

RESOLUTION NO. 99- 260

A RESOLUTION OF THE CITY OF DELTA, UTAH REGULATING THE USE OF STREETS, SIDEWALKS, PUBLIC BUILDINGS AND GROUNDS FOR SIGNS, SIGNPOSTS, HANDBILLS, POSTERS, AND ADVERTISEMENTS.

RECITALS

The City Council of the City of Delta, Utah, referred to herein as the "City Council", hereby recites the following as the basis for adopting this resolution:

WHEREAS, Delta City has experienced difficulties with persons who place signs, posters and advertisements on City property and neglect to properly remove such material. Failure to properly remove such material results in litter accumulating on public grounds; and

WHEREAS, Section 10-8-26, U.C.A. (1953 ed.) as amended, allows a municipality to regulate or prevent, among other things, the use of streets, sidewalks, public buildings and grounds for signs, signposts or for posting handbills or advertisements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Delta, Utah:

Section 1. Permit for Signs. No Person(s) shall tack or place any sign, bill, poster or advertisement of any nature on any pole, tree, fence, or other structure of any street, alley, park, or other public place in any manner without having a permit therefor. Application for such permit shall be made to the Delta City Recorder or his/her designee at the Delta City Offices.

Section 2. Cost of Permit. No such permit shall be issued unless there is deposited with the Delta City Recorder or his/her designee the sum of thirty dollars, which sum shall be returned to the applicant if the applicant causes all such signs, posters or advertisements to be removed within the time prescribed by this resolution. Such removal means that the signs, posters or advertisements are removed from the premises or disposed of properly in a trash receptacle or by other appropriate means. If such applicant does not cause the proper removal of such signs, posters or advertisements within such time, then his/her thirty dollar deposit shall be forfeited to the City.

Section 3. Removal. Any outdoor sign which advertises, identifies or pertains to an activity no longer in existence shall be removed by its owner or person otherwise responsible within

forty-eight (48) hours from the time the activity ceases existence.

Section 4. Applicability. The provisions of this resolution shall not apply to notices posted by order of court or notices to the public required by law to be posted in a public place; nor shall this resolution apply to a City or County Governmental entity, or persons campaigning for public office.

Section 5. This resolution shall become effective upon adoption.

Section 6. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

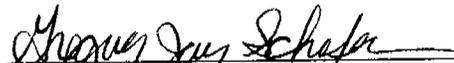
Section 7. To the extent that any resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED this 24th day of May, 1999.



R. DALE ROPER, Mayor

Attest:



Gregory Jay Schafer
City Recorder

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