;
 8. Drawings as listed in the table of contents of the Project Manual;
 9. Addenda (N/A).
 10. Exhibits for this Agreement;
 1. Notice to Proceed;
 2. CONTRACTOR's Bid;
 3. Documentation submitted by CONTRACTOR prior to Notice of Award;
 11. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
 - Written Amendments;
 - Work Change Directives;
 - Change Order(s).
- B. The documents listed in paragraph 9.01 A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in paragraph 3.05 of the General Conditions.

ARTICLE 10- MISCELLANEOUS

10.01 *Terms*: Terms used in this Agreement will have the meanings indicated in the General Conditions.

10.02 *Assignment of Contract*: Assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*: OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*: Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that

comes as close as possible to expressing the intention of the stricken provision.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or on their behalf.

This Agreement will be effective on _____ (which is the Effective Date of the Agreement).

OWNER:

CONTRACTOR:

ROY CITY CORPORATION

CONSOLIDATED PAVING AND CONCRETE,
INC.

By: _____

By: _____

Resolution No. 16-8
Adopting the Weber County
Pre-Disaster Mitigation Plan

WHEREAS, the Disaster Mitigation Act of 2000, Public Law 106-390, was enacted on October 30, 2000, to establish a national disaster hazard mitigation program to reduce the loss of life and property, human suffering, economic disruption, and disaster assistance costs, resulting from natural disasters, and to assist state, local, and Indian tribal governments in implementing effective hazard mitigation measures designed to ensure the continuation of critical services and facilities after a natural disaster; and

WHEREAS, the Disaster Mitigation Act of 2000 and 44 C.F.R 201.6 requires, among other things, that a disaster mitigation plan be formally adopted by the governing bodies of the jurisdictions requesting approval of a disaster mitigation plan; and

WHEREAS, Weber County has developed a Disaster Mitigation Plan; and

WHEREAS, Roy City staff has participated as a partner entity with Weber County in development of the Weber County Disaster Mitigation Plan; and

NOW, THEREFORE, BE IT RESOLVED that Roy City adopts the plan and shall take effect immediately on passage and acceptance as provided herein.

ADOPTED by the Council this 1st day of March, 2016.

Willard Cragun – Mayor

ATTEST:

Amy Mortenson- Recorder

Councilmember Becraft
Councilmember Dandoy
Councilmember Hilton
Councilmember Tafoya
Councilmember Yeoman

**POINT PAPER ON
Roy City Community Based Survey
Update 23 Feb 2016**

ISSUE:

Develop a Roy City community survey to gather public input on important issues.

BACKGROUND:

It has been said that to “maintain that true community sustainability seeks policies and actions that create long-term solutions to local and regional issues. A community survey can be used to help officials identify issues and public opinion on approaches and programs that offer acceptable long-term solutions to community problems”. (Segedy, J. A., & Lyon, T. S. (1997). *Community-based workshops: Building a partnership for community vitality*)

Elected officials need benchmark surveys to identify where the community has been and where it needs to go with regards to basic services. Resident participation in identifying, planning and designing services is important in advancing community sustainability. Organizing survey efforts around a community's environmental, economic, and social needs helps elected officials identify the interdependence in these areas. Community surveys are an effective way to help measure residents' attitudes, opinions, and values and support sustainable communities. (*Community Surveys: Measuring Citizens' Attitude toward Sustainability*)

The survey could address important future issues to include, but not limited to:

- Roy City Cemetery
- Roy City Dumpster Program
- Roy City Recreational Complex
- Economic Development along 1900 and 3500
- Improving City Roads
- Multi-Use Zoning in Specific Areas within Roy City
- Development of the Properties around the Front Runner Station

The survey could also ask the public to rate:

- Fire protection
- Law enforcement
- Animal control services
- Garbage collection
- Snow removal
- Roads and sidewalks upkeep
- Parks and recreation services

On 8 Feb 2016, an initial meeting was held with key leaders at Weber State University to discuss the possibility of collaborating on a Roy City community survey. The outcome of the meeting was for Roy City to provide some basic information to the office of WSU Community Research Extension for them to determine if they had resources to support this effort.

