

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 17 ZONING, CHAPTER 17.64 SIGN REGULATIONS, AMENDING SECTION 17.64.070 SPECIFIC SIGN REGULATIONS BY ADDING PARAGRAPH L TEMPORARY RESIDENTIAL SUBDIVISION SIGNS AND PARAGRAPH M OFFSITE TEMPORARY SIGNS ON PRIVATE PROPERTY PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES.

NOW THEREFORE, BE IT ORDAINED by the Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

The Code of Youngtown, Arizona, Title 17 Zoning, Chapter 17.64 Sign Regulations, Section 17.64.070 Specific Sign Regulations is hereby amended by adding Paragraph L Temporary Residential Subdivision Signs as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

- L. **TEMPORARY RESIDENTIAL SUBDIVISION SIGNS.** TEMPORARY RESIDENTIAL SUBDIVISION SIGNS ARE PERMITTED IN SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS FOR EACH BUILDER IN A RECORDED SUBDIVISION PLAT ONLY IN CONJUNCTION WITH A VALID BUILDING PERMIT FOR A MODEL HOME COMPLEX. TEMPORARY RESIDENTIAL SUBDIVISION SIGNS ARE UNLAWFUL IF THEY DO NOT MEET THE CRITERIA AND LIMITATIONS SET FORTH BELOW IN TABLE 17.64.070.L(1), TEMPORARY RESIDENTIAL SUBDIVISION SIGNS: CRITERIA AND LIMITATIONS.

[SEE TABLE ON FOLLOWING PAGE.]

**TABLE 17.64.070.L(1)**  
**TEMPORARY RESIDENTIAL SUBDIVISION SIGNS: CRITERIA AND LIMITATIONS**

	<b>Principal Entry(ies)</b>	<b>Model Home Complex</b>	<b>Perimeter Subdivision Open Space</b>	<b>Comments</b>
Maximum Number of Signs	1 per entry	1 or more	1 per street frontage	
Maximum Sign Area	32 sq. ft.	96 sq. ft.	32 sq. ft.	
Maximum Height	8 ft.	12 ft.	8 ft.	
Minimum Setback/ Distance from Right of Way	10 ft. (5 ft. if less than 32 sq. ft.)	10 ft. (5ft. if less than 32 sq. ft.)	10 ft. (5 ft. if less than 32 sq. ft.)	
Aggregate Maximum Sign Area				256 sq. ft.
Duration	3 Years	3 Years	3 Years	Or when the model homes are completely closed.
Allowed on Public Sidewalk / Right-of-Way				No
Allowed within a Sight Visibility Triangle				No
Lighting or Illumination Allowed				No
Permission of Owner Required				Yes
Permit Required				Yes
Incorporation of Florescent Color or Exhibition of Florescence Allowed				No

The Code of Youngtown, Arizona, Title 17 Zoning, Chapter 17.64 Sign Regulations, Section 17.64.070 Specific Sign Regulations is hereby amended by adding Paragraph M Offsite Temporary Signs on Private Property as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

- M. **OFFSITE TEMPORARY SIGNS ON PRIVATE PROPERTY.** OFFSITE TEMPORARY SIGNS ARE PERMITTED IN ALL ZONING DISTRICTS ON UNIMPROVED LOTS OR PARCELS SUBJECT TO CRITERIA AND LIMITATIONS SET FORTH BELOW IN TABLE 17.64.070.L(1), OFFSITE

TEMPORARY SIGNS ON PRIVATE PROPERTY: CRITERIA AND  
LIMITATIONS.

**TABLE 17.64.070.L(1)**  
**OFFSITE TEMPORARY SIGNS ON PRIVATE PROPERTY: CRITERIA AND  
LIMITATIONS**

Maximum Number of Signs Per Parcel	1
Minimum Size of Unimproved Parcel Required	6,000 sq. ft.
Maximum Sign Area	32 sq. ft.
Maximum Sign Height	8 ft.
Minimum Setback/ Distance from any Right of Way	10 ft.
Minimum Spacing from any Other Sign (including any Temporary Sign or Permanent Sign)	100 ft.
Duration	1 Year
Allowed on Public Sidewalk / Public Right-of-Way	No
Allowed within a Sight Visibility Triangle	No
Lighting or Illumination Allowed	No
Permission of Owner Required	Yes
Permit Required	Yes
Movement Allowed	No
Incorporation of Florescent Color or Exhibition of Florescence Allowed	No

**Section II. Providing for Repeal of Conflicting Ordinances.**

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

**Section III. Providing for Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section IV. Providing for Penalties.**

The Town of Youngtown reserves the authority to revoke any permit if the sign authorized by permit has been constructed or is being maintained in violation of this Ordinance. Any person, firm, company or corporation, whether as principal, owner, agent, tenant, employee or otherwise, violating, disobeying, omitting, neglecting or refusing to comply with any provision of this Ordinance, or violating or failing to comply with any order or regulation made hereunder, may also be charged with a misdemeanor offense in accordance with

Town Code Section 17.04.110, punishable upon conviction by a fine of not more than two thousand five hundred dollars (\$2,500.00) or by imprisonment in the jail designated by the town, for a term not exceeding six months, or by both such fine and imprisonment. Such person, firm, company or corporation shall be deemed guilty of a separate offense for each day during which any such violation or failure to comply with this Ordinance is committed, continued or permitted.

PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 3<sup>rd</sup> day of March, 2022, by the following vote:

AYES: 7

NAYES: 0

EXCUSED: 0

ABSENT: 0

ABSTAINED: 0

APPROVED this 3<sup>rd</sup> day of March, 2022.

  
Michael E. LeVault, Mayor

ATTEST:

  
Nicole Smart, Town Clerk

APPROVED AS TO FORM:

  
Digitally signed by: Trish Stuhan  
DN: CN = Trish Stuhan email =  
trish@piercecoleman.com C = AD O =  
Pierce Coleman PLLC OU = Attorney  
Date: 2022.03.07 13:57:36 -07'00'

Trish Stuhan, Town Attorney

I, NICOLE SMART, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2022-01 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 3<sup>RD</sup> DAY OF MARCH 2022, WAS POSTED IN THREE PLACES ON THE 11<sup>th</sup> DAY OF March, 2022.

  
Nicole Smart, Town Clerk