ORDINANCE NO. 2012-17

AN ORDINANCE AMENDING THE SIGN REQUIREMENTS IN
CHAPTER 17-7-9 OF THE MIDVALE CITY MUNICIPAL CODE; ALSO
PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE
ORDINANCE.

WHEREAS, pursuant to Section 10-6-12 Utah Code Annotated 1953 as amended, the
City has authority to adopt the Midvale City Municipal Code; and

WHEREAS, the City Council of Midvale City, Utah, held a public hearing regarding
amendments to Chapter 17-7-9 of the Midvale City Municipal Code on November 27, 2012; and

WHEREAS, the City Council of Midvale City, Utah, find it appropriate to adopt such an
ordinance to ensure adequate advertisement opportunities for businesses within the overall
Bingham Junction zone.

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

Section 1. The Municipal Code which sets forth the laws and policies within Midvale
City, is hereby amended as follows:

See Attachment “A”

Section 2. If any part of this ordinance or the applications thereof to any person or
circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be
unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of
this ordinance or the application thereof to other persons and circumstances, but shall be
confined to its operation to the section, subdivision, sentence or part of the section and the
persons and circumstances directly involved in the controversy in which such judgment shall
have been rendered. It is hereby declared to be the intent of the City Council that this section
would have been adopted if such invalid section, provisions, subdivision, sentence or part of a
section or application had not been included.
Section 3. This ordinance shall be effective upon date of first publication.

PASSED AND APPROVED this 27th day of November, 2012.

JoAnn B. Seghini, Mayor

Voting:
- Colleen Costello: "Aye"
- Paul Glover: "Aye"
- Robert Hale: "Aye"
- Paul Hunt: "Aye"
- Wayne Sharp: "Nay"

ATTEST:

Rori Andreasen, MMC
City Recorder

Date of first publication: Dec. 4, 2012
17-7-9.4 Common Intent Statements

D. Sign Standards Common to All or Multiple Subareas.

1. Flat/Wall Signs.
   a. Up to three building walls may be used for flat or wall signage. The maximum sign area shall be fifteen percent of the wall surface of the front of the building, five percent for the side, and five percent for the back or side. The following four types of wall signs are allowed; all others are prohibited:
      i. An externally illuminated aluminum sign panel with cut out and/or channel letters illuminated by a specified cut-off floodlight fixture mounted to the building.
      ii. An internally illuminated aluminum sign panel with cut out and/or reverse channel letters illuminated by neon tubes or fluorescent lamps behind the sign panel and/or letters.
      iii. An externally illuminated individually fabricated channel letter form using a specified cut-off floodlight fixture mounted to the building.
      iv. An internally illuminated channel letter mounted to the building.
   b. Subject to the wall sign area and type restrictions found herein, businesses that lack suitable wall area upon which to mount a flat or wall sign may instead place the sign on a gabled roof so long as the sign does not project above the roof line. For the purposes of this section, a building elevation that qualifies under this subsection is a side of a standalone structure with less than one hundred feet of wall area.

2. Awning/Canopy Signs. All awnings and canopies shall be constructed of a canvas-like material or architectural metal. The design and color shall relate to the storefront design. No awning or canopy sign may extend more than five feet over the sidewalk and shall be at least eight feet above the sidewalk. Awnings and canopies that are utilized for signage shall use contrasting letters that are painted, applied or sewn onto the vertical drip or panel of the awning or canopy. The maximum sign area of an awning/canopy sign is the greater of sixteen square feet or five percent of the area of the wall to which it is attached. Letters shall not occupy more than eighty percent of the width or the height of the vertical drip or panel. The sign area used for a canopy sign shall be included in any calculation of wall sign area.

3. Projecting Signs. One projecting sign may be attached to the building perpendicular to the facade facing the sidewalk per ground level tenant space. A projecting sign shall be made of a rigid material with the bracket and sign panel relating to the storefront design. Projecting signs may not
exceed twelve square feet in size, project more than four feet from the facade, and must be at least eight feet above the sidewalk.