Roy City Council authorized using a community based Survey to gather public input. That approval was established during the 16 Feb 2016 City Council Meeting. The basis of the survey

process will involve random sampling of resident's input to determine a statistical projection of the city's opinion and support on important issues.

DISCUSSION:

Included in the Roy March/ April 2016 Newsletter is a paragraph advising the readers of the City's intent to conduct a community survey. In addition, there is a request for residents to consider volunteering in this effort.

On 23 Feb 2016, a second meeting was held with WSU Community Research Extension and a member to the Roy City Council to discuss the next steps in developing, announcing, soliciting, analyzing, and presenting the results of a survey. Basic information about Roy City was provided at the meeting to include a map and demographics.

Professor Azenett Garza, Community Research Coordinator and Professor Leah Murray, Democratic Engagement and Civitas Coordinator both indicated their support in helping conduct this effort. The discussion centered on the following issues:

- WSU will provide oversight, experience, training, analysis, and the presentation of the results of the survey.
 - They would like to include some graduate level students into the process.
- Roy City will provide topics, copying, volunteers, and meeting locations.
 - The discussion also included using a three phase approach to distribute the survey to get enough samples to make a statically projection.
 - Using a website to collect survey information
 - Using utility bill mail lists to distribute the survey with a return envelope.
 - Performing door to door canvassing.

During the discussion, WSU representatives were asked about cost for their service. They indicated the service is free however, they asked that Roy City consider donating to a student fund to help future student's tuition in their education program. They would also like Roy City to partner with them in a local community program. Details are available by contacting Jenny Frame at jennyframe@weber.edu.

The next step in beginning this survey process will require the following information.

- WSU will provide samples of surveys they have developed for other cities for Roy City leaders to review.
- Roy City need to provide WSU topics of questions they would like to see on the survey. From the topics, WSU will draft up the survey questions.

Next meeting between Roy City and WSU will be held 8 March 2016 at 9 am.

CONCLUSION:

There is no question that residents participating in assessing current public services and the planning of future growth within the city, will help city leaders in advancing community sustainability. In addition,

- Organizing a survey around a community's environmental, economical, and social needs helps elected officials to focus on important issues.
- Inviting the public input will advance government trust in the community.

- Community surveys are an effective and proven way to help measure residents' attitudes, values, opinions, and support on issues facing the future of this city.

Having clear and defined information from the public will help leaders in making informed decisions. The single biggest challenge in conducting a survey may be asking the right questions. Working in concert with a local University and drawing from their experience should help us with this and other challenges.

RECOMMENDATION:

Roy City Council members and Roy City leaders provide to Bob Dandoy a list of topics they would like to see on the community survey. Need date is prior to the next meeting being held on 8 March 2016.

ATTACHMENT:

- 1- Sample South Ogden Survey

VOICES - South Ogden City Survey

Basic Information and Eligibility:

For purposes of organization, this page includes pertinent information about the survey you are about to take as well as allows us to know if what information you give to us can be used in the final product of the survey data. Answering “No” to any of the following questions does not necessarily disqualify your survey for consideration, nor does it withdraw your name from the gift card drawing.

1. Please write down the unique code from your email message or postcard here.

Unique Code: _____ **OR** I lost my code

Introduction:

As part of our efforts to improve our city, South Ogden City is partnering with Weber State University to gather public input about city services, neighborhoods, and the city's future through the Voicing Opinions to Inform Community Engagement and Services (VOICES) survey. This survey is open to all South Ogden City residents. This is your opportunity to have your voice heard. The survey will take approximately 15 minutes to complete. As a token of appreciation for your time in completing the survey, your household will be entered into a drawing for a gift card to a local business. This survey is entirely voluntary and your responses will remain confidential. Your responses will never be directly linked to you or your household. If you have any questions or concerns about this survey, please contact Monica Williams, Community Research Extension Faculty Advisor for the South Ogden City survey, by telephone at (801) 626-6231 or by email at ccelcre@weber.edu. Thank you for taking the time to complete the survey. It will help make South Ogden City a better place.

