

ORDINANCE 23-01

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.32, SECTION 10.32.180 OF THE MORGAN CITY CODE REGARDING THE POSTING OF CAMPAIGN SIGNS IN PUBLIC RIGHTS OF WAY; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is often necessary to make amendments to the City Code in order to clarify the intent of the code; and

WHEREAS, it is the desire of the City Council to amend Title 10, Chapter 10.32, Section 10.32.180(F)(1) regarding the requirements for posting of campaign signs in the public right of way; and

WHEREAS, the Planning Commission has reviewed the changes and has recommended approval of the changes to the City Council; and

WHEREAS, the City Council finds it to be in the best interest of the health, safety and welfare of the City and its citizens to adopt said changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MORGAN, UTAH:

SECTION 1. Repealer. If any provisions of the Morgan City Code heretofore adopted are inconsistent herewith, they are hereby repealed.

SECTION 2. Enactment. Title 10, Chapter 10.32, Section 10.32.180 – Temporary Signs, Flags and Banners is hereby amended to read as follows:

. . .

F. Campaign signs shall meet the following requirements:

1. Posting On Public Right Of Way: It shall be lawful for any person to post a campaign sign in the area between the sidewalk and curb and gutter or if no curb, gutter, and sidewalk, within any right of way not closer than five feet (5') of roadway of any public street except that no sign over two feet (2') in height may be placed in any clear view area. No campaign sign may be attached to any utility pole within a public right of way. No campaign sign may overhang the travelway or sidewalk in a public right of way.

. . . .

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon posting.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 10th day of January, 2023.

ATTEST:

Denise Woods
DENISE WOODS, City Recorder

Steve Gale
STEVE GALE, Mayor



CITY COUNCIL VOTE AS RECORDED:

| | Aye | Nay | Excused |
|-------------------------|------------|------------|----------------|
| Councilmember London | ___ | ___ | <u>X</u> |
| Councilmember Wardell | <u>X</u> | ___ | ___ |
| Councilmember Turner | <u>X</u> | ___ | ___ |
| Councilmember Richins | <u>X</u> | ___ | ___ |
| Councilmember Alexander | <u>X</u> | ___ | ___ |

(In the event of a tie vote of the Council):

| | | |
|------------|-----|-----|
| Mayor Gale | ___ | ___ |
|------------|-----|-----|