4. Door/Window Signs. Door and window signs are permitted as follows:
   a. Lettering and logos may be applied directly onto storefront windows. This includes white gold leaf, applied vinyl, painted, etched or sandblasted.
   b. Retail, service and restaurant establishments are permitted to use window-mounted signs advertising current sales or specials, subject to applicable sign area restrictions, so long as they do not disrupt the visibility from employee stations to the parking area or of law enforcement personnel into the business.
   c. One neon or LED sign may be mounted in each window subject to applicable sign area restrictions. One electric changeable copy sign is permitted per business subject to applicable safety and sign area restrictions and best practices. Signs that make use of crawling or flashing copy or text, or simulate traffic signs or traffic messages are prohibited.
   d. The total area of window signs (including lettering and logos) shall not exceed twenty-five percent of the window area on which it is located.
   e. Storefront windows and doors shall be limited to a maximum of two square feet of coverage with stickers, credit card decals, hours of operation, etc.
   f. There may be one window sign listing the names of second floor tenants near street level entrances. This sign shall not exceed six square feet and is not to be included in the twenty-five percent allowance.

5. Suspended Signs. Suspended signs shall be located near the entrance to the business/tenant space and may be used in place of rather than in conjunction with a wall sign. The maximum sign area is one square foot per each lineal foot of building elevation on which the sign is located, not to exceed sixty square feet. Signs shall be located so as to emphasize design elements of the buildings. No suspended sign shall be less than eight feet above the sidewalk.

6. Monument Signs. One monument sign may be allowed per street frontage for a multifamily or commercial project. A monument sign shall not exceed the sign area and height indicated in the sign table for each Subarea—thirty-two square feet or six feet in height with a minimum one-foot pedestal—and shall be located in a landscaped area associated with a project entry-or-focal point. The signand may be located on a berm of up to 3 feet in height, provided the top of the sign does not exceed nine feet in height above finished grade. Monument signs shall not be constructed within the clear view area and shall be set back at least three feet from a public sidewalk and property lines. Monument signs shall be constructed with materials similar to that of the main building. Due to the unique nature of the Bingham Junction development and the large quantity of
open space adjacent to viable commercial real estate, the city may grant an easement for the partial location of an approved monument sign within city-owned open space; provided, that it is located immediately adjacent to the business being advertised. No advertising for businesses located outside the adjacent development shall be allowed.

7. A-Frame Signs. One freestanding A-frame signboard per ground level tenant may be placed on private property within close proximity to a pedestrian way, or on a public or private sidewalk of at least ten feet in width, provided the sign does not interfere with pedestrian movement. The signboard copy space shall not exceed three feet in height and two feet in width with a maximum sign height of four feet.

8. Pylon Signs. One pylon sign is allowed in each identified retail area as indicated on the Illustrative Land Use Plan (Appendix B) which is on file in the city recorder’s office. Signs are for multi-tenant use only. Signs are to be placed as near the center of the Jordan River Boulevard street frontage as practicable. If buildings have been located against the right-of-way line, the sign may be located adjacent to the main drive entrance, but no closer than five hundred feet to another pylon sign. The entire length of the supporting poles must be covered in a substantial architectural cover which does not reflect the round nature of the pole beneath, with a minimum of the first third of that length being constructed of masonry to match the development. The cabinet must be set back a minimum of eighteen inches from the property line and the supports a minimum of five feet from the property line. Due to the unique nature of the Bingham Junction development and the large quantity of open space adjacent to viable commercial real estate, the city may grant an easement for the partial location of an approved pylon sign as identified in the Bingham Junction zone within city-owned open space; provided, that it is a multi-tenant sign located immediately adjacent to the shopping center/businesses being advertised. No advertising for businesses located outside the adjacent development shall be allowed.
**PROOF OF PUBLICATION**

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**SCHEDULE**

Start 12/04/2012  
End 12/04/2012

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**AFFIDAVIT OF PUBLICATION**

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MIDVALE CITY PUBLIC NOTICE, Notice is hereby given that during a City Council meeting on November 27, 2012 the Midvale City Council adopted Ordinance No. 2012-17 FOR MIDVALE CITY, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY.

**PUBLISHED ON**

Start 12/04/2012  
End 12/04/2012

**SIGNATURE**

[Signature]

**DATE**

12/4/2012

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