In consideration of all of the above information, I agree to participate in this survey.

- YES
- NO

Are you age 18 or older?

- YES
- NO (Please allow an adult age 18 or older to complete the survey)

To your knowledge, has anyone in your household already completed this survey?

- YES
- NO

Do you agree to allow Weber State University students to use the information from this survey in class projects and conference presentations? Your response to this question will not impact your ability to participate in the survey. No one will be able to link your responses specifically to you.

- YES
- NO

General City Operations and Communications

Section A. This first set of questions relates to general city operations and communication in South Ogden City. Please check the box that most closely represents your opinion.

1. Over the past 12 months please evaluate the level of service you have received from the following city departments, offices or services:

Please rate on the following scale: Very Poor (VP), Poor (P), Neutral (N), Good (G), Very Good (VG), No Contact (NC)

	VP	P	N	G	VG	NC
Building and Inspection department						
Mayor and City Council						
City Administration Offices (City Manager, Treasurer, Recorder, etc.)						
Fire Department						
Police Department						
Planning and Zoning Department						
Park Services						
Recreation Services						
Streets Department (Traffic, snow/ice removal, etc.)						
Public Works Department (Water, sewer, storm drains, etc.)						
Municipal Court Office						
Utility Billing Services						

2. Over the past 12 months please evaluate the level of service you have received from the following city departments, offices or services:

Please rate on the following scale: Strongly Disagree (SD), Disagree (D), Neutral (N), Agree (A), Strongly Agree (SA), I have had No Contact (NC)

2a. Building and Inspection Department

	SD	D	N	A	SA	NC
The staff is responsive and helpful to my needs.						
I received my permits in a timely manner.						
Permitting process was clear and easy to understand.						
This department operates efficiently.						

2b. Mayor and City Council

	SD	D	N	A	SA	NC
The Mayor and City Council understand my needs as a resident.						
The Mayor and City Council are accessible and approachable.						
The Mayor's office and City Council operate efficiently.						
The City Council has my best interests at heart.						

2c. City Administration Offices
(City Manager, Treasurer, Recorder, etc.)

	SD	D	N	A	SA	NC
The City Administration staff is responsive and helpful.						
The City Administration staff is easily accessible.						
City Administration Officials have the city's best interests at heart.						

2d. Fire Department	SD	D	N	A	SA	NC
The Fire Department is helpful and responsive.						
I am confident in the Fire Department's ability to perform their duties.						
I am confident that the Fire Department will respond quickly to an emergency.						
I am satisfied with South Ogden's Fire Department.						

2e. Police Department	SD	D	N	A	SA	NC
The Police Department is helpful and responsive.						
I feel safe in my neighborhood.						
I am satisfied with South Ogden Police Department's ability to enforce traffic laws and ordinances.						
I am satisfied with the Police Department's ability to control gang violence.						
I am satisfied with the Police Department's Ability to control crime in general.						

2f. Planning and Zoning Department	SD	D	N	A	SA	NC
The staff is helpful and responsive.						
I am satisfied with the City's ability to manage land use in South Ogden.						
Obtaining information about planning and/or zoning is easy.						
South Ogden is moving in the right direction with plans for future land use.						

2g. Park Services	SD	D	N	A	SA	NC
Parks Services are helpful and responsive.						
I am satisfied with the appearance (litter, cleanliness, etc.) of parks in South Ogden.						
I am satisfied with the number of parks in South Ogden.						
Parks are easily accessible (parking and road access).						

2h. Recreation Services	SD	D	N	A	SA	NC
Recreation Services are helpful and responsive.						
I am satisfied with the appearance (litter, cleanliness, etc.) of recreational facilities in South Ogden.						
I am satisfied with the number of recreational facilities in South Ogden.						
Recreational facilities are easily accessible (parking and road access).						

2i. Street Department (traffic, snow/Ice removal, etc.)	SD	D	N	A	SA	NC
Roads are well maintained throughout the year including adequate snow/ice removal, street cleaning, potholes filled, etc.						
I am satisfied with the number, availability, and/or maintenance of sidewalks for pedestrian/cycling access.						
I am satisfied with the residential street speeds.						
Traffic flows well.						
There is too much traffic noise in South Ogden.						

2j. Public Works Department (Water, sewer, storm drains, etc.)	SD	D	N	A	SA	NC
Public works staff is helpful and responsive.						
I am satisfied with the quality of water service (water availability, water pressure, taste, cleanliness etc.).						
I am satisfied with the City's management of storm water.						
I am satisfied with the City's management of waste disposal (sewer, garbage, recycling programs, etc.).						

2k. Municipal Court Office	SD	D	N	A	SA	NC
The Court is helpful and responsive.						
I am able to understand and navigate the court process.						
The court system runs smoothly.						

2l. Utility Billing Services	SD	D	N	A	SA	NC
My utility bills are easy to understand.						
I am satisfied with ease of utility payment options.						
Utility billing services have been improving.						

3. Additional Comments: Please use this space to give us feedback on any of the previously listed services or departments.

4. How useful do you find each of the following methods of communication?

Please rate using the following scale: Not Useful at all (NU), Barely Useful (BU), Somewhat Useful (SU), Useful (U), Very Useful (VU).

	NU	BU	SU	U	V U
The South Ogden City website.					
The South Ogden City newsletter.					
The message included in your South Ogden utility bill.					
The South Ogden City Facebook page.					
The South Ogden City Twitter account.					

5. What can the city do to better communicate with you?

6. How much do you agree with the following statement?

Please rate on the following scale: Strongly Disagree (SD), Disagree (D), Neutral (N), Agree (A), Strongly Agree (SA), I have had No Contact (NC)

	SD	D	N	A	SA	NC
South Ogden has considered public opinion when making major decisions.						

7. Please indicate your top 3 reasons for living in South Ogden.

- Safe Community
- Friendly People
- Peaceful serene community
- Sense of community
- Family friendly (good place to raise children)
- Cost of living – “Affordability”
- Access to education (K-12 & higher education)
- Shopping/Entertainment
- Open spaces (parks, mountains, trails, skiing, snowboarding)
- Access to transportation (main thoroughfares, trains)
- Other:

8. Which of the following best describes the “heart” of South Ogden City – the “town center”?
Please check the ONE best response.

- City Hall area (40th Street)
- Riverdale Road
- Washington Blvd. (between 36th Street and 40th Street)
- Fresh Market/Wal-Mart area (US-89 and Harrison)
- Macey’s/Costco area along 36th Street
- Other:

Demographics

Section B. In this last set of questions, we would like to learn more about you. As a reminder, all of your responses will remain confidential and your responses will not be linked to your names or your household.

9. What is your age?

- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- Over 65

10. How long have you lived in South Ogden?

- 0 – 5 years
- 6 – 10 years
- 11 – 16 years
- 17 – 25 years
- Over 25 years

11. Do you have children living at home?

- Yes
- No

12. If you have children at home, what ages are the children who live in your home? Please select all that apply.

- 0 – 5
- 6 – 10
- 11 – 15
- 16 – 20
- 21 – 25
- Over 25

13. Do you own or rent your home?

- Own
- Rent

14. Please indicate your employment status. Choose all that apply.

- Employed full time
- Employed part time
- Full-time student
- Part-time student
- Homemaker
- Retired
- Unemployed

15. Please indicate your gender:

- Woman
- Man
- Other _____

16. Please indicate your race or ethnicity:

- White
- Black or African American
- Hispanic, Latino, or Spanish Group
- American Indian or Alaska native
- Asian
- Native Hawaiian or Other Pacific Islander
- Do not know/Unsure
- Other _____

17. What is the primary language spoken in your household?

- English
- Spanish
- Other _____

18. Are you registered to vote?

- Yes
- No
- Prefer not to answer

